

# Planning & Development Services Committee

## Amended Agenda



February 13, 2020

1:15 pm

**Members:** Director Reinhardt (Chair), Director McCormick (Vice Chair), Director Gay, Director Doehle, Director Sosnowski, Director Walter, Director Clovechok, Director Wilkie, Director Pratt, Director Graham, Director Qualizza, Director Miller, Director Sterzer, Director Wilks

**Voting Rules:** Unless otherwise indicated on this agenda, all Directors except the Director representing the District of Elkford have one vote and a simple majority is required for a motion to pass.

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	Pages
1. Call to Order	
2. Addition of Late Items	
3. Adoption of the Agenda	
4. Adoption of the Minutes	
4.1 January 9, 2020 Meeting	3
5. Invited Presentations & Delegations	
5.1 ALR Subdivision Application Jean Terpsma (item 9.2.1)	9
5.2 DVP No. 42-19 Jean Terpsma (item 9.3.1)	10
5.3 MOTI Road Closure Referral Chad Jensen (item 9.4.3)	11
6. Correspondence	
6.1 Miscellaneous	
6.1.1 Development Services - 2019 Year End Planning Report	12
6.1.2 Development Services - Monthly Planning Report	16
6.1.3 APC Area A - Letter of Reconsideration ALC File No. 58291	17
6.1.4 APC Area A - Letter of Reconsideration ALC File No. 58744	18
7. Advisory Commissions	
7.1 Advisory Planning Commission Minutes	
7.1.1 Area B - January 15, 2020	19



7.1.2	Area C - January 16, 2020	21
7.1.3	Area E - January 14, 2020	22
7.1.4	Areas F & G - January 21, 2020	24
<b>8.</b>	<b>Unfinished Business</b>	
8.1	Request for Reconsideration - Kootenay Dirt Riders Crown Land Licence of Occupation	26
<b>9.</b>	<b>New Business</b>	
9.1	Bylaw Amendments	
9.1.1	Bylaw No. 2972 (Koocanusa West / Flood, Hopkins and C.D. Reay and Sons Ltd.)	40
9.2	Agricultural Land Reserve Applications	
9.2.1	Edgewater / Greg Whitman Heavy Hauling Ltd. ALR Subdivision Application	51
9.3	Development Variance Permit Applications	
*9.3.1	DVP No. 42-19 (Baynes Lake / McArthur)	60
9.3.2	DVP No. 48-19 (Meadowbrook / Gyurkovits)	70
9.4	Miscellaneous Items	
9.4.1	Discussion Item - Enforcement on Crown Land	76
9.4.2	City of Cranbrook - Proposed 3rd St NW Boundary Expansion	77
9.4.3	Ministry of Transportation and Infrastructure - Road Closure Referral (Gold Creek / Graziano)	84
<b>10.</b>	<b>Late Agenda Items</b>	
<b>11.</b>	<b>Adjournment</b>	





## MINUTES OF THE PLANNING & DEVELOPMENT SERVICES COMMITTEE MEETING

January 9, 2020  
Regional District Office, Cranbrook, BC

PRESENT:	Committee Chair C. Reinhardt	Village of Radium Hot Springs
	Director M. Sosnowski	Electoral Area A
	Director S. Doehle	Electoral Area B
	Board Chair R. Gay	Electoral Area C
	Director J. Walter	Electoral Area E
	Director S. Clovechok	Electoral Area F
	Director G. Wilkie	Electoral Area G
	Director W. Graham	City of Cranbrook
	Alternate Director R. Popoff	City of Cranbrook
	Director D. McCormick	City of Kimberley
	Director A. Qualizza	City of Fernie
	Director D. Wilks	District of Sparwood
	Director A. Miller	District of Invermere
	Director K. Sterzer	Village of Canal Flats
ABSENT:	Director L. Pratt	City of Cranbrook
STAFF:	S. Tomlin	Chief Administrative Officer
	S. Moskal	Corporate Officer
	R. Chippett	Planning Assistant (Recording Secretary)

### Call to Order

Committee Chair Clara Reinhardt called the meeting to order at 1:49 pm.

### Adoption of the Agenda

MOVED by Director Gay

SECONDED by Director Miller

THAT the agenda for the Planning & Development Services Committee meeting be adopted.

CARRIED

### Adoption of the Minutes

#### December 5, 2019 Meeting

MOVED by Director Wilks

SECONDED by Director Walter

THAT the Minutes of the RDEK Planning & Development Services Committee meeting held on December 5, 2019 be adopted as circulated.

CARRIED

### Invited Presentations & Delegations

#### Amendment of DP No. 28-19 & Reconsideration of DP No. 44-19

Greg and Tracey Urichuk spoke to their applications for a variance to allow an internally illuminated pylon sign and to permit a flat roof canopy for their business Crossroads Market Esso located at Highway 93/95 in Windermere. They distributed updated conceptual drawings, and explained how they have modified their plans to address issues raised with previous designs.



**Bylaw No. 2966 and Bylaw No. 2967**

Richard Haworth, agent for Fairmont Hot Springs Resort Ltd., gave a presentation and spoke to an application requesting an amendment to the Fairmont Hot Springs & Columbia Lake Area Official Community Plan and Upper Columbia Valley Zoning Bylaw to permit the development of townhome style units on an 11 acre parcel located along Fairway Drive and Mountainside Golf Course. Mr. Haworth explained in addition to the residential units, a portion of the golf course currently encroaches onto the property and will be rezoned also.

**Bylaw No. 2969**

Richard Haworth, agent for Vern and Sharon Barr, gave a presentation and spoke to an application to amend the Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw to rezone a portion of the property to separate an existing RV Park and residential houses. Mr. Haworth explained the rezoning provides a panhandle for highway access and allows the existing dwellings to meet setback requirements along the boundary line.

**DVP No. 45-19**

Ken Kachur gave a presentation and spoke to his application requesting support of his application to vary the maximum permitted height from 9.0 m to 9.5 m for a single family dwelling on Windermere Road. Mr. Kachur explained that the proposed mono-pitch roof design is permitted under other adopted zoning bylaws.

**TUP No. 2-19**

Kris Pickering & Clay Tanner, on behalf of EarthRite Industries Ltd., spoke to a Temporary Use Permit application to allow for the storage of wood mulch and the parking and maintenance of up to six highway trucks and trailers on property located on Highway 93/95 in the Mayook area. Mr. Pickering explained the operation is not full time and that the wood mulch is collected from various locations around the East Kootenay and would only be stored on the property until the Skookumchuk Pulp Mill is able to receive the product.

**TUP No. 2-19**

Mike Haslam spoke in opposition to the EarthRite Industries Ltd. application for a Temporary Use Permit to allow the wood mulch storage and parking / maintenance of highway trucks and trailers. Mr. Haslam explained that due to the risk of wildfire, potential for disease to forests, and noise to the neighbouring areas, a different location would be more suitable for this type of operation.

**Kootenay Dirt Riders Crown Land Licence of Occupation**

Alex Buterman, on behalf of Kootenay Dirt Riders, gave a presentation and requested support of a Crown Land Licence of Occupation to allow construction and maintenance of a recreation trail network and designated camping and staging area in the vicinity of Ta Ta Creek. Mr. Buterman explained that establishing the existing trails and staging area as a recreation site will provide the Kootenay Dirt Riders Association an opportunity to engage with Recreation and Trails BC to improve and manage recreation in the area.

**ALR Subdivision Application**

Alva Soppit spoke on behalf of her ALR Subdivision application to request a release of a covenant which currently binds two titles on the property which is restricting addition of an owner on one of the titles. Ms. Soppit explained no further development is being proposed, and that removing the covenant is a requirement of the Agricultural Land Commission and reverting back to two separate titles will have no impact on the land.

Meeting recessed at 3:32 pm and resumed at 3:44 pm.

**Request for Reconsideration of DP 28-18 (KGT Enterprises Ltd / Windermere Esso)**

489524

MOVED by Director Clovechok

SECONDED by Director Gay

THAT the amendment to Development Permit 28-18 (KGT Enterprises / Windermere Esso) be granted subject to the addition of gabled façades on the north and south elevations over all groupings of support columns.

CARRIED



**Request for Reconsideration of DP 44-19 (KGT Enterprises Ltd / Windermere Esso)**

48925

MOVED by Director Sosnowski

SECONDED by Director Graham

THAT Development Permit No. 44-19 (KGT Enterprises Ltd. / Windermere Esso) be granted.

OPPOSED: Director Clovechok and Director Wilkie

CARRIED

**Bylaw No. 2966 & Bylaw No. 2967 (Fairmont / FHSR)**

48928

MOVED by Director Sterzer

SECONDED by Director Miller

THAT Bylaw No. 2966 cited as "Regional District of East Kootenay – Fairmont Hot Springs & Columbia Lake Area Official Community Plan Bylaw No. 2779, 2017 – Amendment Bylaw No. 5, 2019 (Fairmont / FHSR)" be introduced.

CARRIED

48929

MOVED by Director Miller

SECONDED by Director Sterzer

THAT Bylaw No. 2967 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 357, 2019 (Fairmont / FHSR)" be introduced.

CARRIED

**Bylaw No. 2969 (Jaffray / Barr)**

48930

MOVED by Director Doehle

SECONDED by Director Sterzer

THAT Bylaw No. 2969 cited as "Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 33, 2019 (Jaffray / Barr)" be introduced.

CARRIED

**DVP No. 45-19 (Windermere / Kachur & Stringer)**

48939

MOVED by Director Clovechok

SECONDED by Director Miller

THAT Development Variance Permit No. 45-19 (Windermere / Kachur and Stringer) be granted.

CARRIED

**TUP No. 2-19 (Mayook / EarthRite Industries Ltd.)**

48941

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT the EarthRite Industries Ltd. Temporary Use Permit to allow the storage of wood mulch and the parking and maintenance of up to 6 highway trucks and trailers on property located on Highway 3/93 in the Mayook area be refused.

CARRIED

Director Rob Gay left the meeting at 3:18 pm.



**Kootenay Dirt Riders Crown Land Licence of Occupation**

48942

MOVED by Director Qualizza

SECONDED by Director Clovechok

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.

CARRIED

48943

MOVED by Director Sosnowski

SECONDED by Director Doehle

THAT a discussion be held at the Planning & Development Services Committee meeting in February regarding the need for increased enforcement on Crown land with respect to recreation access and unauthorized activities.

CARRIED

Director Rob Gay returned to the meeting at 3:32 pm.

**Fort Steele / Elliott & Soppit ALR Subdivision Application**

48933

MOVED by Director Gay

SECONDED by Director Sterzer

THAT the Agricultural Land Commission be advised that the RDEK supports the Elliott & Soppit ALR subdivision application for property located on Wardner-Fort Steele Road in Fort Steele.

CARRIED

**Unfinished Business****Request for Reconsideration - City of Cranbrook Proposed Boundary Expansion**

48926

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT Resolution No. 48853 adopted on December 6, 2019, in support of the City of Cranbrook proposed boundary expansion, be rescinded.

OPPOSED: Director Qualizza

CARRIED

48927

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT the City of Cranbrook be advised that the RDEK does not support the proposed 18.6 ha boundary expansion in the vicinity of 17<sup>th</sup> Street South as outlined in the November 14, 2019 correspondence from the City.

CARRIED

**New Business****Bylaw No. 2970 (Miscellaneous / RDEK)**

48931

MOVED by Director Wilks

SECONDED by Director Sterzer

THAT Bylaw No. 2970 cited as "Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2929, 2019 – Amendment Bylaw No. 1, 2019 (Miscellaneous / RDEK)" be introduced.

CARRIED



**Bylaw No. 2971 (Wilmer / Wilmer Eco Development Ltd.)**

48932

MOVED by Director Wilkie

SECONDED by Director Clovechok

THAT Bylaw No. 2971 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 358, 2019 (Wilmer / Wilmer Eco Development Ltd)" be introduced.

CARRIED

**DVP No. 36-19 (Fernie / Goran)**

48934

MOVED by Director Sosnowski

SECONDED by Director Sterzer

THAT Development Variance Permit No. 36-19 (Fernie / Goran) be granted

CARRIED

**DVP No. 39-19 (Meadowbrook / Hockley (Besold))**

48935

MOVED by Director Walter

SECONDED by Director Wilks

THAT Development Variance Permit No. 39-19 (Meadowbrook / Hockley) be granted.

CARRIED

**DVP No. 41-19 (Holland Creek / 1047217 Alb Ltd.)**

48936

MOVED by Director Sterzer

SECONDED by Director Clovechok

THAT Development Variance Permit No. 41-19 (Holland Creek / 1047217 Alb Ltd.) be granted.

CARRIED

**DVP No. 43-19 (Cranbrook East / ZAM Enterprises Ltd.)**

48937

MOVED by Director Gay

SECONDED by Director Sterzer

THAT Development Variance Permit No. 43-19 (Cranbrook East / ZAM Enterprises Ltd.) be granted.

CARRIED

**DVP No. 44-19 (Cranbrook North / Marlow)**

48938

MOVED by Director Gay

SECONDED by Director Sterzer

THAT Development Variance Permit No. 44-19 (Cranbrook North / Marlow) be granted.

CARRIED

**DVP No. 46-19 (Wycliffe / Odarich & Klekowski)**

48940

MOVED by Director Walter

SECONDED by Director Wilks

THAT Development Variance Permit No. 46-19 (Wycliffe / Odarich and Klekowski) be granted.

CARRIED



Kootenay River Tributaries - Vessel Operation Restriction Regulations

48944  
MOVED by Director Clovechok  
SECONDED by Director Walter

THAT St. Eugene Resort and Casino be thanked for their letter regarding motor restrictions on the Upper Kootenay River tributaries and be advised that the RDEK is not aware of any work the East Kootenay River Alliance has undertaken in regards to establishing motor boat restrictions on the tributaries of the Kootenay River.

CARRIED

Adjournment

The meeting adjourned at 4:10 pm.

\_\_\_\_\_  
Committee Chair Clara Reinhardt

\_\_\_\_\_  
Shannon Moskal, Corporate Officer

DRAFT



## Rhiannon Chippett

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**Subject:** FW: Delegation Request for Feb 13th Planning Committee Meeting  
**Attachments:** Jopp Presentation.pptx

Hi Rhiannon,

On behalf of Gregory Whitman Heavy Hauling Ltd. (Greg Jopp) I request to be a delegation at the February 13, 2020 Planning Committee meeting.

The application is for subdivision of land within the ALR and the RDEK file is P 719 608. The proposal is to create four new parcels: three parcels 8.0 ha in size, one parcel 1.0 ha and leave a 14.0 ha remainder parcel. The subject land is located at 5050 Hewitt Rd in the Edgewater area.

I have attached a Powerpoint presentation that I will speak on. Thank you.

Jean Terpsma

Terpsma Land Development Consulting

Email: [jean@terpsmaconsulting.com](mailto:jean@terpsmaconsulting.com)



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Jean Terpsma

Terpsma Land Development Consulting

Email: [jean@terpsmaconsulting.com](mailto:jean@terpsmaconsulting.com)



## Rhiannon Chippett

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**From:** Chad Jensen <cjensen@newdawndevelopments.com>  
**Sent:** January 27, 2020 1:50 PM  
**To:** Rhiannon Chippett  
**Subject:** Road Closure Referral from MoTI (File P 201 300)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Rhiannon,

Further to the letter from Krista Gilbert in regards to File: P201 300 for a Road Closure Referral from MoTI. I would like to request to be added as a delegation to discuss the application and be available for questions. When do you require a copy of my presentation prior to the meeting?

Cheers,

Chad Jensen



**NEW DAWN**  
DEVELOPMENTS

New Dawn Developments Ltd.  
1524 Industrial Road #2, Cranbrook, BC, V1C 6R2  
P 250-489-1519  
F 250-426-6235  
C 250-426-9724  
[cjensen@newdawndevelopments.com](mailto:cjensen@newdawndevelopments.com)

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**Subject** Development Services – Planning Year End Report

**Month** January – December 2019

### STATISTICS

(January 1, 2019 – December 31, 2019)

	2019	2018
<b>INQUIRIES</b>	<b>3501</b>	3554
<b>BUILDING CHECKS</b>	<b>372</b>	407

	----- ELECTORAL AREAS -----						YEAR	
	A	B	C	E	F	G	2019	2018
Agricultural Land Reserve	5	2	3	1	0	3	14	18
Bylaw Amendments (Zoning / Land Use / OCP)	3	5	7	7	6	1	29	29
DP	2	0	37	12	10	0	61	51
DVP / Bd. of Variance	9	6	7	6	10	0	38	43
Subdivision	2	7	6	5	10	1	31	37
MFLNRO Referrals	4	4	6	2	1	1	18	30
Other Agency Referrals (MoTI / Liquor Control etc.)	5	0	2	0	3	2	12	21
Other Permits & Agreements (Housing Agreements / Temp. Use / Floodplain Exemptions / Campground)	0	0	2	0	2	0	4	5
<b>TOTALS 2019</b>	<b>30</b>	<b>24</b>	<b>70</b>	<b>33</b>	<b>42</b>	<b>8</b>	<b>207</b>	
<b>TOTALS 2018</b>	35	28	56	27	67	21		234

### Staffing

In 2019, the land use planning team consisted of 8 staff including the Planning Assistant, Development Clerk, two planning technicians, three planners and the manager. Regarding staff changes, Brenda Kolenbrander left the department in August and Brett Kormos was hired as the new Development Clerk in October.

The RDEK's land use planning, building regulation and protective services functions were re-structured and the changes became effective on January 1, 2020. As a result, the new Development Services



department now includes building regulation, bylaw compliance and land use planning, and the manager position is shared by Sanford Brown and Andrew McLeod.

## **Development Applications**

Bylaw 2907 (Windermere North / Bad Toro) rezoned land along Athalmer Road to permit a 6 ha residential development consisting of up to 100 potential single family dwellings and a 3 ha commercial area.

After considering the results of the public hearing, Bylaws 2908 and 2909 (Cranbrook West / Fountain Capital Corp.) to redesignate and rezone 86 ha of land west of Cranbrook to permit about 20 new 2 ha parcels were defeated by the Board.

Bylaws 2919 and 2920 (Cranbrook West / 1009891 BC Ltd.) were adopted allowing for 5 new acreages along Jim Smith Lake Road.

At Kooacanusa Village, Bylaws 2921 and 2922 were adopted to redesignate and rezone a lakeside area for up to 20 additional residential lots.

## **Projects**

### **APC/EAAC Orientation**

An APC/EAAC meeting for Electoral Areas A, B, E and F/G was attended by a Planner and the Deputy Corporate Officer for an orientation and refresher session. The sessions were an opportunity to review the role of the committees, discuss meeting protocols and procedures, review new templates for standardized meeting minutes and agendas, and answer questions from APC members.

### **Bylaw Amendments**

A round of miscellaneous housekeeping amendments was made for all zoning and land use bylaws, except the Upper Columbia Valley Zoning Bylaw. The amendments were an opportunity to integrate new regulations to address recurring variance requests such the inclusion of common lot access parcels in fee simple subdivisions; introduce new regulations to address the measurement of building heights for single-pitch or flat roofs; and updates to reflect regulatory changes such as the federal *Cannabis Act* and changes to the *Agricultural Land Commission Act* and Regulations.

### **Upper Columbia Valley Zoning Bylaw 900**

Work continued on updating and modernizing the zoning bylaw. Public presentation of the updated zoning bylaw, including all the miscellaneous amendments reflected in other zoning bylaws, is anticipated in late Spring 2020.

### **Markin-MacPhail Westside Legacy Trail**

Staff continued to work with the Columbia Valley Greenways Trail Alliance towards the completion of the Markin-McPhail Westside Legacy Trail. In November 2019, the entire trail was rideable or walkable on graveled surface completing the trail connection between Invermere and Fairmont Hot Springs. Paving of the final 10 km is anticipated to occur in 2020.



### **Moyie OCP & Electoral Area C Zoning Bylaw**

The Moyie OCP and Electoral Area C Zoning Bylaw were adopted in July 2019 following a successful public engagement process. The OCP process provided an opportunity to engage with the community and responsible authorities about the future of the Moyie Narrows. The success of this engagement was reflected in the support the final OCP received from the community. The Electoral Area C Zoning Bylaw amalgamated the Cranbrook Rural Zoning Bylaw with the zoning regulations for the Moyie area.

### **Lake Windermere OCP**

The Lake Windermere OCP was adopted in November 2019 following a two year planning process to develop the plan. The planning process included consultation with an engaged advisory group, landowners and stakeholders. The OCP built off the policy foundation provided by the areas first OCP adopted in 2008 and provides clear direction for future land use within the OCP plan area, while recognizing environmental and social values identified through the planning process.

### **Panorama Area OCP**

The OCP process kicked off with an Open House in March following consultation with Panorama Mountain Resort and agreement on how to proceed with the process. Intensive consultation over the next seven months and a follow up public meeting in July led to the presentation of a draft OCP on December 30<sup>th</sup>. The draft includes an expanded plan area to include adjacent private lands and changes to reflect current planning for the Resort.

### **Steamboat – Jubilee Mountain OCP**

The OCP review kicked off consultation activities in July with the distribution of the first newsletter and three introductory meetings. Over the fall, stakeholder consultation was undertaken along with preparation of the draft plan in anticipation of its presentation in early 2020. The new OCP is anticipated to incorporate new policy direction for the revitalization of the Edgewater core and development permit guidelines for the Columbia Wetlands.

### **Kootenay Boundary Farm Advisors**

The KBFA program completed another successful year that included engagement between the advisors and producers. Under the program the Advisors made 96 farm visits, engaged 70 outside expert resources, attended 21 producer/agricultural meetings and hosted 21 events attended by 420 participants. In 2019, 149 new producers connected with the program for a total of 522 to date. Two research projects were also launched: BC Forage Council Soil Carbon Project which includes three farms in the East Kootenay and the Farm Adaptation Innovator Program which is working with one producer in each Regional District.

### **Elk Valley ALR Block Inclusion Application**

The application process concluded in November when the decision of the ALC Executive Committee was released. All 36 properties that participated in the application were refused inclusion in the ALR. Notification letters to all landowners who participated in the application were sent in December.

### **Columbia Valley Archaeology Overview Assessment (AOA)**

In partnership with the Shuswap Indian Band and the Ktunaxa Nation Council, a contract with a consulting archaeologist to undertake the project was signed in 2018. The project was subsequently postponed while we await the acquisition of Lidar mapping to assist with AOA polygon identification. It is anticipated that work will continue in 2020 and the project will wrap up in 2021.



## **Regional Agricultural Adaptation Strategy**

Working with the BC Agriculture & Food Climate Action Initiative, the Ministry of Agriculture, RDCK and RDKB, the RDEK, Kootenay and Boundary Farm Advisors and five local/regional agricultural organizations, agricultural producers were engaged to strategize and prioritize actions to facilitate adaptation to climate change in the agricultural sector. The Kootenay and Boundary Regional Adaptation Strategies were developed through a series of four workshops, two supplementary focus groups and an implementation session. Moving forward, the RDEK will continue to participate in the project including providing \$9000 in funding over the next 3 years to increase the impact of agricultural climate adaptation projects in the Kootenays.

## **Community Energy Manager (CEM)**

In partnership with BC Hydro and CBT, Megan Lohmann and the Community Energy Association were retained for another year to implement the RDEK CEM workplan. The building industry was engaged in capacity building workshops on energy performance and air tightness in buildings and Buildsmart Tailgate meetings to demonstrate mid-construction blower tests. The CEM also facilitated the delivery of an innovative E-Mobility Visioning Workshop to design the future of electronic vehicle infrastructure in the East Kootenay. Finally, the CEM worked on the preliminary design of the organics facility project and the associated funding application.

## **Vessel Operating Restrictions Regulation (VORR)**

With respect to the federal Vessel Operation Restriction Regulations, the RDEK is required to erect and maintain regulatory signage and buoys for the boating restrictions that RDEK has sponsored and is responsible for. In 2019, work towards ensuring that the RDEK is meeting its obligations included the purchase of eight speed limit buoys for Columbia Lake, to be installed in Spring 2020, and the installation of signage at five smaller lakes to indicate vessel and speed restrictions.

## **Koocanusa Crown Land Recreation**

Staff continued to participate on the project steering committee. Implementation of the Dorr-Grasmere component of the Koocanusa Recreation Strategy was advanced, while recreation and other land use value inventories were completed for the remainder of the project area. Public consultation was undertaken in November to help refine future recreation management strategies.

## **Elk River Floodplain Interim Policy**

In May, a policy to manage development in the floodplain of the Elk River was adopted pending the completion of a new floodplain management bylaw using the updated Elk River floodplain mapping.



**Subject** Development Services – Planning Monthly Report

**Month** February 2020

### STATISTICS (January 1 – January 15, 2020)

	2020	2019
<b>INQUIRIES</b>	<b>109</b>	164
<b>BUILDING CHECKS</b>	<b>35</b>	35

	----- ELECTORAL AREAS ----- -----						YEAR	
	A	B	C	E	F	G	2020	2019
Agricultural Land Reserve							0	2
Bylaw Amendments (Zoning / Land Use / OCP)							0	2
DP					1		1	3
DVP / Bd. of Variance							0	6
Subdivision		3					3	4
MFLNRO Referrals		1			2		3	2
Other Agency Referrals (MoTI / Liquor Control etc.)							0	1
Other Permits & Agreements (Housing Agreements / Temp. Use / Floodplain Exemptions / Campground)							0	0
<b>TOTALS 2019</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>7</b>	
<b>TOTALS 2018</b>	<b>2</b>	<b>1</b>	<b>4</b>	<b>2</b>	<b>3</b>	<b>0</b>		<b>13</b>

#### Panorama Area OCP

The draft OCP was presented in December. The public comment period remains open until February 19<sup>th</sup> to allow for public review and feedback.

#### Steamboat-Jubilee Mountain OCP

The second newsletter was mailed out in early January. The newsletter provides information on the availability of a Community Ideas & Feedback survey available on the [engage.rdek.bc.ca](http://engage.rdek.bc.ca) website and invites the community to a public meeting on March 24<sup>th</sup>.



Karen Alexander  
Box 741  
Elkford, BC

January 6, 2020

Agricultural Land Commission  
Regarding file: 58291

To all whom are concerned:

Hello, I am writing on behalf of the RDEK Electoral A Advisory Commission. We are a volunteer citizen advisory board. We are tasked to make recommendations on local land planning matters. The ALC has refused the proposal of Application 58291 to subdivide land in the Agricultural Land Reserve. Our Advisory Commission is feeling disappointed about this decision. We recommended the proposal be accepted based on the following reasons.  
The proposal...

- IS consistent with the property's zoning designation
- impacts the agricultural utility of the property by INCREASING it
- encourages, enables and accommodates farm use of the land
- is needed as there is very little local agriculture in our valley and a need to increase it
- is a generational family operation
  - (90% of the worlds farms are run by individuals and families on small acreages using family labor producing 80% of the worlds food)
- long term impact would increase local agricultural production

The ALC panel stated *"subdivision for the purpose of financing improvements to the farm is not appropriate rationale to justify subdivision of agricultural land."* Our Advisory Board is confused by this statement and wishes to have the ALC give us a detailed explanation as to WHY the panel feels this is "not appropriate rationale to justify the subdivision. The owners explained to our Advisory Board they needed land ownership to satisfy the bank's requirements to obtain a loan to increase infrastructure and their farming operations. A local family wants to invest in their farm to increase its production and can only do this by sub diving and owing the farm land. This seems like a rationale justification to support local agriculture to our Advisory Board. Our Advisory Board bases its recommendations on our land, people and community that we have intimate knowledge of. It is the reason we volunteer our time on this Board. It is also noted that the RDEK Board recommended this proposal as well on February 8, 2019. There is a need to recognize our recommendation as it increases local agricultural production in our valley. We would like to request that the ALC reconsiders its decision on this file. If you would like more information you can contact me by email or better yet we welcome you all to attend one of our monthly meetings (3<sup>rd</sup> Tuesday, Fernie Information Center, 7:30pm).

Thank you for your consideration on this matter,  
Yours in farming,

Karen Alexander  
RDEK Electoral A Advisory Planning Commission Chair



Karen Alexander  
Box 741  
Elkford, BC

January 6, 2020

Agricultural Land Commission  
Regarding file: 58744

To all whom are concerned:

Hello, I am writing on behalf of the RDEK Electoral A Advisory Commission. We are a volunteer citizen advisory board. Our role is to make recommendations on local land planning matters. The ALC has refused the proposal of Application 58744 to add an additional residence to accommodate farm workers. Our Advisory Commission is feeling disappointed about this decision. We recommended the proposal be accepted based on the following reasons.  
The proposal...

- IS consistent with the property's zoning designation and the RDEK OCP designation
- positively impacts the agricultural utility of the property
- encourages, enables and accommodates current farm use of the land
- is needed as there is very little local agriculture in our valley and a need to support current operations
- long term impact would increase local agricultural production
- would accommodate the next generation of farmers, agriculture awareness and growth for a young family

The ALC panel stated *"that the current farming operation does not justify the increase of residential use"*. Our Advisory Board would like the ALC to reconsider its decision based on the current farming operations. We support the proposal because we CAN justify the addition of a farm worker residence based on the current farming operations. 106 ha (56%) of the property is currently being hayed for sale entirely for outside sources, it is the biggest hay source in our valley. In our valley hay is in high demand and local hay in even more of a demand. A letter of support from the purchasers can be provided to stress this current necessity. Haying operations do not just shut down in the winter months. There is a need to maintain the property and it's equipment for the next season. This does require the farm workers to attend to the property year round. For the past 5 years a young family with 3 small children have been working land (with Dad working full time at the coal mine, one of the only ways to financially survive while farming, this I know from personal experience). They drive to the property almost every day. The highway from Elkford to the lower Elk Valley Road can experience extreme winter conditions from late October to May. It is all of our hopes that the future generations take up and develop a passion for agriculture. One of the best ways to do this is to have them live the life and learn it as they grow. The Advisory Planning commission feels for these reasons this is a legitimate agriculture business that justifies the need for a secondary farm worker residence.

Our Advisory Board bases its recommendations on our land, people and community that we have intimate knowledge of. It is the reason we volunteer our time on this Board. It is also noted that the RDEK Board recommended this proposal as well on May 3rd 2019. There is a need to recognize our recommendation as it maintains and increases local agricultural production in our valley. We would like to request that the ALC reconsiders its decision on this file. If you would like more information you can contact me by email or better yet we welcome you all to attend one of our monthly meetings (3<sup>rd</sup> Tuesday, Fernie Information Center, 7:30pm).

Thank you for your consideration on this matter,  
Yours in farming,

Karen Alexander  
RDEK Electoral A Advisory Planning Commission Chair



# **Advisory Planning Commission Electoral Area B**

## **Minutes**

**January 15, 2020  
Baynes Lake Fire Hall**

### **Present:**

Shayne Webster, Chair  
Lily Durham, Secretary  
Kent Holmes  
Dave Gonnely  
John Todd  
Marjorie Reay  
Maureen Coulombe  
Gary Mitchell  
Josh Pedersen  
Steve Minuk

Director Stan Doehle

### **1. Call to Order**

Chair Shayne Webster called the meeting to order at 7:00 pm

### **2. Delegations**

Marjorie Reay spoke to their application, P 719 219- Flood, Hopkins & C.D. Reay & Sons Ltd. (Hopkins)/Kikomun-Newgate Rd, Koocanusa West

### **3. Adoption of the Minutes**

Moved by Steve Minuk  
Seconded by Kent Holmes

That the minutes of the Advisory Planning Commission meeting held on December 18, 2019 be adopted.

CARRIED

### **4. Planning & Development Services Monthly Report**

Moved by Josh Pedersen  
Seconded by Gary Mitchell

That the monthly Planning & Development Services Report be received.



**5. Bylaw Amendment Application**

**5.1** P 719 219- Flood, Hopkins & C.D. Reay & Sons Ltd. (Hopkins)/Kikomun Newgate Rd, Koocanusa West

Moved by Lily Durham  
Seconded by John Todd

That the Advisory Planning Commission recommends the Bylaw Amendment application be supported.

CARRIED

Comments: Unanimous

**6. Information Item**

**6.1** ALC Decision- Anderson Holdings Ltd./Hwy 3/93, Jaffray

**6.2** ALC Decision-Doehle (Haworth)/Chief David Rd, Baynes Lake

**7. Adjournment**

The meeting adjourned at 7:55 pm



MINUTES of the Electoral Area C Advisory Planning Commission meeting held on Thursday, **January 16, 2020** in the Conference Room at the RDEK office in Cranbrook.

**PRESENT**

Lee-Ann Crane, Chair & Secretary  
Ilene Lowing  
Rob Gay, Electoral Area C Director

Bob Bjorn, Vice Chair  
Jim Westwood

Herb Janzen

**ABSENT**

Chris Caron  
Richard Wake

Roger Mitchell

Wayne Stone

The meeting was called to order at 7:00 pm.

**DELEGATIONS**

**Graziano – Lot 49, DL 3558, Plan 1261 – 22<sup>nd</sup> Ave S, Gold Creek – Road Closure**

Chad Jensen of New Dawn Developments and agent for Joseph Graziano presented information on the application to close a 0.4 ha undeveloped section of 22<sup>nd</sup> Avenue South between 17<sup>th</sup> and 21<sup>st</sup> Street South in the Gold Creek area and consolidate that section of road with adjacent residential property. Mr. Jensen advised that there is a ravine running through Lot 49 which would complicate developing the subject section of road due to the depth of the ravine and the presence of water which would require bridges. It was also noted that the road right-of-way reduces building area on Lot 49 and that development of this section of road is not included on any long-term road network plan. Mr. Jensen advised that the neighbours had been consulted, that the owners of Lot 16 have no concerns with the proposal, and that the owners of Lot 15 have some issues. To address those issues, it has been agreed that the owners of Lot 15 could acquire the 30 feet of the ROW that runs the length of their property. It was also noted that Cranbrook City Council has supported the proposal and BC Hydro has no concerns.

**MINUTES**

Moved by Jim Westwood

Seconded by Ilene Lowing

That the minutes of the December 12, 2019 APC C meeting be adopted as circulated.

CARRIED

**MINISTRY OF TRANSPORTATION & INFRASTRUCTURE REFERRAL**

**P 201 300      Graziano / Lot 49, DL 3558, Plan 1261 – 22<sup>nd</sup> Ave S, Gold Creek – Road Closure**

Moved by Ilene Lowing

Seconded by Herb Janzen

That the Graziano application to the Ministry of Transportation & Infrastructure to close a portion of 22<sup>nd</sup> Avenue South adjacent to Lot 49, DL 3558, Plan 1261 and consolidate that portion of road with the adjacent residential property, **be supported subject to the owners of Lot 15 being given the opportunity to acquire 30 feet of the right-of-way that runs adjacent to their property.**

CARRIED – 1 Opposed

The meeting adjourned at 7:23 pm.



**Advisory Planning Commission  
Electoral Area E  
Minutes  
January 14, 2020  
Jim Westwood's Residence  
8563 Holmes Rd., Ft. Steele**

**Present:**

Jim Westwood, Chair  
Susanne Ashmore, Vice Chair  
Virginia West, Secretary  
Bob Eccleston  
Doug Barraclough  
Len Hunt  
Gord Olsen  
Barry Garland  
Director Jane Walter

**1. Call to Order**

Chair Jim Westwood called the meeting to order at 7:00 pm.

**2. Delegations**

There were no representatives present for the application.

**3. Minutes**

Moved by Barry Garland  
Seconded by Len Hunt

That the minutes of the Advisory Planning Commission meeting held on December 10, 2019 be adopted.

CARRIED

**4. Planning & Development Services Monthly Report**

Moved by Gord Olsen  
Seconded by Bob Eccleston

That the monthly Planning & Development Services Report be received.

CARRIED

**5. Development Variance Permit Application**

5.1 P719 430 – Gyurkovitz / Highway 95A, Meadowbrook

Moved by Len Hunt that the Advisory Planning Commission recommends the Gyurkovitz development variance permit application not be supported.

Seconded by Bob Eccleston

CARRIED

Comment: The APC would like a representative to come to the next meeting to answer questions from the members



**6. Adjournment**

The meeting adjourned at 8:30.

The next meeting will be held on Tuesday, February 11, 2020 at Judy McPhee's residence.



**Advisory Planning Commission  
Electoral Area F&G Minutes  
January 21, 2020  
Location: Windermere Emergency Operations Centre  
1627 Highway 93/95**

**Present:**

**Area F**

Norbert Schab - **Chair**

**Area G**

Norm Funnell

Hermann Mauthner

Rick Tegart

Stephanie Stevens

Gerry Wilkie - **Director**

Nancy Wilfley - **Secretary**

**1. Call to Order**

Chair Norbert Schab called the meeting to order at 7:49pm.

**Presentations:**

**P719 608-Greg Whitman Heavy Hauling Ltd./Edgewater**

7:10pm – Greg Whitman ask for any questions about his application. An agreement is in place for water from Edgewater water system main line. 32% of land could be used for Agricultural production.

7:16pm – Greg Whitman leaves.

**P719-547 and P 151 500 Timber Springs Community Association/Columbia Lake**

7:16pm. Gordon Morrison presents Power point for both applications. Gordon explains history of application with CP Rail and RDEK. Currently, only 9 buoys used. Dock would be day use only. Original 9 slips will be allowed and a system of rotation will be planned. Only Timber Springs homeowners have legal access to cross railway. Public would not have access. Proposal to gate access to prevent motorized vehicle. Motorized boats are launched at the Canal Flats landing.

7:39pm. Gordon leaves.

**2. MINUTES**

**2.1 APC Meeting – December 17, 2019 Adoption of the Minutes**

Moved by S. Stevens

Seconded by R. Tegart

That the minutes of the Advisory Planning Commission meeting held on December 17, 2019 be adopted as circulated.

CARRIED

**2.2 Planning Committee Meeting – December 5<sup>th</sup>, 2019 – Reviewed**

**3. REPORTS**

**3.1 Planning & Development Services Report – January 2020 Received**

**4. ALR APPLICATIONS**

**4.1 P 719 608 – Greg Whitman Heavy Hauling Ltd/Edgewater**

Moved by R. Tegart

Seconded by N. Funnell

That the Advisory Planning Commission recommends the Greg Whitman Heavy Hauling Ltd subdivision application refused.

CARRIED

Application not supported because of the land values and water. "ALR rating is as good as we get in this valley".



**5. BYLAW AMENDMENT APPLICATION**

**5.1 P 719 547 – Timber Springs Community Association/Columbia Lake**

Moved by N. Funnell

Seconded by S. Stevens

That the Advisory Planning Commission recommends the Timber Springs Community Association bylaw amendment application be refused.

CARRIED

Application not supported because application doesn't follow OCP and is premature to the Columbia Lake Management Strategy review.

**6. NRO REFERRALS**

**6.1 P 151 500-Timber Springs Community Association/Columbia Lake**

Moved by N. Funnell

Seconded by H. Mauthner

That the Advisory Planning Commission recommends the Timber Springs Community Association be refused.

CARRIED

**7. INFORMATION ITEMS**

**7.1 ALC Decision – Friedley & Pery/ Brisco**

**8. ADJOURNMENT**

The meeting adjourned at 8:19pm.



## Request for Decision

File No: P 151 400

**Date** February 5, 2020  
**Author** Andrew McLeod, Development Services Manager  
**Subject** Request for Reconsideration - Kootenay Dirt Riders Crown Land Licence of Occupation

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### REQUEST

Director Walter would like the Board to reconsider its support for the Kootenay Dirt Riders Crown Land Licence of Occupation referral, rescind Resolution No. 48942, and support the referral subject to conditions.

### OPTIONS

1. THAT Resolution No. 48942 adopted on January 10, 2020, in support of the Kootenay Dirt Riders Crown Land Licence of Occupation be rescinded.
2. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area, subject to a public meeting being hosted by the proponent to gather the views of area residents, and reporting back to the RDEK any changes to the application being made as a result of gathering public input.
3. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK does not support the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.

### BACKGROUND/ANALYSIS

On January 10, 2020, the Board adopted Resolution No. 48942:

*"THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area."*

In accordance with Procedure Bylaw No. 2020, Director Walter would like the Board to rescind the above resolution (Option 1) and entertain a motion to support the Crown land referral subject to conditions (Option 2).

In support of this request, Director Walter has submitted the following comments:

- "I am receiving many calls and emails in regards to the application. During the applicant's presentation they had said that they had communicated with the residents but I now believe it may not have been adequate."



- “The proponent should hold a public meeting to present the proposal and consider amending the application based on feedback from the public in order to mitigate the concerns of area residents.”

Attachment

- December 20, 2019 staff report





## Request for Decision Natural Resource Operations Referral

File No: P 151 400  
Reference: 539917  
Date: December 20, 2019

**Subject:** Crown Land Licence of Occupation – Ta Ta Creek / Kootenay Dirt Riders  
**Applicant:** Alex Buterman  
**Location:** Crown Land in the vicinity of Ta Ta Creek  
**Legal:** Various

**Proposal:** A Crown land application pursuant to Sections 56 & 57 of the *Forest and Range Practices Act* to establish a recreation trail / site to allow construction (where required) and maintenance of 65 km +/- of trails in the vicinity of Ta Ta Creek and to construct a designated camping / staging area and designate the trails and staging area as a recreation site.

**Options:**

1. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.
2. THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK does not support the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.

**Recommendation:** **Option #1:** Establishing the existing trails and staging area as a recreation site will give Recreation Sites and Trails BC the needed tools to further engage collaboratively with the Kootenay Dirt Riders Association in ongoing improvements and recreation management in the area. Recreation Sites and Trails BC will ensure the proposed recreation site designation is consistent with ALC regulations.

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**Property Information:** **OCP Designation:** RR, Rural Resource; includes agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

**OCP Policies:**

- Efforts to minimize conflicts between motorized and non-motorized recreation users of Crown land within the plan area are supported.
- The Regional District encourages management of Crown land in an environmentally responsible manner which:
  - a) Protects surface and groundwater sources;
  - b) Manages forest ingrowth;
  - c) Minimize risk of interface fire and wildfire;
  - d) Enhances wildlife habitat;
  - e) Protects views and scenery;
  - f) Protects watershed ecological values, including waterfowl and fish and their corresponding habitat; and,



**Property  
Information -  
cont'd:**

- g) Maintains diverse plant communities by managing invasive plants.

**Zoning Designation:** Most of the identified area is zoned RR-60, Rural Resource Zone, minimum parcel size: 60 ha. Wildland use is permitted. Some portions of the identified land are unzoned.

**Parcel Size:** The area affected is approx. 250 ha. 65 kms +/- of trails plus camping and staging area

**Density:** N/A

**ALR Status:** Mostly within. Pursuant to ALC Act BC Regulation 30/2019 Section 16, a recreation site established under Section 56 of the *Forest and Range Practices Act*, is permitted.

**BC Assessment:** N/A

**Water / Sewer Services:** Onsite. The referral states that the applicants propose to install a pit-toilets in the camping / staging area

**Interface Fire Hazard Rating:** Ranging from low to high. Crown land is serviced by the BC Wildfire Service.

**Flood Hazard Rating:** The proposed trail network crosses several creeks and is in the vicinity of several waterbodies.

**Crown Land  
Management  
Plans:**

N/A

**Lake Management  
Plans:**

N/A

**Shoreline  
Management  
Guidelines:**

N/A

**Additional  
Information:**

- The area is proposed to be designated as an established recreation site under FRPA Section 56 (establishing recreation sites or trails on Crown Land).
- The proposed recreation area is intended for all user groups and the general public.

**Consultation:**

**APC Area E:** Not supported

**Documents  
Attached:**

- Location Map
- Proposal
- Maps Provided by Applicant

**RDEK  
Contact:**

Tracy Van de Wiel, Planning Technician  
Phone: 250-489-0306  
Email: [tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)



to come! Flats







16660-20/260438 Tata Creek

July 15, 2019

Dear Recreation Land Referral Recipients

The Kootenay Dirt Riders Association (KDRA) has submitted an application to formally establish an existing dirt bike trail network (~65 km) and to build a designated camping/staging area in the Tata Creek area. This land referral is to designate the trail network as a British Columbia recreation trail and to designate the area highlighted in yellow on the map as a British Columbia recreation site.

The proposed recreation trails will provide beginner to intermediate trails for off road motorcycling and promote a family friendly riding opportunity. By designating these informal trails, it will allow for focused management and application of Recreation Sites and Trails BC standards and regulations. As well, the proposed recreation site will formalize the existing uncontrolled camping and provide adequate facilities for camping ie pit toilets. The complete Section 57 application form is included in the referral package with further details.

A trail inventory was completed in 2017 which identified portions of trail that have problems with sustainability or connectivity which will be considered for mitigation. The Tata Creek Recreation Trail Inventory and Assessment is available for review for stakeholders looking for that level of information. Chapter 10 of the *Recreation Manual* and the Great Trails: Providing Quality OHV Trails and Experiences are the industry standards that will apply to this proposed trail network if approved.

The application is made under Section 57 of the *Forest and Range Practices Act (FRPA)* (allowing construction, rehabilitation, and maintenance) and will subsequently be designated as an established Recreation Trail under FRPA Section 56 (establishing Recreation Sites or Trails on Crown Land). The designation will give Recreation Sites and Trails BC (RSTBC) the needed tools to further engage collaboratively with the Kootenay Dirt Riders Association in the ongoing improvements and recreation management in the area.

KDRA is an active non-profit stewardship group promoting responsible off-road motorcycling in the Tata Creek area. If authorization proceeds, the club will be required to enter into a 10 year Partnership Agreement with Recreation Sites and Trails BC for stewardship and maintenance of these proposed dirt bike trails. KDRA is committed to providing leadership for sustainable trails that can be enjoyed by all ages and abilities.



- 2 -

I welcome your comments on the proposed trail network and camping/staging area.

Yours truly,

A handwritten signature in dark ink, appearing to be 'Lisa Cox', written in a cursive style.

Lisa Cox  
Recreation Officer  
Rocky Mountain District  
Recreation Sites and Trails Branch





Ministry of Forests, Lands,  
Natural Resource Operations  
and Rural Development

## Proposal for Construction or Maintenance of Trails or Recreation Facilities on Crown Land

### For Office Use Only (form for applications from the public pursuant to section 57, Forest and Range Practices Act)

Date Received	Received By	Recreation District	File no (if applicable)

All applications must include a completed application form, and for proposals involving previously 'un-managed' trails or facilities or new trails or facilities, the application must also include a general location map, a specific location map and submission of digital geo-spatial information as described in the *Application Information and Guidelines* associated with this Form. **Incomplete applications will not be considered.**

### Part 1. Proponent Name and Contact Information

#### Proponent Name:

FULL LEGAL NAME of Individual(s), Organization or Society

Kootenay Dirt Riders Association

#### Proponent Mailing Address:

8983 Highway 95A

Kimberley B.C.

VIA SMS

#### Contact Name for Organization or Society:

Alex Buterman

#### Proponent Contact Numbers:

[Redacted] Cell

Phone:

Daytime Phone:

Fax:

Email Address:

### Part 2. General Proposal Description

**Purpose or intended use of proposed trail or recreation facility:** To establish, maintain and protect habitat for motorcycle use in the Tata Creek area. To have an area to be enjoyed and respected for future dirt bike use in a sustainable, forward thinking way. To work with the existing infrastructure to produce + provide safe, sustainable trail systems.

#### Brief description of proposed trail or recreation facility and any work or activities planned:

To enhance and cohabitate motorcycle terrain with existing eco-systems and interests. To create a three phase approach to the area: ① maintain/improve existing trails, ② To establish a riding area that has outdoor toilets, camping area and safe staging Area, ③ To uphold Stewardship and Responsibility for future and existing riding community.

#### Location of proposed trail or recreation facility:

Tata Creek area B.C.

NAD 1983 UTM Zone 11N



<b>This proposal is for:</b> (refer to <i>Application Information and Guidelines</i> for explanation of proposal types)		
Authorization under Section 57 of the <i>Forest and Range Practices Act</i> to construct, rehabilitate or maintain a trail or recreation facility on Crown land: (please select one choice from each column)		
<input type="checkbox"/> construction <input type="checkbox"/> maintenance <input type="checkbox"/> rehabilitation	<input type="checkbox"/> a managed trail or recreation facility <input type="checkbox"/> an unmanaged trail or recreation facility <input type="checkbox"/> a new trail or recreation facility	For an existing trail, is it a Heritage Trail or known to have heritage, or historic values? <input type="checkbox"/> designated Heritage Trail <input type="checkbox"/> known Historic or Heritage Value <input checked="" type="checkbox"/> no known heritage values

Part 3. Detailed Trail or Recreation Facility Description	
Approximate trail or recreation facility size:	Proposed work start dates:
Approximate trail or facility length x width:	Proposed work completion dates:
Describe the anticipated or proposed trail or recreation facility uses (check all that apply):	
<input checked="" type="checkbox"/> Camping <input checked="" type="checkbox"/> Picknicking <input type="checkbox"/> Fishing <input type="checkbox"/> Hiking <input type="checkbox"/> Mountain Biking <input type="checkbox"/> Horseback Riding <input type="checkbox"/> Cross Country Skiing <input type="checkbox"/> Boating <input type="checkbox"/> Snowmobiling <input type="checkbox"/> ATV's (ORVs) <input checked="" type="checkbox"/> Trail bikes (Motorized) <input type="checkbox"/> Other _____ (Please Specify)	
Are you aware of any potential land conflicts or constraints, including overlap with private property, grazing leases, provincial parks or protected areas, Old Growth Management Areas, or is the proposed trail or recreation facility located within a community watershed?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Describe: Possible cattle grazing tenure, Possible horse back riding tenure	
Identify any construction or maintenance guidelines or standards that will be followed when conducting works, any infrastructure that will be required, or signage to be installed:	
Any work that would be done on existing trails would have warning flagging or signage that trail maintenance was in effect. All work performed will be approved by proper Authority before starting any work	
Describe any significant water features including creeks, streams, rivers or wetlands the proposed recreation trail or facility might cross or potentially impact, and how you plan to protect these areas:	
We will work with professional support to decommission trails that affect water features. We will work to re route, bridge over water features	
<b>Digital geo-spatial information provided with application</b> Format: <input type="checkbox"/> gpx file <input type="checkbox"/> shape file <input type="checkbox"/> kml file (must be based on field collected gps data) File name(s):	<b>Maps &amp; Photos Included</b> <input type="checkbox"/> General Location Map <input type="checkbox"/> Specific Location Map <input type="checkbox"/> Colour Photographs
(see <i>Application Process Information Package</i> for spatial data requirements and map requirements associated with this application)	




#### Part 4. Additional Information

**Describe any discussions or communications with potentially impacted stakeholders, interest holders or First Nations regarding this proposal:** Members of our board of KDRA have had successful conversations with immediate neighbors to the lake creek area. We have been met with optimism that someone credible will be taking a responsible approach

**Describe your or your organization's capacity and commitment for ongoing maintenance of the proposed trail or recreation facility, should it be approved:** KDRA is a growing organization, members of KDRA will be assigned to trail maintenance teams that will do work on existing trails to ensure the risks are controlled by design, trails are environmentally sustainable and within the limits of the agreement with the Ministry. Our goal with KDRA is to pass down a legacy of riding in the East Kootenays to future generations

(attach additional pages as necessary, including any letters of support from stakeholders, summaries of correspondence, etc)

<p>Applicant Signature</p>  <p>Alex Buterman</p> <p>Printed Name of Applicant</p>	<p>April 5 / 2019</p> <p>Date</p>
---	-----------------------------------

PLEASE RETAIN A COPY OF THIS APPLICATION FOR YOUR RECORDS

**NOTE:** The information you provide will be subject to the *Freedom of Information and Protection of Privacy Act*. If you have any questions regarding the treatment of your personal information, please contact the Office of the Information & Privacy Commissioner for British Columbia. Visit [www.oipc.bc.ca/](http://www.oipc.bc.ca/) for more information.

The submission of this form does not in any manner convey any rights to use or occupy Crown land.

#### FrontCounter BC Contact Information

##### Phone

Call FrontCounter BC toll free at: 1-877-855-3222  
Call from outside North America at: ++1-778-372-0729

##### Email

[FrontCounterBC@gov.bc.ca](mailto:FrontCounterBC@gov.bc.ca)

##### Website

For information on the nearest FrontCounter BC location, or other information regarding your Natural Resource Application, visit

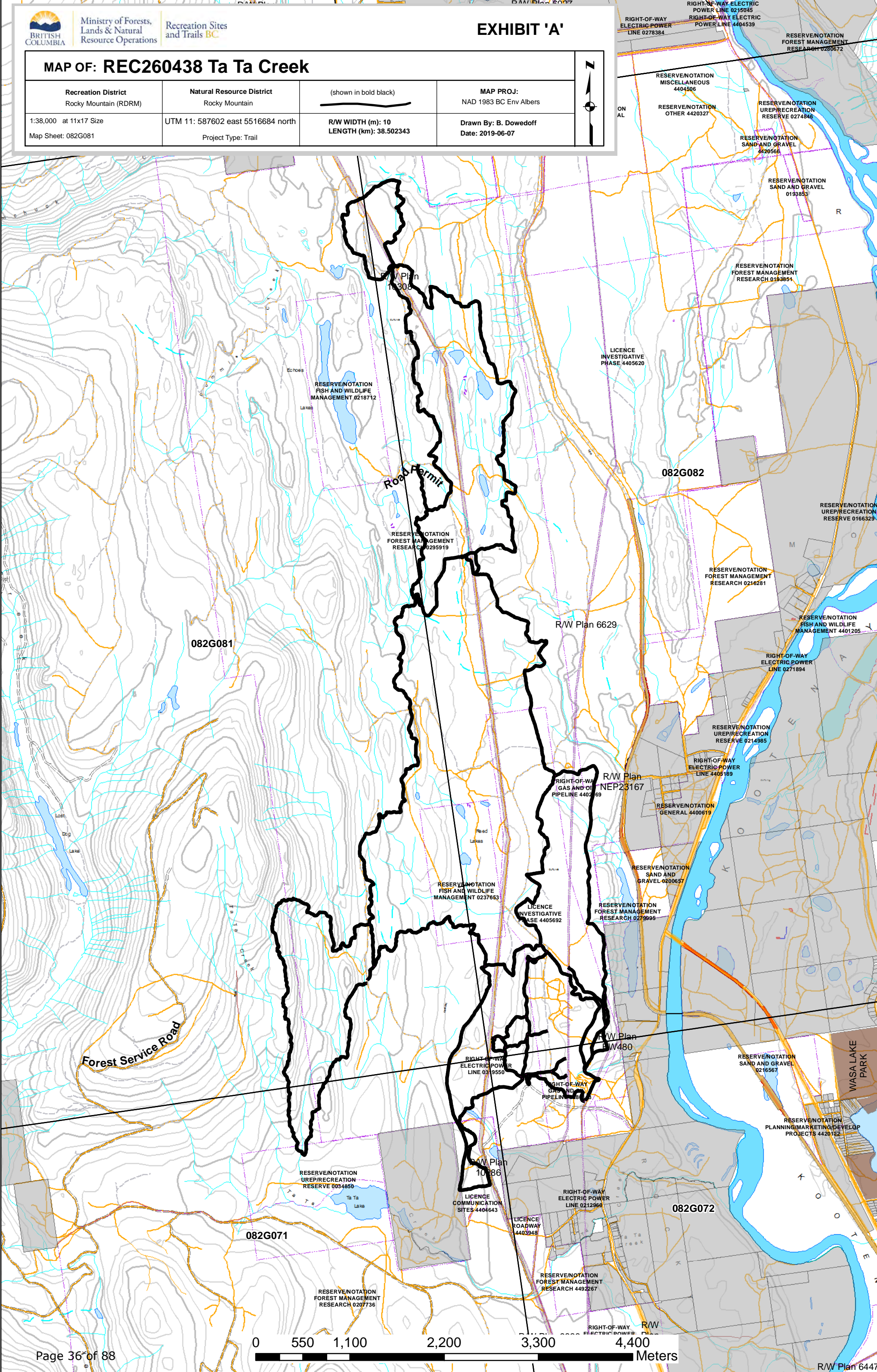
<http://www.frontcounterbc.gov.bc.ca/>



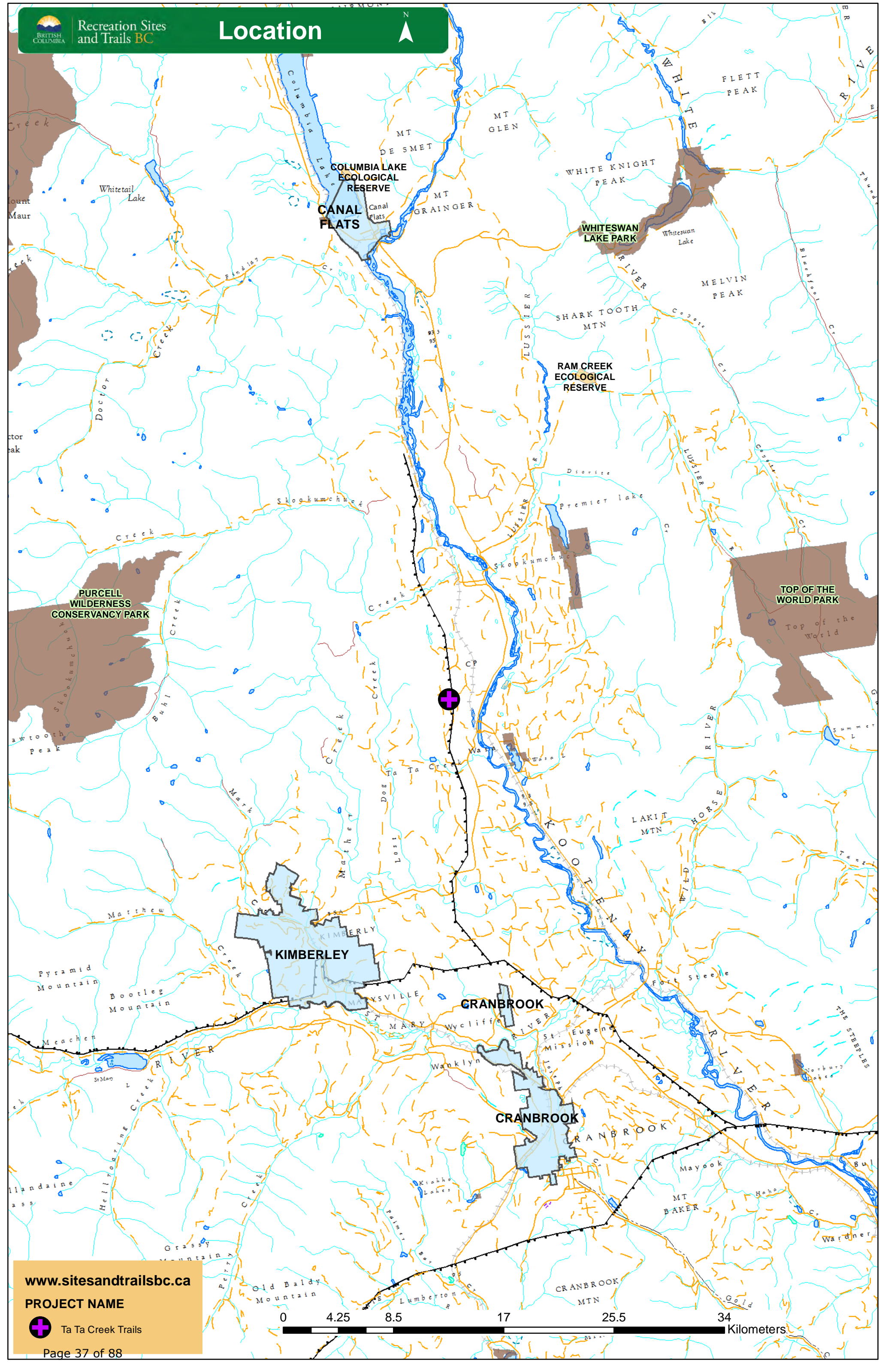


MAP OF: REC260438 Ta Ta Creek

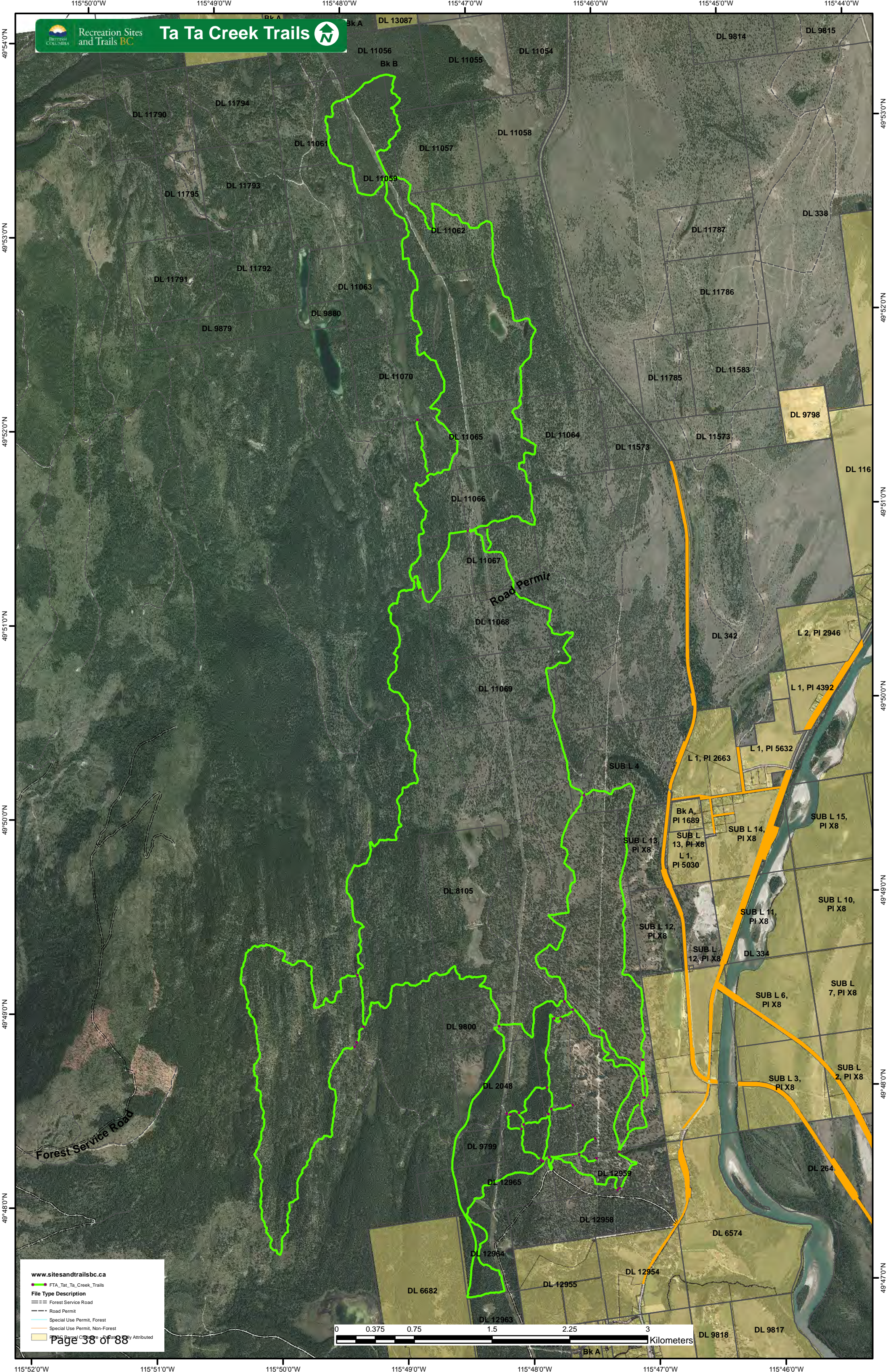
Recreation District Rocky Mountain (RDRM)	Natural Resource District Rocky Mountain	(shown in bold black)	MAP PROJ: NAD 1983 BC Env Albers
1:38,000 at 11x17 Size	UTM 11: 587602 east 5516684 north	R/W WIDTH (m): 10	Drawn By: B. Dowedoff
Map Sheet: 082G081	Project Type: Trail	LENGTH (km): 38.502343	Date: 2019-06-07







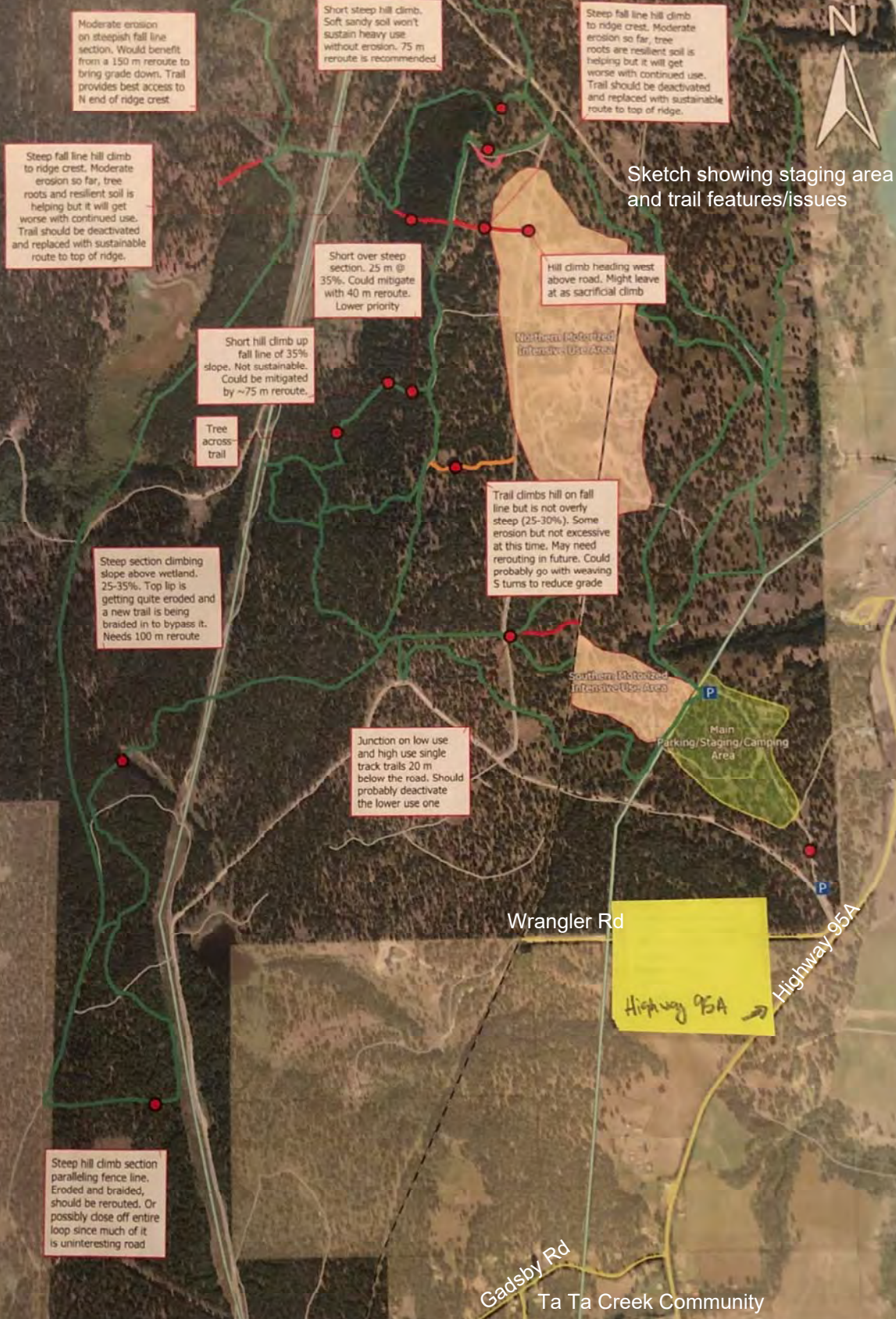








Sketch showing staging area and trail features/issues





## Request for Decision Bylaw Amendment Application

File No: P 719 222  
Reference: Bylaw No. 2972  
Date: January 30, 2020

**Subject:** Bylaw No. 2972 (Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.)  
**Applicant:** Brian Flood, Sharlene Hopkins and C.D. Reay & Sons Ltd.  
**Agent:** Sharlene Hopkins  
**Location:** Kikomun-Newgate Road, west of Lake Koocanusa  
**Legal:** District Lot 2707, Kootenay District and District Lot 2708, Kootenay District

**Proposal:** To amend the zone designation of both subject properties from RR-16 to RR-8 to permit future boundary adjustment subdivision.

**Options:**

1. THAT Bylaw No. 2972 cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 21, 2019 (Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.) be introduced.
2. THAT Bylaw No. 2972 cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 21, 2019 (Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.) not proceed.

**Recommendation:** Option 1.

The proposal enhances the agricultural operation currently spread across two parcels by consolidating it into one parcel. No negative impacts are anticipated with the proposed change in parcel sizes or boundary reconfiguration.

---

**Property Information:** **OCP Designation:** RR, Rural Resource, which supports agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

**OCP Policies:**

- Applications to create parcels less than 0.4 ha in size are not supported within the plan area and are directed to communities outside the plan area.
- Despite the minimum parcel size requirements established within the zoning bylaw, subdivision is generally not supported within the plan area, with the exception of areas specifically referred to in sections 4.3(3), 4.3(4) and 4.3(5) and applications consistent with section 4.3(2)(c). However, if applications for ALR subdivision or rezoning of these areas are received, they will be reviewed on an individual basis in relation to the following criteria:
  - Compatibility of proposed development with existing and surrounding land uses and parcel sizes;



**Property  
Information -  
cont'd:**

- Compatibility with agriculture and existing resource industries in the area;
  - Proposed lot size and density;
  - Proximity to an existing development node;
  - Capability to provide onsite sewage disposal in accordance with provincial requirements;
  - Potential impact of the proposal on groundwater;
  - Potential impacts of the proposed subdivision on the agricultural capability and suitability of both the parcel proposed for subdivision and on neighbouring parcels if the application is for a parcel located within the ALR;
  - Identification and mitigation measures for ecologically sensitive areas including riparian areas, wildlife habitats, and fish habitats;
  - Identification and mitigation of potential hazards (avulsion, flooding, wildfire & geotechnical);
  - Access to the development and proposed road networks;
  - Access to emergency service; and
  - FireSmart principles identified in 11.2(3)(c).
- Fragmentation or parcelization of land suitable for agricultural use in the Kikomun-Newgate Road North area is not supported
  - Applications for residential subdivision of the Kikomun-Newgate Road North parcels will be considered on an individual basis in relation to the following criteria:
    - Compatibility of proposed lot size and density with existing and surrounding land uses and parcel sizes;
    - Potential impacts of the proposed subdivision on the agricultural capability and suitability of both the parcel proposed for subdivision and on neighbouring parcels;
    - Potential impact of the proposal on groundwater;
    - The capability to provide onsite sewage disposal in accordance with provincial requirements; and
    - Regional District of East Kootenay decisions regarding ALR subdivision applications which were made prior to the adoption of this plan.

**Current Zone Designation:** RR-16, Rural Residential (Extensive) Zone  
(minimum parcel size: 16 ha)

**Proposed Zone Designation:** RR-8, Rural Residential (Country) Zone  
(minimum parcel size: 8 ha)

**Parcel Size:**

Existing: Two parcels: 8.7 ha (21.5 ac) and 16.1 (39.8 ac)

Proposed: Two parcels: 10.7 ha (26.5 ac) and 14 ha (34.5 ac)

**Density:**

Existing: 2 lots

Proposed: 2 lots



**Property  
Information -  
cont'd:**

Potential: 3 lots. If the proposal was amended to a 3 lot subdivision an ALR subdivision application would be required.

**ALR Status:** Within the ALR. The subdivision application is pursuant to Part 5 section 10(1)(C) of the *Agricultural Land Reserve General Regulation*, which permits an approving officer to approve a subdivision without approval of the commission if the proposed subdivision:

- involves not more than 4 parcels, each with a minimum of 1 ha;
- does not increase the number of parcels;
- is a boundary adjustment that, in the opinion of the approving officer, will allow for the enhancement of farming on the owner's agricultural land or for the better use of structures used for farming; and
- no parcels in the reserve are less than 1 ha.

**Interface Fire Hazard Rating:** Moderate, within the Baynes Lake fire protection area

**BC Assessment:** Residential & Farm

**Water and Sewer Services:** Onsite

**Flood Hazard Rating:** The subject properties are not identified as being within a flood hazard area.

**Professional  
Studies:**

None

**Additional  
Information:**

- The subject properties are currently used as farmland. The owners of DL2708 have a recreational vehicle on their property that they use in the summer months and DL2707 has a hay shed on the property.
- The owners wish to complete a boundary adjustment subdivision that will enhance the existing farm operation; no new parcels are being proposed.

**Consultation:**

**APC Area B:** Support

**Referral Agencies:**

- **Interior Health Authority:** Interests unaffected.
- **Transportation & Infrastructure:** Interests unaffected.
- **Environment:** Access to the properties must be off existing access or private land, no increase in access through Crown land, and any new fencing must be wildlife friendly.
- **Ktunaxa Nation Council:** No concerns.
- **School District No. 5:** No comment to date.
- **Telus:** No comment to date.



- Consultation - cont'd:**
- **Ministry of Agriculture:** The proposed boundary adjustment involving these two lots make good sense from an agricultural perspective.
  - **Agricultural Land Commission:** No objections as it appears that new lot configuration is supportive to agriculture.
- Documents Attached:**
- Bylaw
  - Location Map
  - Land Use Map
  - Zone Designation Map
  - Proposal
  - Aerial Photo
- RDEK Contact:**
- Krista Gilbert, Planning Technician  
Phone: 250-489-0314  
Email: [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)



**BYLAW NO. 2972**

1. This Bylaw may be cited as "Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 21, 2019 (Kootanusa West / Flood, Hopkins & C.D.Reay & Sons Ltd.)."
2. The designation of District Lot 2707, Kootenay District and District Lot 2708, Kootenay District, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR-16, Rural Residential (Extensive) Zone to RR-8, Rural Residential (Country) Zone.

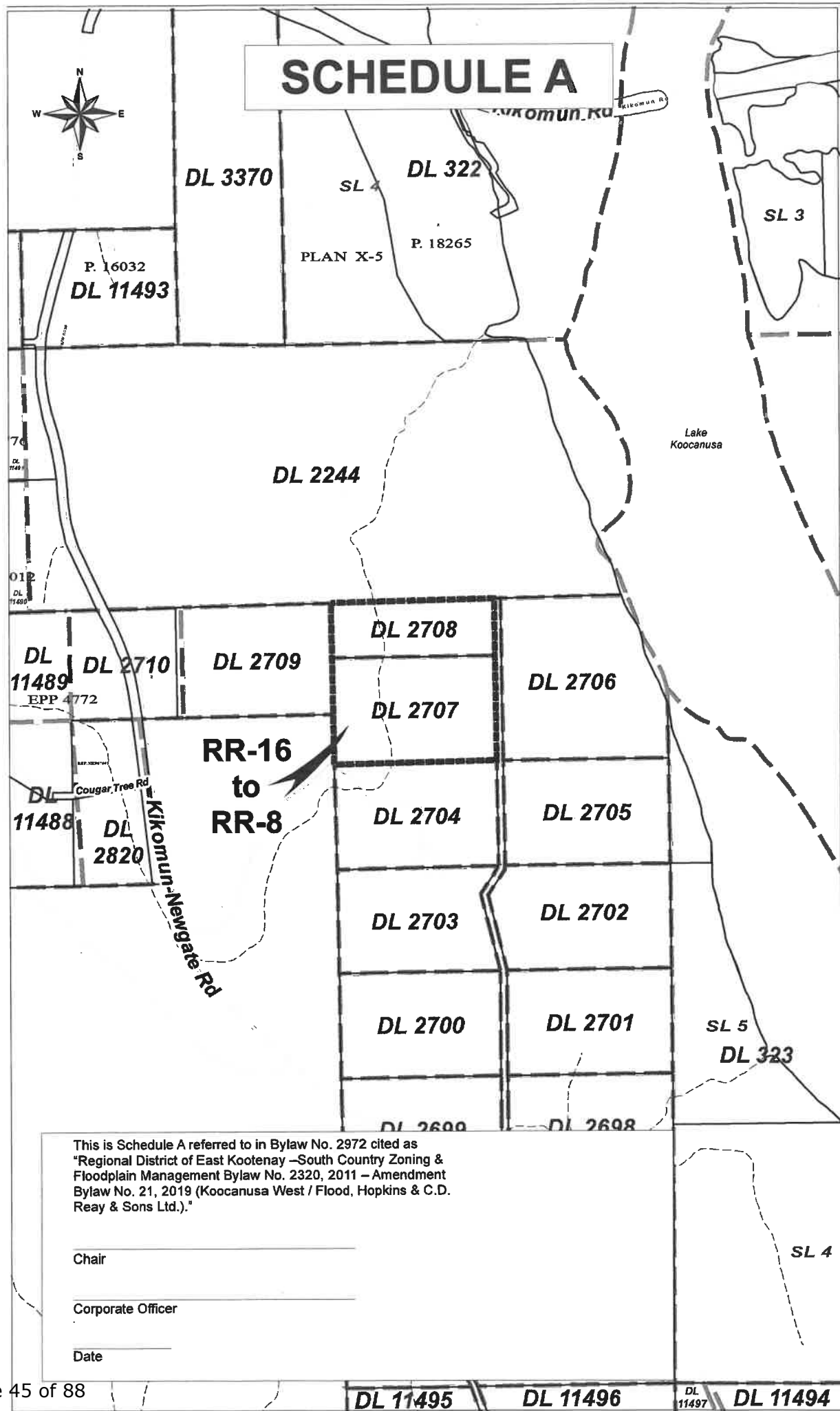
**ADOPTED** the            day of            , 2020.

CORPORATE OFFICER





# SCHEDULE A



This is Schedule A referred to in Bylaw No. 2972 cited as  
"Regional District of East Kootenay –South Country Zoning &  
Floodplain Management Bylaw No. 2320, 2011 – Amendment  
Bylaw No. 21, 2019 (Koocanusa West / Flood, Hopkins & C.D.  
Reay & Sons Ltd.)."

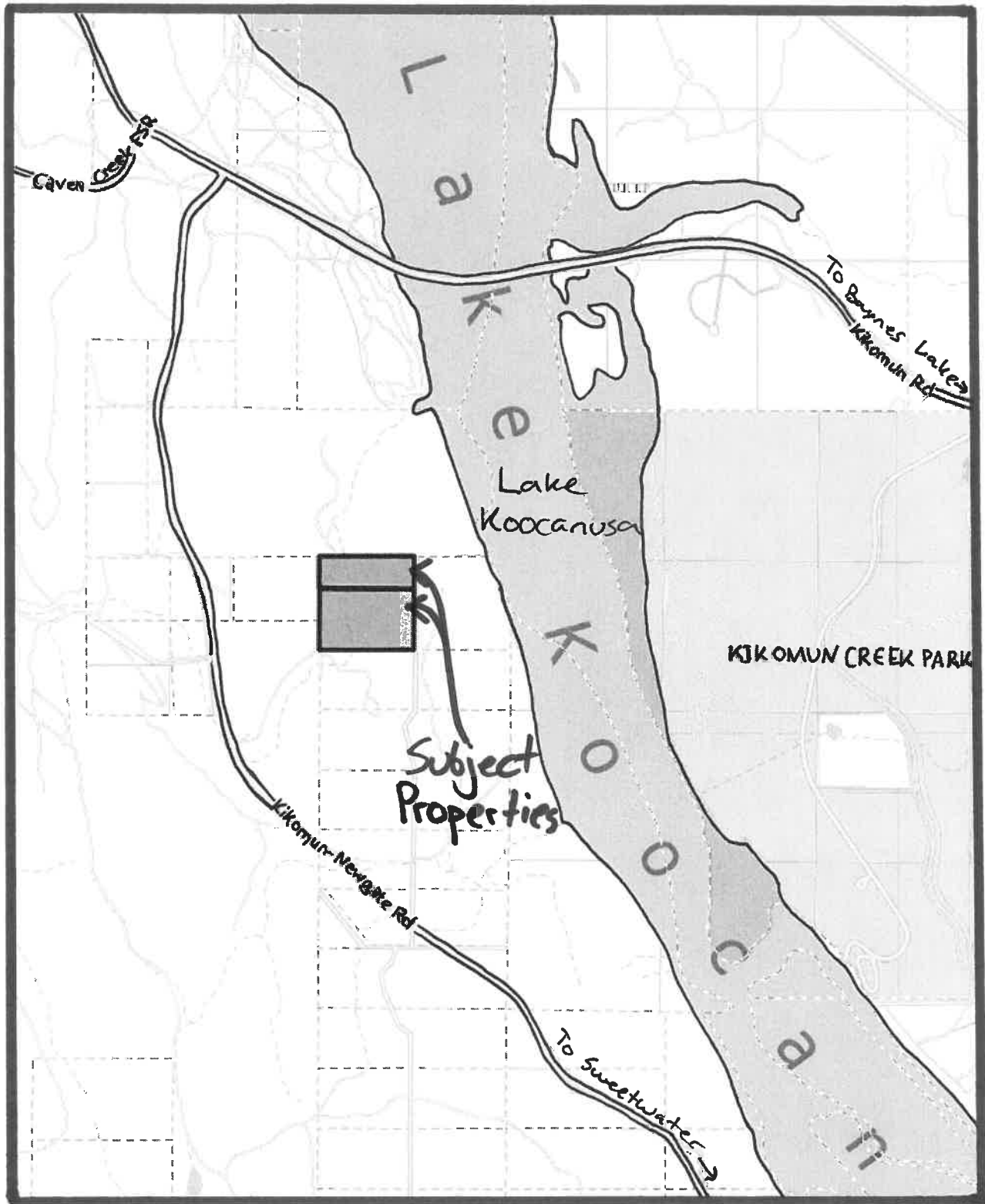
Chair

Corporate Officer

Date

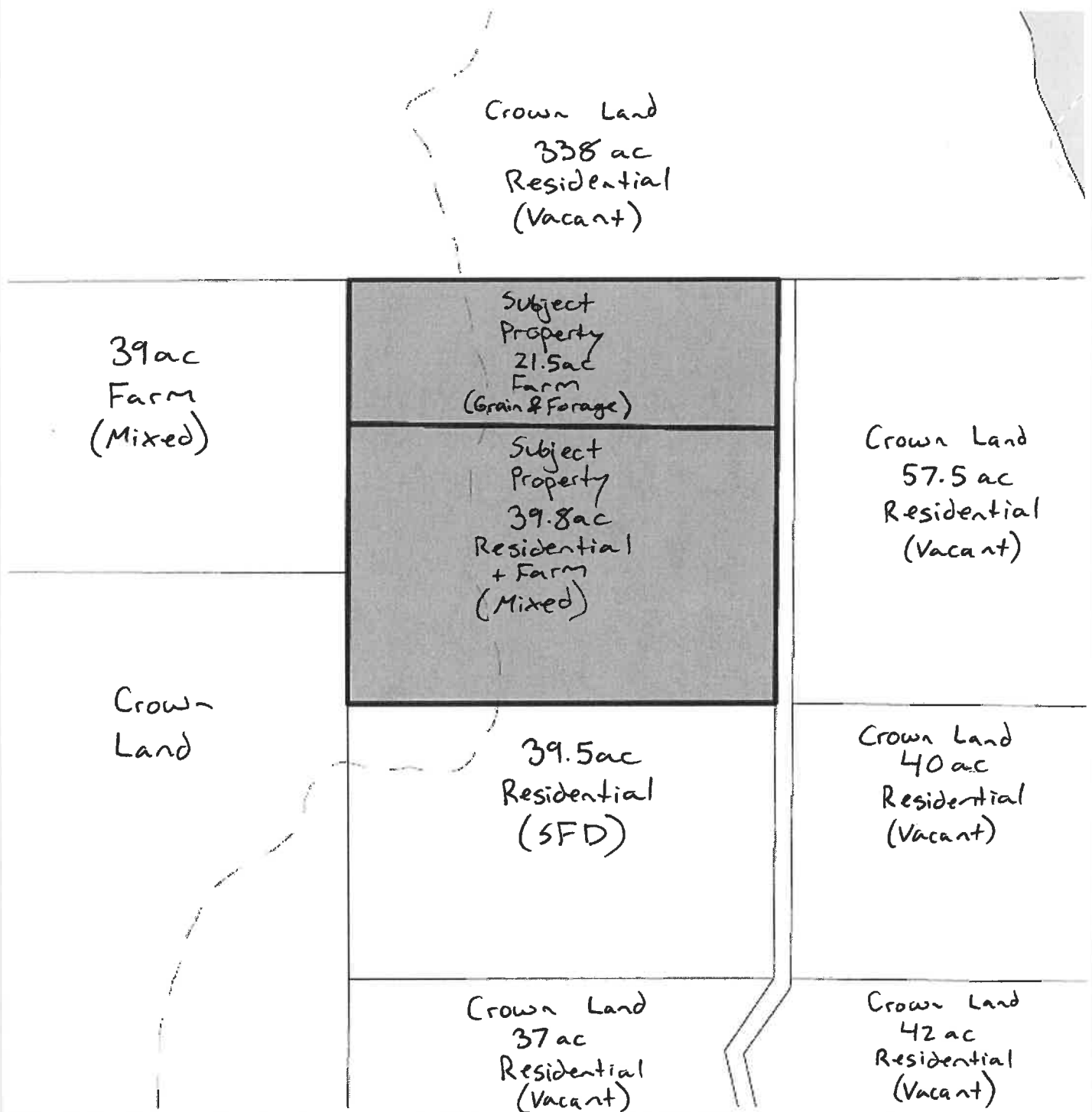


## Location Map





# Land Use Map



Notes:

250 0 125 250 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-4-2019 1:51 PM

Scale = 1: 10,000

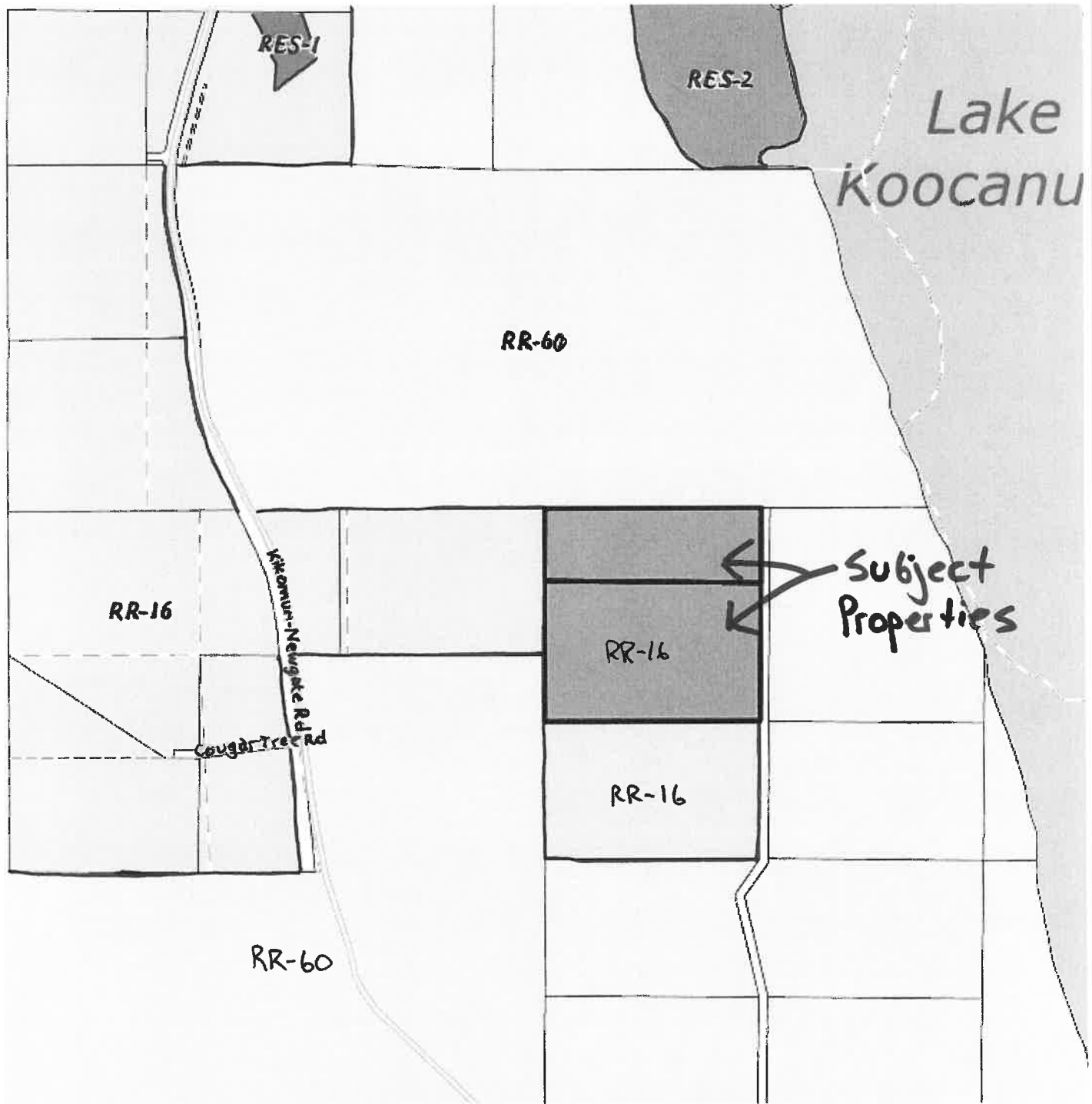


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# Zone Designation Map



Notes:

500 0 250 500 Meters  
WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-5-2019 10:03 AM

Scale = 1: 20,000



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# Proposed Subdivision

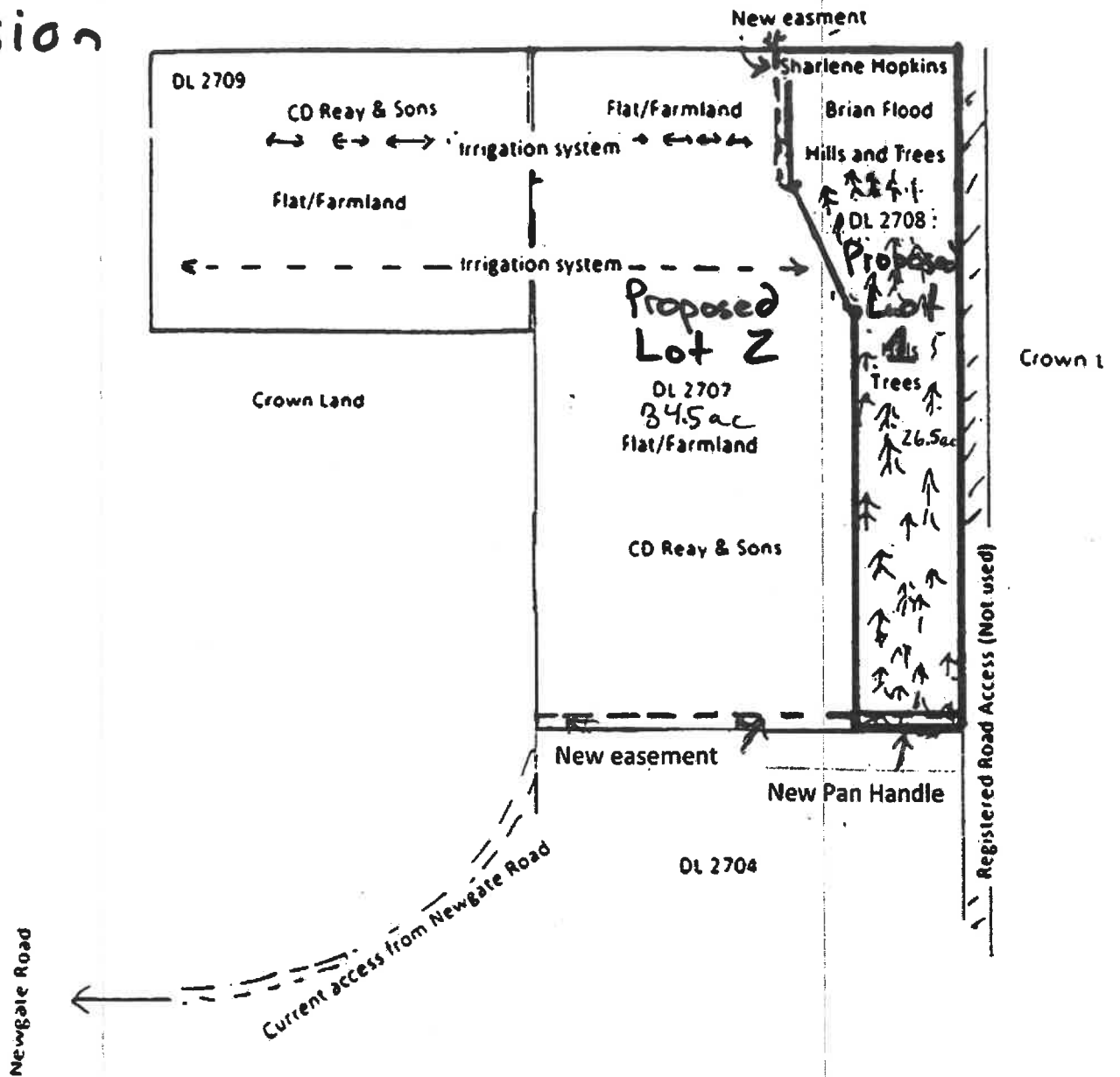
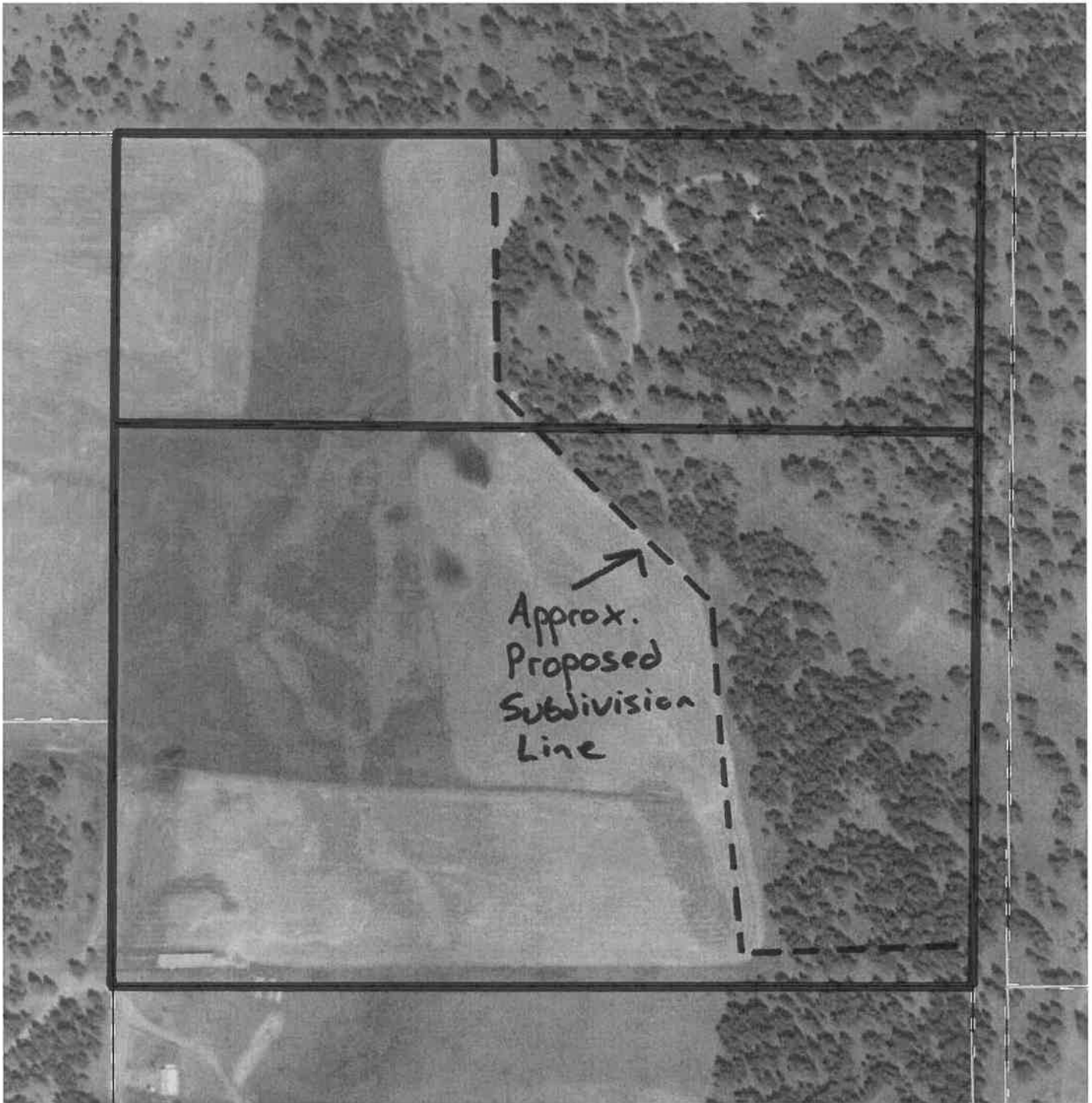


Exhibit C



# Aerial Photo



Notes:

125 0 63 125 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-12-2019 3:24 PM

Scale = 1: 5,000



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## **Request for Decision ALR Subdivision Application**

File No: P 719 608  
Reference: 60139  
Date: January 30, 2020

**Subject:** ALR Subdivision – Edgewater / Greg Whitman Heavy Hauling Ltd.  
**Applicant:** Greg Whitman Heavy Hauling Ltd. (Greg Jopp)  
**Agent:** Terpsma Land Development Consulting (Jean Terpsma)  
**Location:** 5050 Highway 95, Edgewater area  
**Legal:** Lot B, District Lots 7569 & 9040, KD, Plan NEP75472

**Proposal:** To create 5 residential acreages. One of the acreages will be approximately 14 ha, three are proposed to be approximately 8 ha each, and the fifth acreage will be approximately 1.0 ha.

**Options:**

1. THAT the Agricultural Land Commission be advised the RDEK supports the Greg Whitman Heavy Hauling Ltd ALR subdivision application for property at 5050 Hewitt Road near Edgewater.
2. THAT the Greg Whitman Heavy Hauling Ltd ALR subdivision application for property at 5050 Hewitt Road near Edgewater be refused.
3. THAT the Agricultural Land Commission be advised the RDEK supports the subdivision of the physically separated 1 ha portion of the subject property fronting Highway 95 only, as shown in the Greg Whitman Heavy Hauling Ltd ALR subdivision application for property at 5050 Hewitt Road near Edgewater.

**Recommendation: Option # 3**

Although the proposal is consistent with the recommendations in the historical agrologist report and the configuration aligns with the existing topography and agricultural capability ratings, the property is not within the OCP's Edgewater development node. Much of the property has good agricultural capability ratings and it should remain as a large rural property with agricultural potential.

Subdivision of the 1 ha portion of the property which fronts on Highway 95 is a reasonable request as this portion of the property is physically separated from the rest by other private land holdings and is unlikely to be useful to an agricultural operation occurring on the remainder.

---

**Property  
Information:**

**OCP Land Use Designation:** RR, Rural Resource which includes rural residential and rural resource land uses with parcel sizes 8.0 hectares and larger. The RR designation also recognizes the use of these lands for agriculture, resource extraction, open space and working landscape.

**OCP Objectives and Policies:**

- Preservation and continued use of agricultural land for present and future food production is supported.



**Property  
Information –  
cont'd:**

- New residential development is directed to land within existing development nodes, as designated on **Schedules D – D6** or to parcels outside of the ALR. (Note: The subject property is not within the identified Edgewater development node).
- ALR applications for non-farm use, subdivision or exclusion that involve the Board's reconsideration or alteration of a prior approval granted by the Agricultural Land Commission are exempt from the requirement to submit a report from a qualified professional as part of their application to the Regional District:
- Within the Edgewater Water System Service Area, use of domestic water for irrigation of areas of land greater than 0.1 hectare is not supported.
- Residential, commercial or industrial operations adjacent to land in the ALR are encouraged to utilize adequate buffering and setbacks to minimize the potential for conflicts.

**Zoning Designation:** A-2, Rural Residential (Country) Zone which has a minimum parcel area requirement of 8.0 ha and permitted uses that include: single-family dwelling, agricultural use, extraction of sand and gravel, equestrian centre, and sawmill. Accessory uses include: home - based business and cement plant.

**Parcel Size:** 38.6 ha (95.4 ac)

**Interface Fire Hazard Rating:** Ranging from low to high, within the Edgewater Fire Protection Service area.

**BC Assessment:** Residential (vacant)

**Water / Sewer Services:** Edgewater community water (by a future owner), and individual onsite sewage disposal is proposed.

**Agricultural  
Capability  
Ratings:**

The Canada Land Inventory (CLI) Agricultural Capability Maps indicate that the property is approximately 1/3 Class 6 with a limiting factor of topography and is not considered improvable. The other 2/3 is Class 4 with limitations of moisture deficiency and stoniness which is improvable to Class 3 with a limitation of stoniness.

**Agrologist Report:** An agrologist report submitted with the 2008 application concluded that approximately 68% of the property is non-arable and unsuitable for agriculture while 32% is possible hay production land.

**Additional  
Information:**

- In 2008 (under the existing OCP) an ALR subdivision application for a very similar proposed configuration was supported by the RDEK and the ALC. An extension to this approval was granted in 2014 but the subdivision was never completed and the ALC has said a new application is now required because of the amount of time passed since the original approval.



**Additional  
Information -  
cont'd:**

- The owner says the subdivision was not completed previously because the cost of providing the connections to the Edgewater community water system was too high and the applicant says the real-estate market was flat at that time. The application says now that the RDEK has amended the Subdivision Servicing Bylaw to not request proof of potable water on lots created which are 8 ha or greater, the owner would like to proceed. A covenant would be required at the subdivision stage to prohibit any structures requiring servicing until proof of potable water is provided.
- Staff visited the property in 2008 and noted that the topography of the parcel could restrict the use of the land and that severe slopes limit access to certain areas.
- The Edgewater community water storage reservoir is located on the property.

**Consultation:**

APC Area F&G: Refusal recommended

**Documents  
Attached:**

- Location & ALR Boundary Map
- Land Use Map
- Agricultural Capability Map and Key
- Soils Map from 2008 Agrologist Report
- Proposed Subdivision Plan

**RDEK  
Contact:**

Tracy Van de Wiel, Planning Technician  
Phone: 250-489-0306  
Email: tvandewiel@rdek.bc.ca

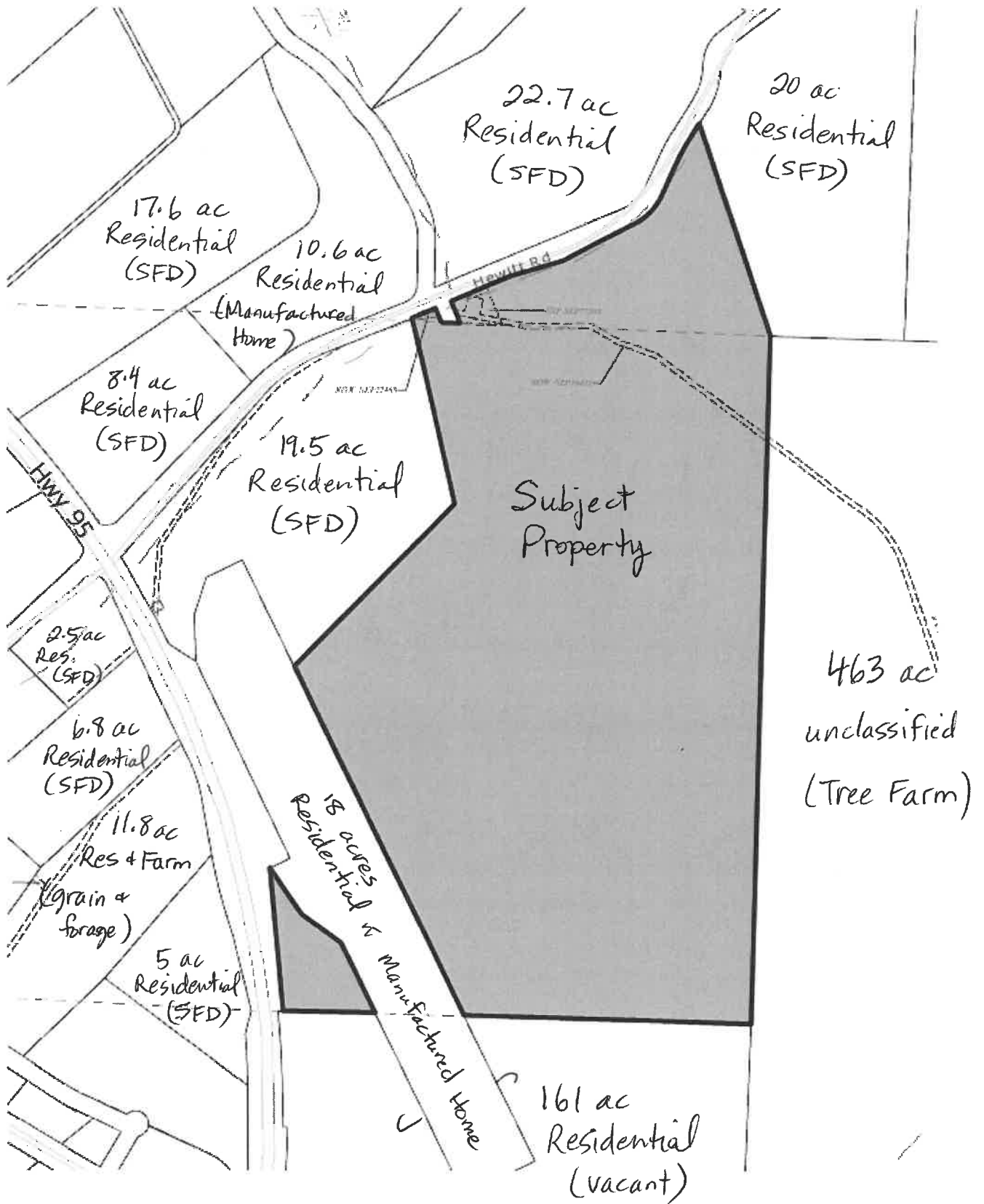


## Location and ALR Boundaries Map



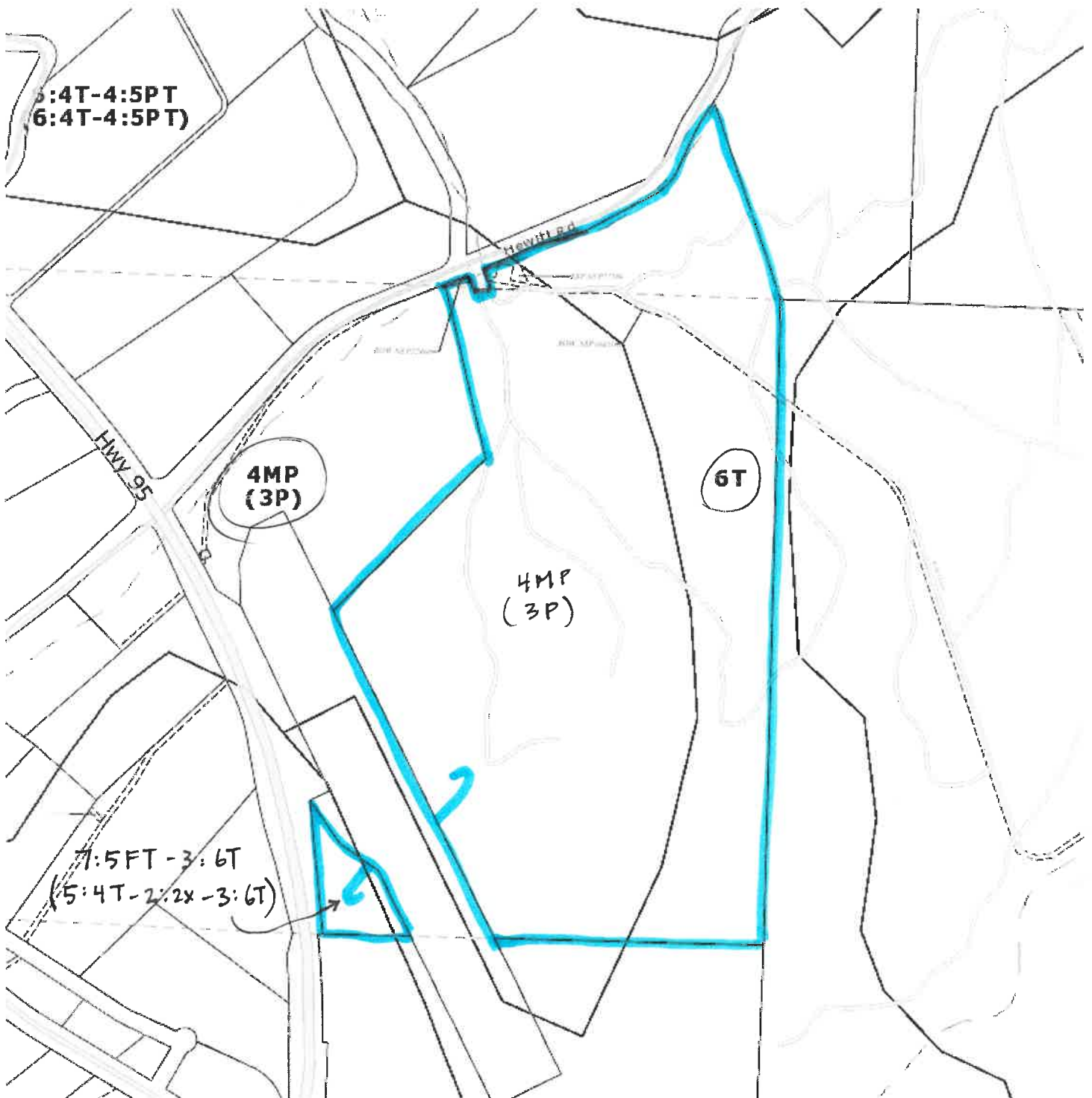


# Land Use Map





# Agricultural Capability of Soils

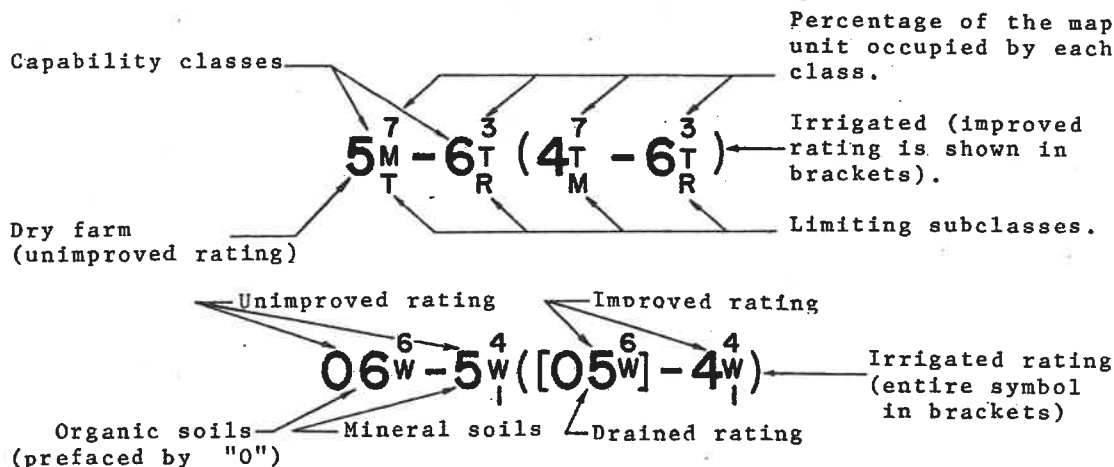




## KEY FOR INTERPRETATION OF AGRICULTURE CAPABILITY MANUSCRIPT MAPS (B.C.)

There are 7 capability classes for agriculture with 1 representing the highest class and 7 representing the lowest. In some areas of the province, two ratings are shown: one for dry farming and a second for irrigated or drained (improved) conditions. The irrigated ratings are shown enclosed in round brackets while the drained ratings appear in square brackets. In all cases improved ratings have precedence over dry farm ratings.

### Example Classifications



The agriculture capability classes are determined on the relative range of crops the land can produce.

### a) Capability Classes

- Class 1 - widest range of crops
- Class 2
- Class 3 } reduced range of crops caused by a number of limiting
- Class 4 } factors (subclasses)
- Class 5 - only permanent pasture or forage
- Class 6 - natural grazing
- Class 7 - no productivity

### b) Limiting Subclasses

- C - adverse climate
- D - undesirable soil structure
- E - erosion
- F - low fertility
- I - inundation (flooding)
- M - moisture deficiency (droughtiness)
- N - salts
- P - stoniness
- R - bedrock near the surface
- T - topography (slope)
- W - excess water
- X - combination of soil factors
- S - cumulative and minor adverse characteristics

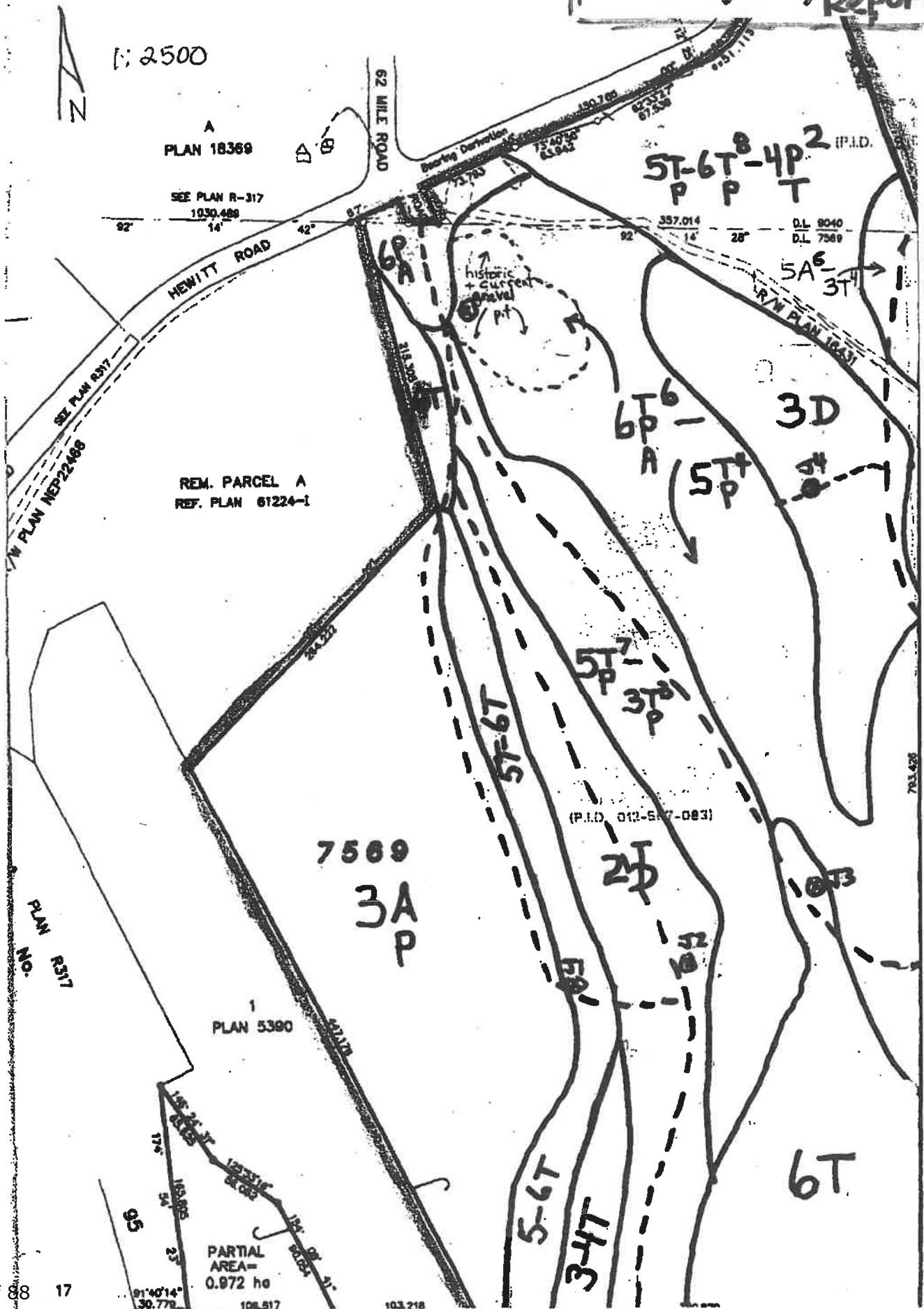
Tree fruit and grape growing areas: these crops are tolerant of soil conditions that limit field crops. Steep and stonier soils in suited climates have been upgraded to accommodate the expanded range of crops. e.g. A class 5T soil dry farmed becomes a 3T irrigated in an area climatically suited to tree fruits.

Note: A more detailed 16 page manual entitled Soil Capability Classification for Agriculture is available from the Lands Directorate, Lands Forests and Wildlife Service, Department of the Environment, Ottawa, Ontario, K1A 0H3.



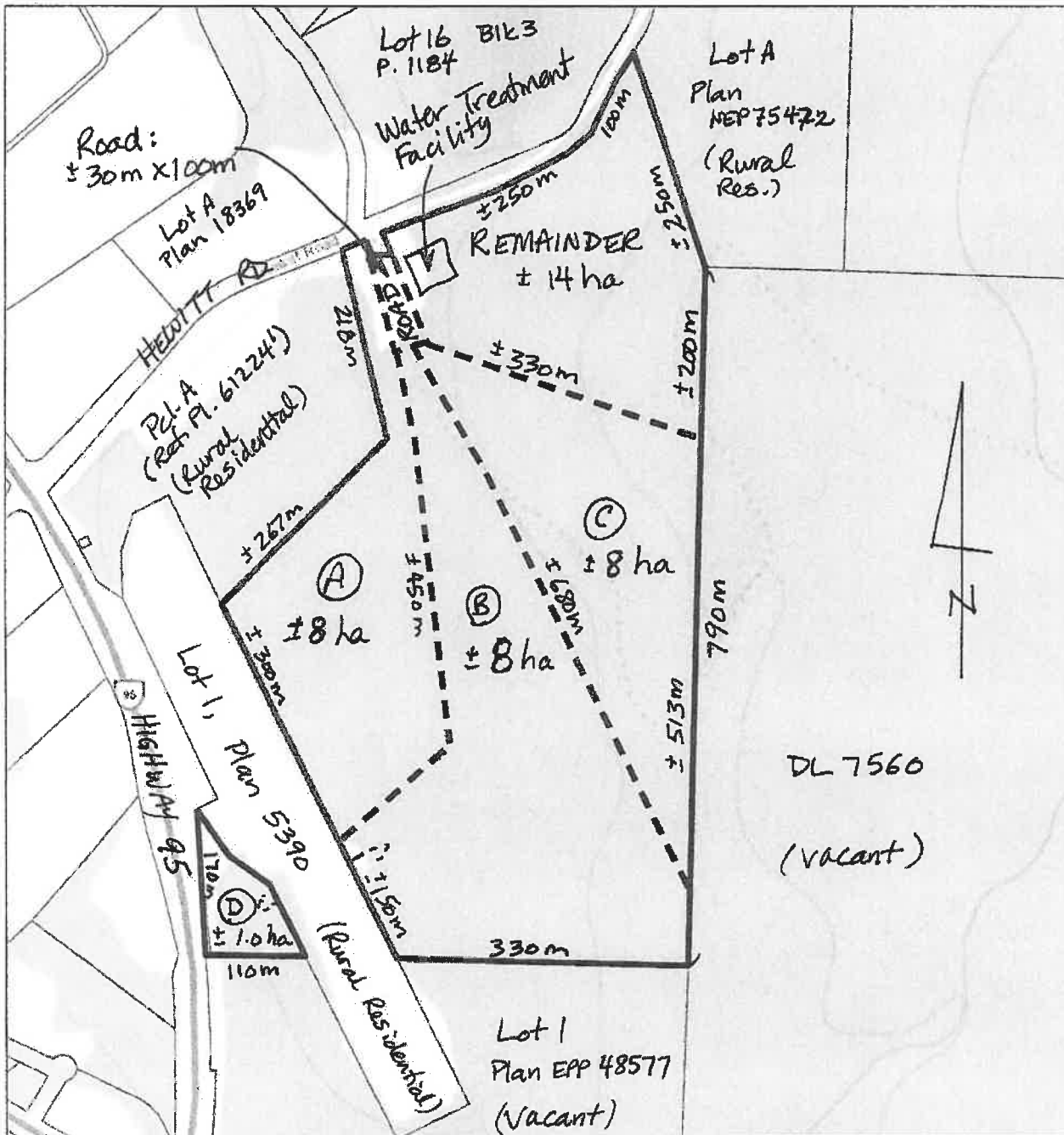
Figure 2. ● Soil and Arability Mapping ●  
on DL 7569 (Jopp) 95 acres

# Soil Map from 2008 Agronomist Report

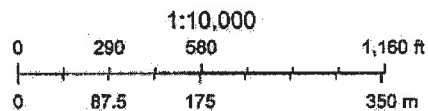




# Plan of Proposed Subdivision



11/28/2019, 3:06:40 PM



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community

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## **Request for Decision Development Variance Permit Application**

File No: P 719 220  
Reference: DVP 42-19  
Date: January 28, 2020

**Subject:** DVP 42-19 (Baynes Lake / McArthur)  
**Applicant:** Matthew McArthur  
**Agent:** Terpsma Land Development Consulting  
**Location:** 765 Stirling Rd, Baynes Lake  
**Legal:** Lot 3, Block 20, District Lot 132, KD Plan 1181

**Proposal:** Application to vary the South Country Zoning & Floodplain Management Bylaw to allow a panhandle access strip to be included as part of the required parcel area for one lot in a proposed two-lot subdivision.

**Options:**

1. THAT Development Variance Permit No. 42-19 (Baynes Lake / McArthur) be granted.
2. THAT Development Variance Permit No. 42-19 (Baynes Lake / McArthur) be refused.

**Recommendation:** **Option #1**  
Subdivision to parcel sizes of 1 ha or larger in this area of Baynes Lake is consistent with the policies for the area. The width of the Sundown Lane right-of-way is not wide enough to be considered for road frontage and therefore a panhandle access to Stirling Road is required by MOTI to provide the legal road frontage to proposed Lot A.

---

**Property  
Information:**

**OCP Designation:** SH, Small Holdings

**OCP Policies:**

- Subdivision of parcels identified on Schedule C in the Baynes Lake OCP to create parcels sizes of less than 1 ha are generally not supported.

**Zone Designation:** RR-1, Rural Residential (Estate) Zone; minimum parcel area requirement is 1 ha.

**Parcel Area:** 2.0 ha (5.0 acres).

**Density:** One single family dwelling or duplex permitted per parcel, a secondary suite is a permitted accessory use.

**ALR Status:** Not within the ALR

**BC Assessment:** Residential

**Water / Sewer Services:** Onsite



<b>Property Information - cont'd:</b>	<b>Interface Fire Hazard Rating:</b> Moderate to high, within the Baynes Lake fire protection area
<b>Additional Information:</b>	<ul style="list-style-type: none"><li>▪ The application states that physical access to proposed Lot A will be from Sundown Lane; however, to meet the Ministry of Transportation and Infrastructure requirements both parcels must have appropriate road frontage and Sundown Lane (10m wide right-of-way) is not wide enough to be considered for road frontage. Therefore legal access will be from Stirling Road (20m wide right-of-way).</li></ul>
<b>Consultation:</b>	<p><b>APC Area B:</b> Recommends refusal, the committee will discuss the proposal with Director Doehle.</p> <p><b>Response(s) to Notice:</b> 14 notices were mailed on January 8, 2020 to all property owners within 100 m of the subject property. No notices were returned as undeliverable and two responses have been received. One response is in support of the panhandle, but questions the reason for requiring a panhandle. The other response was not in favour of the panhandle for the reason that it is not necessary. See attached letters.</p>
<b>Documents Attached:</b>	<ul style="list-style-type: none"><li>▪ Permit</li><li>▪ Location Map</li><li>▪ Land Use Map</li><li>▪ Proposal</li></ul>
<b>RDEK Contact:</b>	Krista Gilbert, Planning Technician Phone: 250-489-0314 Email: <a href="mailto:kgilbert@rdek.bc.ca">kgilbert@rdek.bc.ca</a>



**Permittees:** Matthew McArthur

1. This Development Variance Permit is issued subject to compliance with all RDEK bylaws applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands described below:

Lot 3, Block 20, District Lot 132, Kootenay District, Plan 1181  
[PID: 011-601-035]
3. Regional District of East Kootenay – South Country Zoning and Floodplain Management Bylaw No. 2320, 2011, Section 2.4 which states that the access strip of a panhandle parcel will not be calculated as part of the required parcel area, is varied to allow the access strip of one proposed lot in a two-lot subdivision to be included in the parcel area requirement.
4. The lands described herein shall be developed strictly in accordance with the terms and conditions of this Permit and in substantial compliance with drawing submitted with the Development Variance Permit Application received June 4, 2019.
5. This Permit shall come into force on the date of an authorizing resolution passed by the RDEK.
6. This Permit is not a building permit.
7. If development authorized by this Permit does not commence within two years of the issue date of this Permit, the Permit shall lapse.
8. A notice pursuant to Section 503(1) of the *Local Government Act* shall be filed in the Land Title Office and the Registrar shall make a note of the filing against the title of the land affected.
9. It is understood and agreed that the RDEK has made no representations, covenants, warranties, guarantees, promises, or agreement (verbal or otherwise) with the developer other than those in this Permit.
10. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, and assigns.

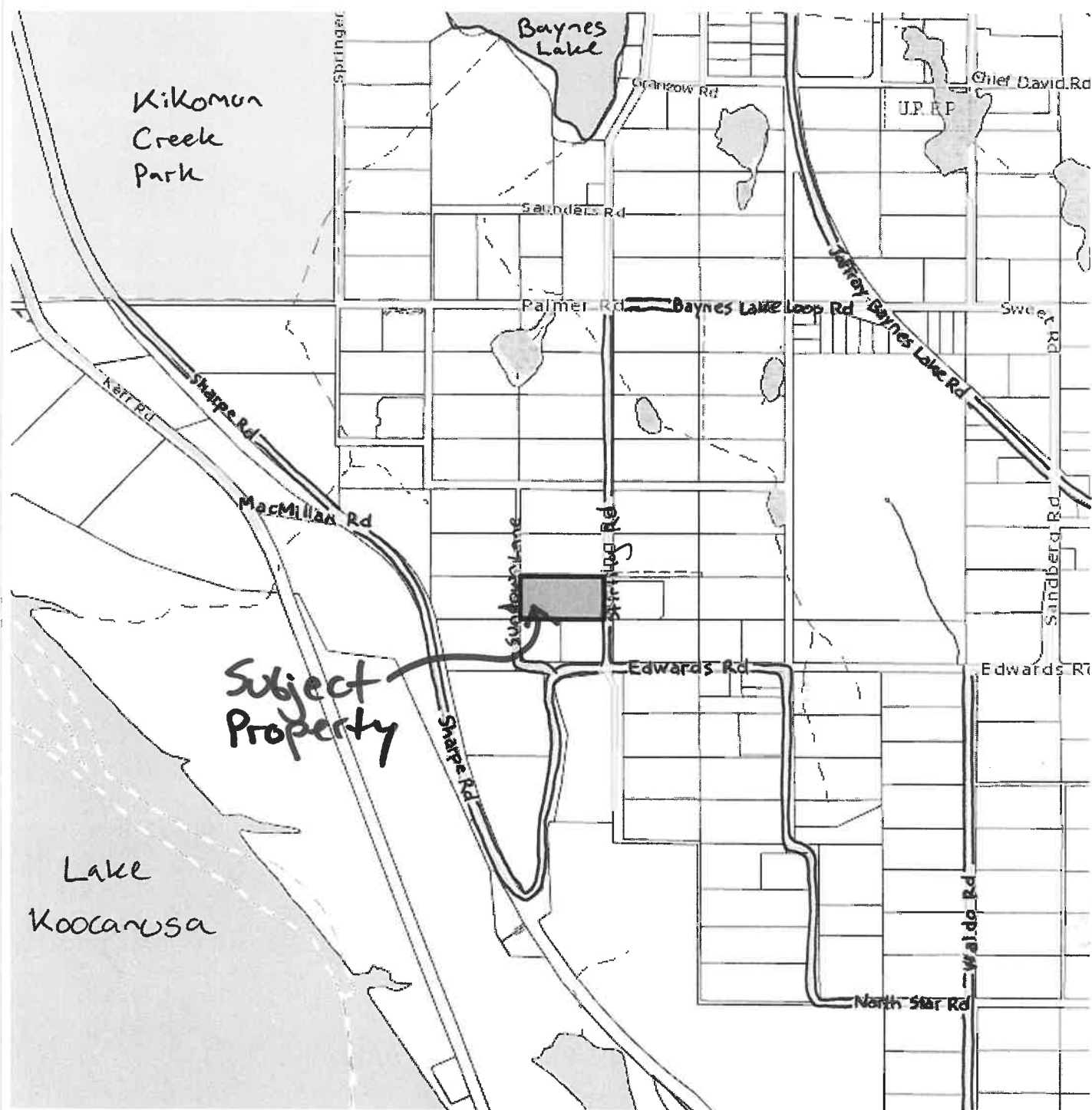
**Authorizing Resolution No.**                      **adopted by the Board of the Regional District of East Kootenay on the**                      **day of**                      **, 2020.**

---

**Shannon Moskal**  
**Corporate Officer**



# Location Map



## Notes:

500 0 250 500 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 11-28-2019 8:53 AM

Scale = 1: 20,000



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# Land Use Map



Notes:

150 0 75 150 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 11-28-2019 8:54 AM

Scale = 1: 6,000

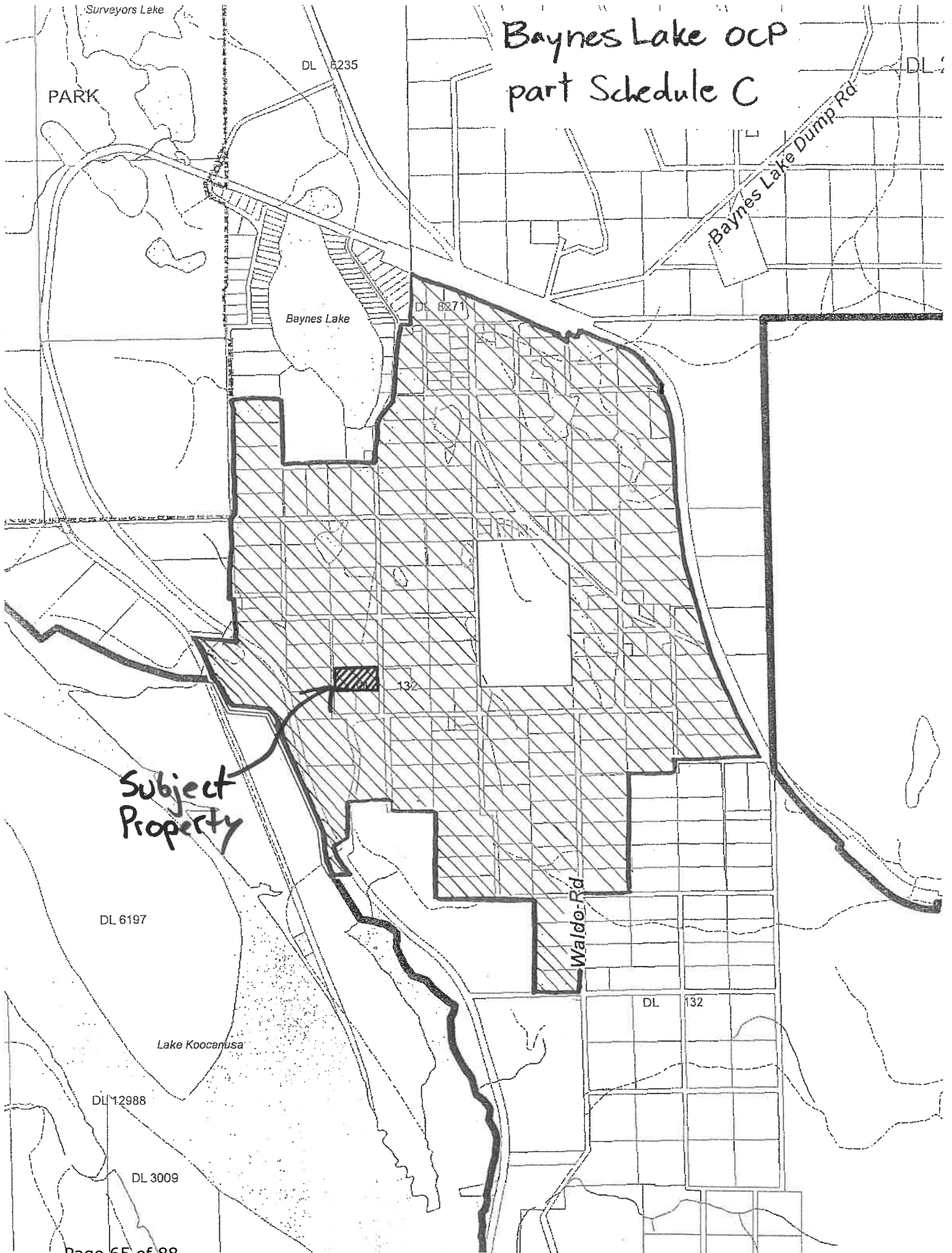


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# Baynes Lake ocp part Schedule C



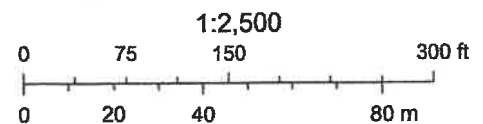


# Air Photo - McArthur Proposed Subdivision



11/1/2019, 3:16:16 PM

- Override 1
- TAX\_Parcels
- Electoral Areas



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Nov. 1, 2019

Page 66 of 88

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**Krista Gilbert**

---

**From:** Thorner Jim SPO [REDACTED]  
**Sent:** January 15, 2020 2:54 PM  
**To:** Krista Gilbert  
**Cc:** Donna Thorner  
**Subject:** Development Variance permit No. 42-19

Hi Krista

We are owners of Lot 2, adjacent and to the north of Matthew McArthur's lot. We support the proposed subdivision of Lot 3 by Matthew and the proposed variance to allow a panhandle for access to Stirling Rd. if required. We would like to go on record questioning the MOTI logic on forcing a panhandle for a potential driveway to access the new lot when there is an existing legal lane right by the proposed lot, Sundown Lane. There are currently 7 existing residences that use Sundown Lane and it works fine. All these residents understand that the lane is not constructed to MOTI standards but it works very well and stays in good condition for the low access levels. The lane has been used for construction equipment, gravel trucks, fire trucks and ambulance and with good visibility and snow removal there has not been an issue. All the existing residents pitch in on the work to maintain this lane and cover grading, snow removal, pot hole repair and weed control. Donna and I are certain that one more residence would be welcome to use the lane and help with the work. We feel that if an access driveway is constructed on the panhandle is a poor use of the land it will occupy, would cause the future landowner more work to maintain this driveway by themselves and not reasonable in consideration of the current use of Sundown Lane.

We appreciate the opportunity to provide our input.

Yours truly,

Jim and Donna Thorner  
756 Sundown Lane  
Baynes Lake, BC  
Cell: [REDACTED]



RECEIVED

JAN 27 2020

779 Sundown Lane  
Baynes Lake, BC

January 16, 2020

Regional District of  
East Kootenay

Regional District of East Kootenay  
19 – 24 Avenue South  
Cranbrook, BC  
V1C 3H8

Attention: Andrew McLeod, Manager  
Development Services

**Re: Notice of Intent – Development Variance Permit No. 42-19**

In response to the RDEK's Variance Permit dated January 6, 2020 referenced above, **we are not in favour of/are opposed to the panhandle access** into one proposed lot in a two-lot subdivision of the property of Matthew McArthur located at 765 Stirling Rd, Baynes Lake, BC V0B 1T4 for the reason that **it is not necessary**. Please let us explain.

We originally became aware of this variance request through a neighbour whom received a notice in December 2019. As we had not received a letter, a phone call was made to your office on January 6, 2020 and at that time we were advised that there had been an oversight and that insufficient notifications were previously sent out and that new ones would be forthcoming. Hence your letter dated January 6, 2020.

In our conversation with your office on the above date, we were advised that it was the Department of Highways that required/requested the panhandle access into one proposed lot in the two-lot subdivision at 765 Stirling Rd. A phone call was then placed to the Ministry of Highways, Cranbrook, BC office and in their return phone call on January 9, 2020 from Laura Branswell, Development Officer, we were informed that Ministry of Highways **will not allow access to a new subdivision/created lot unless that new parcel has access to a publically maintained road**. It appears that the Department of Highways apparently has written a new edict/policy that they **will not allow access to a new subdivision/created lot unless that new parcel has access to a publically maintained road**. In the case of Mr. McArthur's subdivision, access has been refused to the new parcel from Sundown Lane for this reason, and thus Mr. McArthur has made application for the variance. Sundown Lane is not paved or maintained by the Department of Highways, never has, yet it is considered public access by the Department. We live at 779 Sundown Lane, directly across the laneway from Mr. McArthur's property. We purchased the land in 1996 and built our home in 2000. We were granted access to build via the lane. The residents of Sundown Lane co-operate in the maintenance of the lane, including snow removal in winter, always have. At present there are five existing residences that gain access from Sundown Lane and have the following addresses assigned by the RDEK - 727, 755, 756, 779 and 795 Sundown Lane, Baynes Lake, BC V0B 1T4.

There have been several subdivisions in the Baynes Lake area, from 5 acres to two - 2.5 acre parcels over the past several years, specifically in and around Palmer Road that **do not have access to a publically maintained road**. Palmer Road is a gazetted road but it is not maintained by Ministry of Highways. Very similar to the Sundown Lane scenario, where residents were granted access from an unmaintained laneway, the parcels at 3296, 3306, 3326, 3338, 3339 and 3348 Palmer Road and the new lot created from the subdivision of 3360 Saunders Road, were granted access from the unmaintained Palmer Road.



With this new edict/policy, the remaining properties will not be allowed to subdivide because **they do not have access to a publically maintained road**. Nor would our neighbours at 755 Sundown Lane, as the lane is the only access to their property.

The upshot of this new edict/policy by the Ministry of Highways becomes shockingly evident when you look at a map of the maintained roads and the adjacent land parcels within Baynes Lake. If no new roads are built in Baynes Lake, there have been no new roads constructed by the Department of Highways in at least the last 25 years, then development will be drastically curtailed and/or Baynes Lake will take on the look of Eastern Canada with panhandle accesses everywhere! Is this what the RDEK envisions Baynes Lake to look like in the future? Perhaps it is time for the Department of Highways to work with the RDEK and its' Planning Department regarding the future of Baynes Lake and consider building some new roads in our area.

It is our belief that the Mr. McArthur's subdivision is the first test of the Department of Highways new edict/policy in the Baynes Lake area. In fact, after our conversation with the Department of Highways, we informed our RDEK Electoral Area 'B' representative, Stan Doehle of the new edict/policy and he, in turn, informed the Area 'B' Planning Committee. Yet, the Department of Highways indicated in our telephone conversation that the RDEK was well aware of their new edict/policy. Whomever the Department of Highways advised within the RDEK, they obviously did not disseminate the information to the affected departments and staff. With the notification oversight and the lack of communication, this should be a cause for concern within Department Services and we ask that you address these matters separately.


In conclusion, we think that this Department of Highways new edict/policy is Draconian in nature and should be eliminated as soon as possible. It will be detrimental to Mr. McArthur's subdivision, in particular, and will have far reaching effects on development of the entire Baynes Lake area.

Again In response to the RDEK's Variance Permit dated January 6, 2020, **we are not in favour of/are opposed to the panhandle access** into one proposed lot in a two-lot subdivision of the property of Matthew McArthur located at 765 Stirling Rd, Baynes Lake, BC V0B 1T4 for the reason that **it is not necessary**. **Mr. McArthur should be allowed access into the one proposed lot in a two-lot subdivision of 765 Stirling Road, Baynes Lake, BC V0B 1T4 from Sundown Lane!**

Yours truly,



Greg Dyble



Diane L. Dyble

Cc Stan Doehle  
Area 'B' Representative  
RDEK

Laura Branswell  
Development Officer  
Department of Highways  
129 – 10<sup>th</sup> Avenue S  
Cranbrook, BC  
V1C 2N1



# Request for Decision Development Variance Permit Application

File No: P 719 430  
Reference: DVP 48-19  
Date: February 6, 2020

**Subject:** DVP No. 48-19 (Meadowbrook / Gyurkovits)  
**Applicant:** Jessica Gyurkovits  
**Agent:** Matthew Glanfield  
**Location:** 8743 Highway 95A  
**Legal:** That part of Lot D, District Lot 11597, KD, Plan 1715 Lying West of a line parallel to and 81 ½ feet distant from the westerly boundary of the said Lot

**Proposal:** Vary Section 4.10 (3)(b) of Electoral Area E Zoning Bylaw to reduce the minimum side yard setback for an accessory building from 5.0 m to 2.0 m to permit a sea can shop and roof eave overhang.

**Options:**

1. THAT Development Variance Permit No. 48-19 (Meadowbrook / Gyurkovits) be granted.
2. THAT Development Variance Permit No. 48-19 (Meadowbrook / Gyurkovits) be refused.

**Recommendation:** **Option #1**  
The property is uniquely long and narrow. A side yard setback of 2 m is permitted on properties zoned RS-4 which is a zone customarily used for smaller lots which have widths comparable to the subject property. The requested reduced setback will allow for more usable yard area in front of the shop and the requested 2 m setback is to the nearest part of the building from the property line (which is the roof eave overhang).

---

**Property Information:** **OCP Designation:** LH, Large Holdings

**OCP Objectives:**

- Maintain the rural and agricultural nature of the plan area by only considering new residential proposals if they are appropriately located and compatible with adjacent land uses so as not to compromise environmental and agricultural values.

**Zone Designation:** RR-4, Rural Residential (Hobby Farm) Zone; minimum parcel area requirement is 4 ha.

**Parcel Area:** 1.2 ha (3.05 acres)

**Density:** One single family dwelling or duplex is permitted per parcel.

**ALR Status:** Not within the ALR

**BC Assessment:** Residential with a SFD

**Water / Sewer Services:** Onsite



**Property  
Information –  
cont'd:**

**Interface Fire Hazard Rating:** Ranging from moderate to high, not within a fire protection area

**Flood Hazard Rating:** An un-named creek or drainage flows through the subject property therefore floodplain management provisions apply to development. The property is not identified as being within a special policy area for flood hazard.is not within a flood hazard rating area.

**Additional  
Information:**

The applicant states that she'd like to have space to pull a vehicle around in front of the shop building and the reduced setback is required for this.

**Consultation:**

**Advisory Commissions:**

**APC Area E:** Refusal recommended

**Response(s) to Notice:** 16 notices were mailed on December 23, 2019 to all property owners within 100 m. No notices were returned and no responses have been received.

**Documents  
Attached:**

- Permit
- Location Map
- Land Use Map
- Proposal

**RDEK  
Contact:**

Tracy Van de Wiel, Planning Technician  
Phone: 250-489-0306  
Email: [tvandewiel@rdek.bc.ca](mailto:tvandewiel@rdek.bc.ca)



**Permittee:** Jessica Gyurkovits

1. This Development Variance Permit is issued subject to compliance with all RDEK bylaws applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands described below:

That part of Lot D, District Lot 11597, Kootenay District, Plan 1715, lying west of a line parallel to and 81 ½ feet distant from the westerly boundary of the said Lot.  
[PID: 015-783-669]
3. Regional District of East Kootenay – Electoral Area E Zoning and Floodplain Management Bylaw No. 2502, Section 4.10 (3)(b) which requires a minimum side yard setback of 5.0 m, is varied to reduce the side yard setback to 2.0 m to permit a sea can shop and roof eave overhang.
4. The lands described herein shall be developed strictly in accordance with the terms and conditions of this Permit and in substantial compliance with the building permit and development variance permit applications, both received on November 21, 2019.
5. This Permit shall come into force on the date of an authorizing resolution passed by the RDEK.
6. This Permit is not a building permit.
7. If development authorized by this Permit does not commence within two years of the issue date of this Permit, the Permit shall lapse.
8. A notice pursuant to Section 503(1) of the *Local Government Act* shall be filed in the Land Title Office and the Registrar shall make a note of the filing against the title of the land affected.
9. It is understood and agreed that the RDEK has made no representations, covenants, warranties, guarantees, promises, or agreement (verbal or otherwise) with the developer other than those in this Permit.
10. This Permit shall inure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors, and assigns.

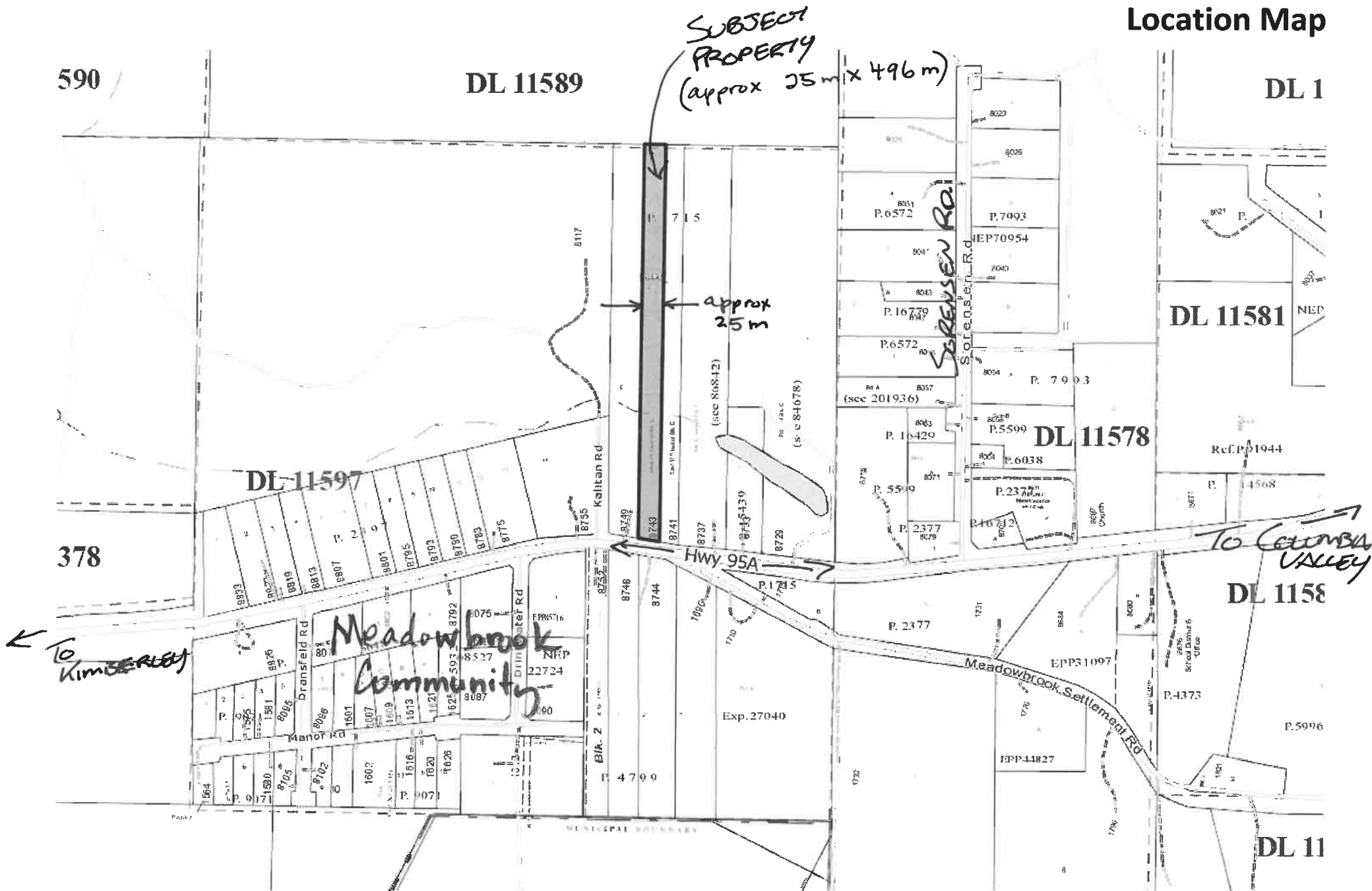
**Authorizing Resolution No.**                      **adopted by the Board of the Regional District of East Kootenay on the        day of                      , 2020.**

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**Shannon Moskal**  
**Corporate Officer**



# Location Map

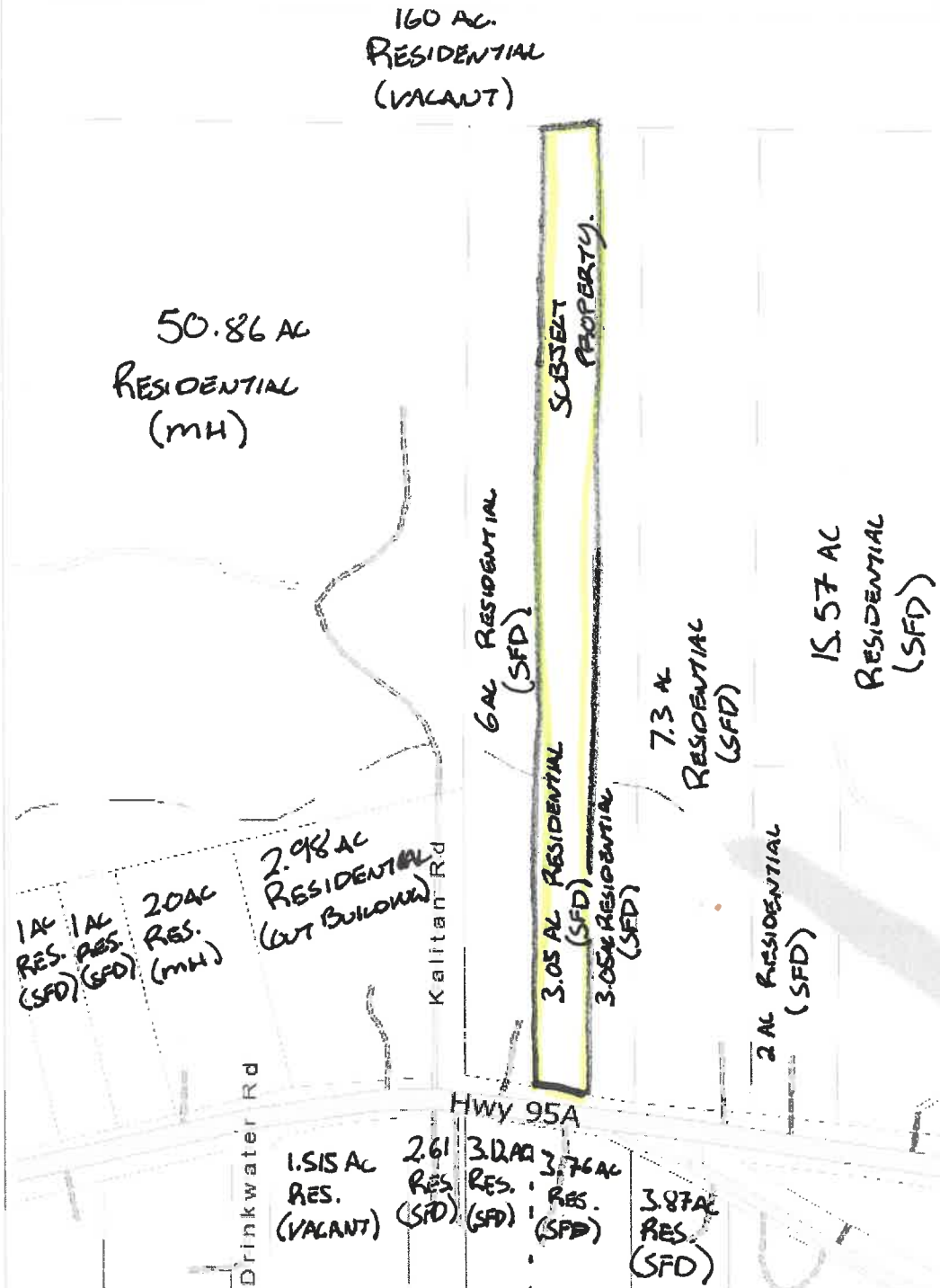




# Land Use Map

## Legend

- Lot Line
- - - Right of Way
- District Lot



## Notes:

130 0 65 130 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-13-2019 11:21 AM

Scale = 1:5,213



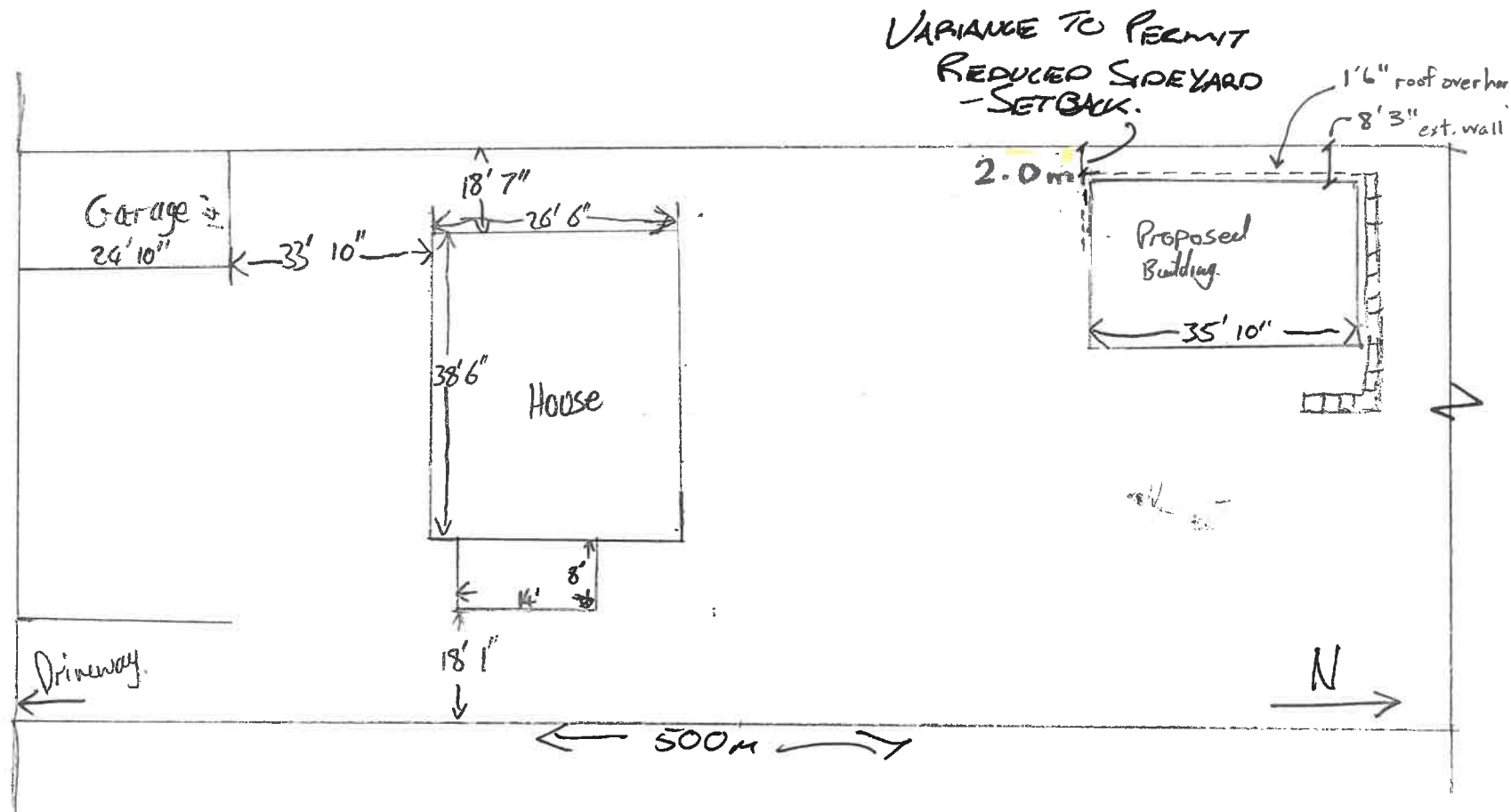
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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# Proposal

Hwy 95A  
Road





**Agenda Number:** 9.3.17  
**Resolution Number** 48943  
**Title:** Area E - Kootenay Dirt Riders Crown Land Licence of Occupation  
**Date:** January 10, 2020

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**MOVED by** Director Sosnowski  
**SECONDED by** Director Doehle

THAT a discussion be held at the Planning & Development Services Committee meeting in February regarding the need for increased enforcement on Crown land with respect to recreation access and unauthorized activities.

**CARRIED**



**Date** January 9, 2020  
**Author** Karen MacLeod, Planning Coordinator  
**Subject** City of Cranbrook - Proposed 3rd St NW Boundary Expansion

---

### REQUEST

Consider a two parcel boundary expansion by the City of Cranbrook.

### OPTIONS

1. THAT the City of Cranbrook be advised that the RDEK supports the proposed two parcel boundary expansion on 3<sup>rd</sup> St NW as outlined in the January 3, 2020 correspondence from the City.
2. THAT the City of Cranbrook be advised that the RDEK does not support the proposed two parcel boundary expansion on 3<sup>rd</sup> St NW as outlined in the January 3, 2020 correspondence from the City.

### RECOMMENDATION

Option 1.

The proposal is generally consistent with the Rockyview Official Community Plan. The inclusion of the two parcels is a logical extension and receiving the consent for annexation should not be an issue based on information provided by the City.

### BACKGROUND/ANALYSIS

The attached correspondence was received from the City regarding a proposed boundary expansion in the Slaterville area. The RDEK OCP for the area encourages larger scale block boundary expansions rather than inclusion of small individual parcels. Larger scale annexations allow for planning for future infrastructure requirements by the City and land use certainty for Area C landowners. While not a large scale expansion, the proposed inclusion of the two parcels is a logical expansion considering the location of the parcels along 3rd Street NW.

The proposed expansion was triggered by a request from one of the parcels to facilitate connection to the City sewer system. The City staff report identifies that the second parcel is currently connected to City utility services and that an existing restrictive covenant requires annexation upon request by the City. The only other small parcel under RDEK jurisdiction on this block along 3rd Street NW, which is not included in the request, is undeveloped Crown land.



## **SPECIFIC CONSIDERATIONS**

### **Official Community Plan**

Rockyview OCP Section 19.3 (2)(a) states:

To provide opportunities for comprehensive long-term subdivision and servicing planning, municipal boundary expansions should occur on a large parcel or block level rather than on an individual small parcel basis.

Attachment: City of Cranbrook Letter – January 3, 2020



RECEIVED

JAN 08 2020

Regional District of  
East Kootenay



January 3, 2020

Our File No: 3370.20.1902

Shawn Tomlin, CAO  
Regional District of East Kootenay  
19 – 24 Avenue South  
Cranbrook, BC  
V1C 3H8

**Re: Proposed City of Cranbrook Boundary Expansion**

The City of Cranbrook is considering a request by a landowner to incorporate property located at 603 3<sup>rd</sup> Street NW within the City of Cranbrook. At the December 9, 2019 Council meeting, Council passed a resolution to proceed with an application to the Province for a two parcel boundary expansion as shown on the attached map. As part of the application process the City is seeking comments which will form part of the application to the Province.

The proposed boundary will provide a contiguous area of land which meets the Provincial technical criteria. A copy of the complete staff report to Council is attached for your reference.

Please provide comments or concerns to myself by **January 31, 2019**. You can contact me if you have any other questions at (250) 489-0241.

Regards,

Rob Veg, MCIP, RPP  
Manager of Planning

RV/rv  
Enclosure





MOUNTAINS OF OPPORTUNITY

**CRANBROOK**

Regular Council - 09 Dec 2019

**TITLE:** Request for Municipal Boundary Extension

**PREPARED BY:** Rob Veg

**DEPARTMENT:** Office of Innovation and Collaboration

**PURPOSE:** To consider a request for municipal boundary extension and authorize staff to proceed with a municipal boundary extension proposal to the Ministry of Municipal Affairs and Housing for consideration.

**RECOMMENDED BY:** Staff

THAT Council approves the City of Cranbrook proceeding with the proposed 2 lot boundary expansion proposal as shown on the attached map; and further, that staff be authorized to develop, sign, and submit the proposal to the Ministry of Municipal Affairs and Housing.

#### **BACKGROUND INFORMATION:**

##### **Proposal**

A request has been received from Kelli Dalziel to have her property located at 603 - 3rd Street NW in Slaterville be included within the municipal boundary of Cranbrook. The subject property is 1426 sq m in size. The request to be included within the City would facilitate the owners proposal to replace the existing mobile home and connect to the City sewer services.

##### **Staff Comments**

The subject property is currently serviced with City water and a septic system. The adjacent property located at 613 3rd Street NW is being serviced with both City water and sewer (since the 1990's). As part of connecting 613 3rd St NW to City utilities a restrictive covenant was registered on the property which established a number of provisions including the following provision:

*"It is a term and condition of the Owners right to connect to the System that the Owner will make application to be included within the City boundaries when so requested by the City and shall not oppose or encourage others to oppose an application by the City to extend the City boundaries".*

Since the request has been made by Ms. Dalziel and given the neighbouring property is serviced by City services and has the covenant registered on title, staff is recommending making application for expansion to include both properties. While this proposal does not meet all of the guidelines for municipal expansion in the City's OCP, the policies do state circumstances may warrant consideration including circumstances such as where a proposal is in the public interest or for health and/or environmental reasons.

As noted the property at 613 3rd St NW is serviced with both City water and sewer and the applicant is on water and is requesting sewer rather than having a septic system; therefore, staff recommends supporting the proposal. The current City policy is to not service properties beyond our boundaries. This application would bring the current situation into compliance with our policy and facilitate transition from an on-site septic system



to municipal servicing. Another benefit would be that the properties would be paying utilities and property tax to the City.

Pending Council's concurrence, staff will be required to formally consult with the property owners, Ministry of Transportation, RDEK and Ktunaxa. Once consultation is complete staff will prepare an application package for consideration by the Ministry of Municipal Affairs and Housing.

**ALTERNATIVE:**

Not proceed with a proposed municipal boundary extension proposal.

**BUDGETARY IMPACT:**

Costs associated with required public consultation, and if the Province approves the proposal, costs associated to seek Electoral Approval

**POLICY IMPLICATION:**

Nil

**ATTACHMENTS:**

Location Map

Request Letter

**Approved By:**

Marnie Dueck, City Clerk

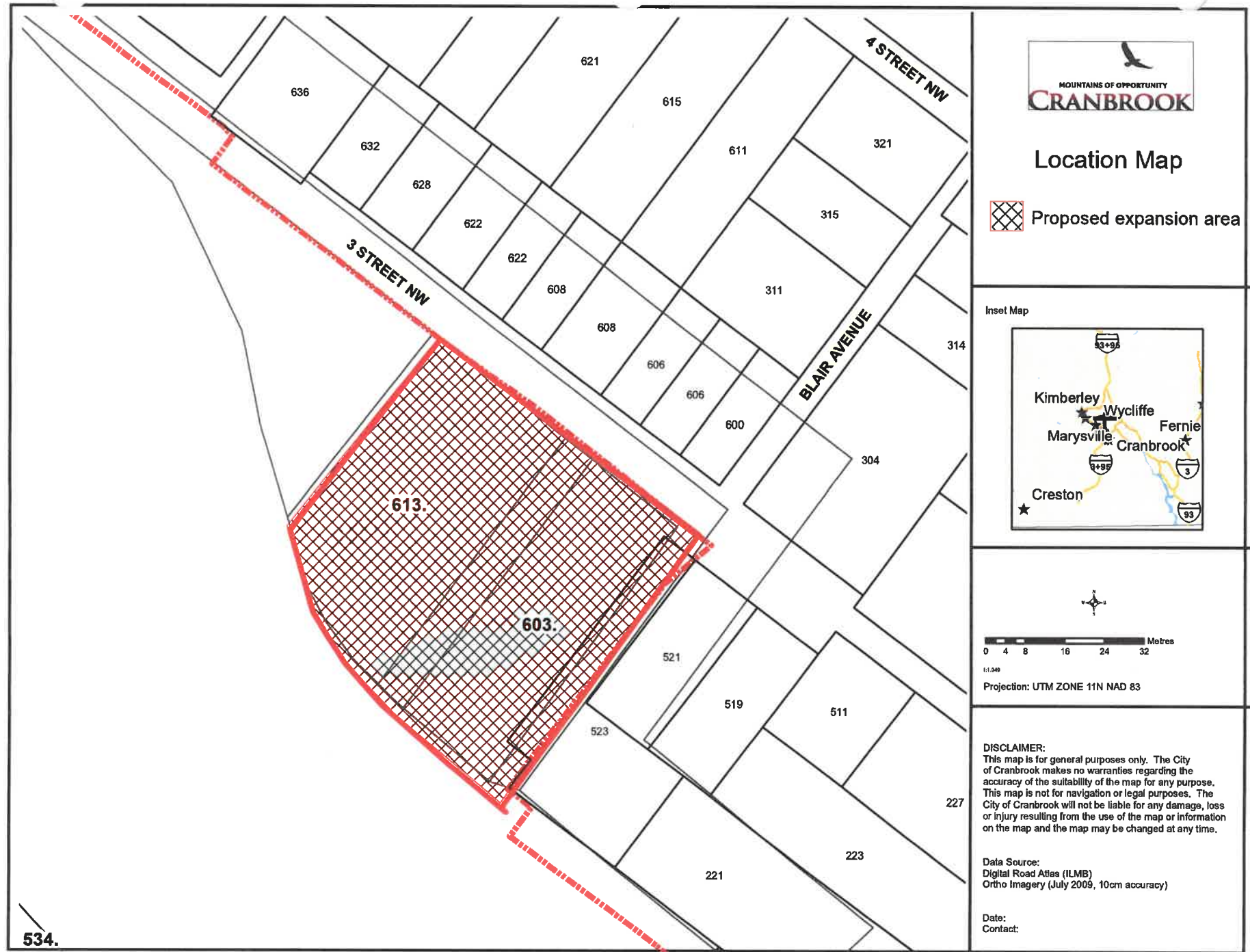
Ron Fraser CAO, Acting Chief Administrative Officer

**Status:**

Approved - 03 Dec 2019

Approved - 03 Dec 2019

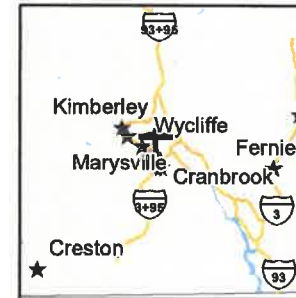




## Location Map

 Proposed expansion area

### Inset Map



0 4 8 16 24 32 Metres

1:1,000

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:



Kelli Dalziel

603 3rd St NW  
Cranbrook, BC V1C 3Z5  
778-772-8780  
November 18, 2019

Greetings Mayor Pratt & Council of Cranbrook,

My name is Kelli Dalziel, and I am writing you today to ask to kindly consider a boundary extension for my property to become incorporated into city limits here on 603-3rd St NW. I already have & pay for the water service & I am in need of your sewer hook up as well. I am trying my best to upgrade my property to suitable living circumstances. This meant the beginning stages of following the steps on the building application currently through the RDEK to replace my current mobile unit with a new and improved one. In order to even think about proceeding I had to first get my septic system certified. After speaking with three to 4 different ROWP/ installers the consensus was; due to the fact that there isn't any paperwork about the original installation of the current septic system and even after a needed inspection of around \$2500.00, it was figured that the entire system would need replacing. This cost could result anywhere between \$20,000.00-\$30,000.00. I do not have this sort of ability to move forward in a responsible way if i chose that route.

I have spoken with Rob Veg & Curtis Penson about this process on Wednesday, November 13, 2019. I have also spoken with my neighbours Ruth & Cliff on Friday November 15, 2019, informing them of the possibility that may occur, and they have informed me that they have a contingency agreement with the city. They are understanding of my decision and are fine with it.

I appreciate your consideration.

Sincerely,



Kelli Dalziel  
kelifornia74@gmail.com



# Request for Decision

## Transportation & Infrastructure Referral

File No: P 201 300  
Reference: 2019-03990  
Date: January 30, 2020

**Subject:** MoTI Road Closure – Gold Creek / Graziano  
**Applicant:** Joseph Graziano  
**Agent:** New Dawn Developments (Chad Jensen)  
**Location:** Land adjacent to Lot 49, 21<sup>st</sup> Street S, Gold Creek  
**Legal:** Lot 49, District Lot 3558, Kootenay District, Plan 1261

**Proposal:** Application to close a 0.4 ha section of 22<sup>nd</sup> Avenue S. If approved for closure, the subject section of road will be consolidated with the adjacent residential property.

**Options:**

1. THAT the Ministry of Transportation and Infrastructure be advised the RDEK recommends support for the proposed closure of part of 22<sup>nd</sup> Avenue S for consolidation with Lot 49, District Lot 3558, Kootenay District, Plan 1261.
2. THAT the Ministry of Transportation and Infrastructure be advised the RDEK recommends the proposed closure of part of 22<sup>nd</sup> Avenue S for consolidation with an adjacent residential lot in Gold Creek be refused.

**Recommendation:** **Option # 1**  
Constructing a road across the existing ravine would require extensive work to be completed within an area identified for protection of environmentally sensitive areas. The right-of-way does not provide access to any trails or water and closure will not impact the utility of the surrounding road network. No issues have been identified.

---

### Property Information

**OCP Designation:** MH, Medium Holdings

#### OCP Policies:

- Applications for closure of undeveloped road rights of way should not prevent future opportunities for utilization of the right of way for non-motorized access routes, trails or access to water.
- Residential developments are encouraged to be designed to meet the needs of permanent full-time residents.
- Development within the environmentally sensitive areas identified on Schedule H will be managed through the Development Permit process. Prior to undertaking any works within an ESA, an applicant must receive an approved Development Permit in accordance with section 20.2 of this plan.

**Zoning Designation:** If a road is closed, the land formerly comprising the road will be included within the zone of the adjoining land on either side of the highway.



**Property  
Information -  
cont'd**

All adjacent lots are zoned RR-2, Rural Residential (Small Holding) Zone and therefore the portion of the road proposed for closure will also be zoned RR-2.

**Parcel Size:** Road area under application: Approx. 0.4 ha (1 ac)

**Density:** One single family dwelling is permitted per parcel

**ALR Status:** Not within the ALR

**Interface Fire Hazard Rating:** Low to high, within the Cranbrook Rural fire protection area

**Flood Hazard Rating:** Not within a flood hazard rating area

**BC Assessment:** Residential (Vacant)

**Water / Sewer Services:** Onsite

**Additional  
Information**

- The application is from the owner of Lot 49, who would like to purchase and consolidate the right of way with his property. However, the referral also states that the owner of adjacent Lot 15 would like to obtain access to their property and may be interested in purchasing a portion of the right of way should the application be supported.
- The referral states that there is a ravine that runs across the road right of way and onto both adjacent lots, making a future road difficult to construct.
- The proposal area is not identified as a major road network in the Rockyview OCP Road Network Plan.
- A Development Permit Area for protection of environmentally sensitive areas (wetland and riparian ecosystems and connectivity corridor) follows the ravine through the applicant's property and the subject road right of way. Locating road and utility corridors along or across wetland or riparian ecosystems should be avoided in order to maintain natural connectivity.

**Consultation**

**APC Area C:** Support, subject to the owners of Lot 15 being given the opportunity to acquire 30 feet of the right-of-way that runs adjacent to their property.

**Documents  
Attached**

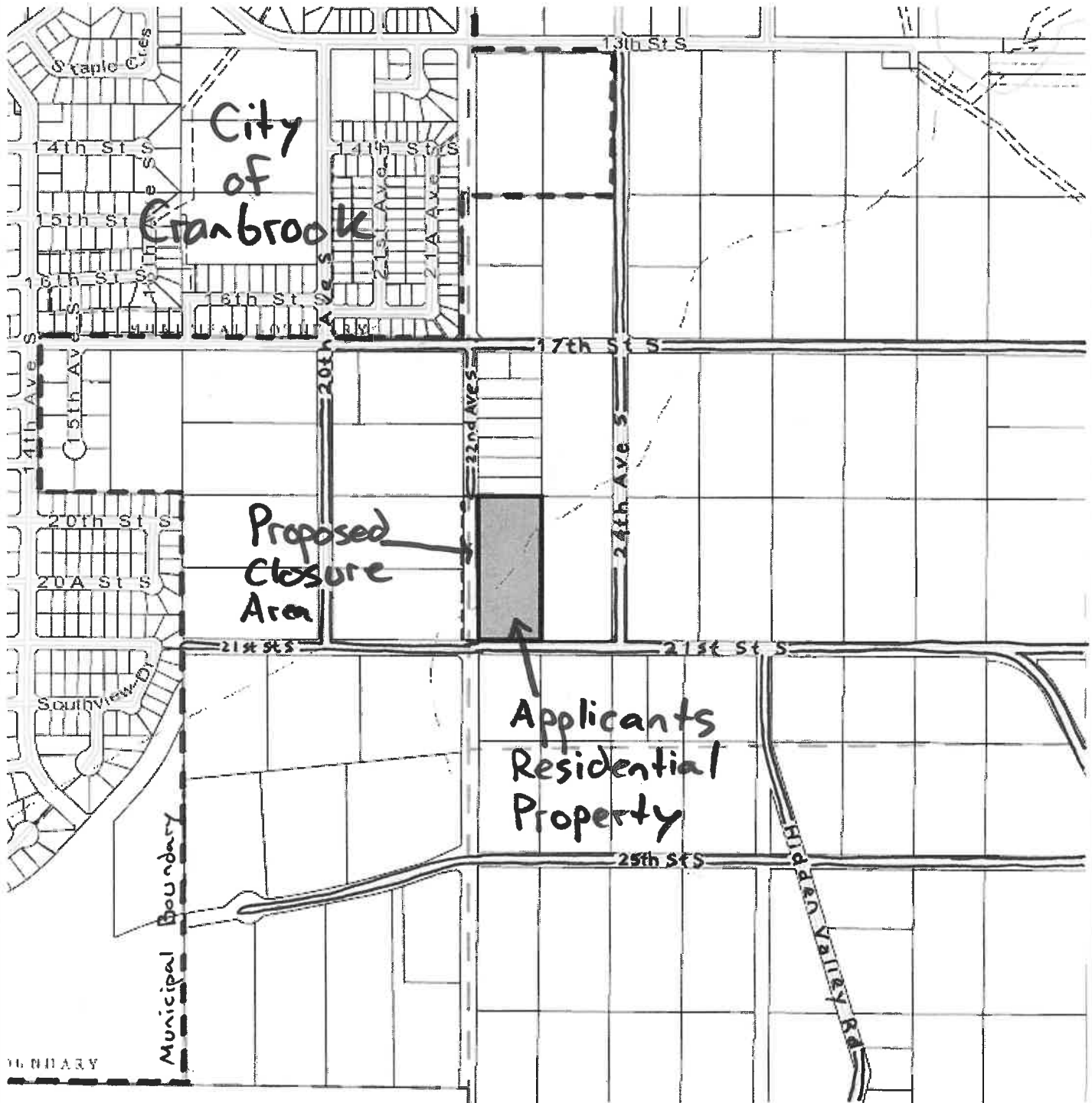
- Location Map
- Aerial Photo
- Cross Section of Ravine

**RDEK  
Contact**

Krista Gilbert, Planning Technician  
Phone: 250-489-0314  
Email: kgilbert@rdek.bc.ca



# Location Map



## Notes:

300 0 150 300 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-10-2019 1:06 PM

Scale = 1: 12,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Notes:

63 0 31 63 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
RDEK GeoViewer - 12-11-2019 10:28 AM

Scale = 1:2,500



**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

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# Cross Section through Ravine

