

Planning & Development Services Committee Agenda

July 10, 2025

3:45 pm

Members: *All Directors (Director Clovechok as Chair and Director McCormick as Vice Chair)*

Voting Rules: *Unless otherwise indicated on this agenda, all Directors have one vote and a simple majority is required for a motion to pass.*

	Pages
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2. Addition of Late Items <i>All Directors, 2/3</i>	
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10. Late Agenda Items

11. Adjournment



MINUTES OF THE PLANNING & DEVELOPMENT SERVICES COMMITTEE MEETING

June 12, 2025
Regional District Office, Cranbrook, BC

PRESENT:	Committee Vice Chair D. McCormick	City of Cranbrook
	Director T. McDonald	Electoral Area A
	Director S. Doehle	Electoral Area B
	Board Chair R. Gay	Electoral Area C
	Director J. Walter	Electoral Area E
	Alternate Director L. Downey	Electoral Area F
	Director R. Schnider	Electoral Area G
	Alternate Director L. Wray	City of Cranbrook
	Director N. Blissett	City of Cranbrook
	Director N. Milligan	City of Fernie
	Director S. Fairbairn	District of Elkford
	Director A. Miller	District of Invermere
	Director D. Wilks	District of Sparwood
	Director M. Doherty	Village of Canal Flats
	Director M. Gray	Village of Radium Hot Springs
ABSENT:	Committee Chair S. Clovechok	Electoral Area F
	Director W. Price	City of Cranbrook
STAFF:	S. Tomlin	Chief Administrative Officer
	M. Bates	General Manager of Development & Protective Services
	T. Hlushak	Corporate Officer
	A. McInnis	Planning Assistant (Recording Secretary)

Call to Order

Committee Vice Chair Don McCormick called the meeting to order at 2:38 pm.

Adoption of the Agenda

MOVED by Director Gay

SECONDED by Director Doherty

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

CARRIED

Adoption of the Minutes

May 8, 2025 Meeting

MOVED by Director Milligan

SECONDED by Director Gray

THAT the minutes of the Planning & Development Services Committee meeting held on May 8, 2025, be adopted as circulated.

CARRIED

Invited Presentations & Delegations

ALR Non-Farm Use

Bill Boswell spoke in opposition to the ALR Non-Farm Use reconsideration application for the sand and gravel extraction operation on a 251.2 ha property in the Fort Steele area. Mr. Boswell expressed his concern over increased noise and pollution resulting from the operation, noting that it is not compatible with adjacent agricultural uses and would negatively impact residential property values in the rural neighbourhood. He noted that 15 families reside within one kilometre of the proposed gravel pit.

ALR Non-Farm Use

Derek Holmes and Rick Stebbings spoke and requested support for their ALR Non-Farm Use reconsideration application for the sand and gravel extraction operation on the Holmes Road property in the Fort Steele area. Mr. Holmes stated that the current zoning permits the operation on the 251.2 ha parcel and noted that topographic factors limit the agricultural capacity of the property. He added that if the application gets to the mine permitting stage there would be more levels of consultation required including engagement with First Nations, the broader public and stakeholders.

Bylaw No. 3359

Lyle and Judy McGregor spoke and gave a presentation requesting support for an application to amend the zoning bylaw for their property at 461 Lakeview Place in Windermere to allow placement and seasonal residential use of a recreational vehicle, covered deck and three outbuildings without establishing principal residential use at the property. Judy stated that this has been their vacation spot since 1989 and it was their understanding that it was not until 2023 that the bylaw spoke to the issue of recreational vehicles accessory to a permitted use. She added that all of their neighbours, aside from four who were unavailable, provided signatures in support of the nonconforming use.

ALR Removal of Soil and Placement of Fill

Ernie Lehman spoke and requested support to permit removal of 20 m³ of soil and placement of 20 m³ of fill to construct a 356 m² accessory structure at his 2.0 ha property at 5343 Westside Road in the Fairmont area. He stated that the land is not suitable for agriculture and he requires more storage space as he is planning to retire.

BC Hydro Letter of Concurrence

Erin Dosman spoke and requested support for a Letter of Concurrence for a proposed telecommunications tower at the Marysville substation. Ms. Dosman stated that the new tower would result in three telecommunications lines and improve communications between Marysville and Kimberley. She added that they have been in discussions with Columbia Basin Trust and they are in support of the project.

Ministry of Forests Subdivision Referral

Andrew Bronson spoke and gave a presentation requesting support to reduce the road widening requirements from 9 m to 7.5 m for a subdivision on the Mt. Evan's Land Co. property on St. Mary's Lake west of Kimberley. He explained that the road widening project would be cost prohibitive with 1.5 kms of Forest Service Roads currently between 6 m and 7 m wide.

Unfinished Business**ALR Non-Farm Use Application (Fort Steele / Power Paving Ltd.)**

MOVED by Director Gay

SECONDED by Director Walter

THAT the Power Paving Ltd. reconsideration request for a Non-Farm Use Application for sand and gravel extraction on Holmes Road in the Fort Steele area be refused.

OPPOSED: Director Blissett, Director Doherty, Director Gray, Director McCormick, Director McDonald, Director Miller, Director Milligan, Director Schnider, Director Wilks, Alternate Director Downey, and Alternate Director Wray

DEFEATED

52407

MOVED by Director Doherty

SECONDED by Director Schnider

THAT Resolution No. 52276, adopted on April 11, 2025, to refuse the ALR Soil and Fill Removal application for sand and gravel extraction on the Power Paving Ltd. property located on Holmes Road in the Fort Steele area, be rescinded.

OPPOSED: Director Doehle, Director Fairbairn, Director Gay, and Director Walter

CARRIED

52408

MOVED by Director Doherty

SECONDED by Director Miller

THAT the Agricultural Land Commission be advised the RDEK supports the Power Paving Ltd. Non-Farm Use Application for sand and gravel extraction on Holmes Road in the Fort Steele area.

OPPOSED: Director Doehle, Director Fairbairn, Director Gay, and Director Walter

CARRIED

New Business

Bylaw Amendments

Bylaw No. 3359 (Windermere North / McGregor)

MOVED by Director Schnider

SECONDED by Alternate Director Downey

THAT Bylaw No. 3359 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 21, 2024 (Windermere North / McGregor)" not proceed.

OPPOSED: Director Doherty, Director Fairbairn, Director Gay, Director Gray, Director McCormick, Director McDonald, Director Miller, Director Milligan, Director Walter, Director Wilks, and Alternate Director Wray

DEFEATED

MOVED by Director Wilks

SECONDED by Director Doherty

THAT Bylaw No. 3359 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 21, 2024 (Windermere North / McGregor)" be introduced;

and further, that placement and seasonal residential use of one recreational vehicle with a roof, covered deck and three outbuildings without establishment of a principal use on the property is permitted until the sale or transfer of the property.

OPPOSED: Director Blissett, Director Doehle, Director Schnider, and Alternate Director Downey

CARRIED

Note: On June 13, 2025, the RDEK Board adopted Resolution No. 52409 to postpone the bylaw amendment for one month for further consultation with the applicant.

Bylaw No. 3360 & Bylaw No. 3361 (Grasmere / Rogers)

52410

MOVED by Director Milligan

SECONDED by Director Doehle

THAT Bylaw No. 3360 cited as "Regional District of East Kootenay – Lake Koocanusa Official Community Plan Bylaw No. 2432, 2013 – Amendment Bylaw No. 10, 2024 (Grasmere / Rogers)" be introduced.

CARRIED

52411

MOVED by Director Doherty

SECONDED by Director Doehle

THAT Bylaw No. 3361 cited as "Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 45, 2024 (Grasmere / Rogers)" be introduced.

CARRIED

Director M. Gray left the meeting at 3:59 pm and returned at 4:01 pm.

Agricultural Land Reserve Applications

ALR Removal of Soil and Placement of Fill (Westside Rd / Lehman)

MOVED by Director Fairbairn
 SECONDED by Director Milligan

THAT the Agricultural Land Commission be advised that the RDEK recommends that the Lehman ALR Removal of Soil and Placement of Fill application for property located at 5343 Westside Road in Fairmont Hot Springs be refused.

DEFEATED

52412
 MOVED by Director Wilks
 SECONDED by Director Doherty

THAT the Agricultural Land Commission be advised the RDEK supports the Lehman ALR Removal of Soil and Placement of Fill application for property located at 5343 Westside Road in Fairmont Hot Springs.

CARRIED

ALR Subdivision (Hosmer Area / Blunt & Sansom)

52413
 MOVED by Director Doherty
 SECONDED by Director Gay

THAT the Agricultural Land Commission be advised the RDEK supports the ALR subdivision application for property located at 344 Martha Road in the Hosmer Area.

CARRIED

Development Variance Permit Applications

DVP No. 16-25 (Wilmer / Behan & Pike)

52414
 MOVED by Director Schnider
 SECONDED by Director Doherty

THAT Development Variance Permit No. 16-25 (Wilmer / Behan & Pike) be granted.

CARRIED

DVP No. 17-25 (Wardner / Dolfo)

52415
 MOVED by Director Gay
 SECONDED by Director Milligan

THAT Development Variance Permit No. 17-25 (Wardner / Dolfo) be granted.

CARRIED

Miscellaneous Items

Request for Letter of Concurrence – BC Hydro

52416
 MOVED by Director Doehle
 SECONDED by Director Walter

THAT BC Hydro be advised:

- a) BC Hydro has satisfactorily completed its consultation with the Regional District of East Kootenay;
- b) The Regional District of East Kootenay is satisfied with BC Hydro's public consultation process; and
- c) The Regional District of East Kootenay concurs with BC Hydro's proposal to build a telecommunications tower at the Marysville Substation located north of Stirton Road, provided it is constructed substantially in accordance with the plans submitted to the Regional District of East Kootenay.

CARRIED

Information Report – Mt Evans Land Co. Ltd Subdivision Referral

52417
MOVED by Director Fairbairn
SECONDED by Director Milligan

THAT a letter be sent to the Columbia River-Revelstoke MLA requesting advocacy for reducing the road widening requirements to 7.5 meters for subdivision of the Mt Evans Land Co. property at St Mary's Lake.

CARRIED

Adjournment

The meeting adjourned at 4:13 pm.

Committee Vice Chair Don McCormick

Tina Hlushak, Corporate Officer

DRAFT

Karen MacLeod

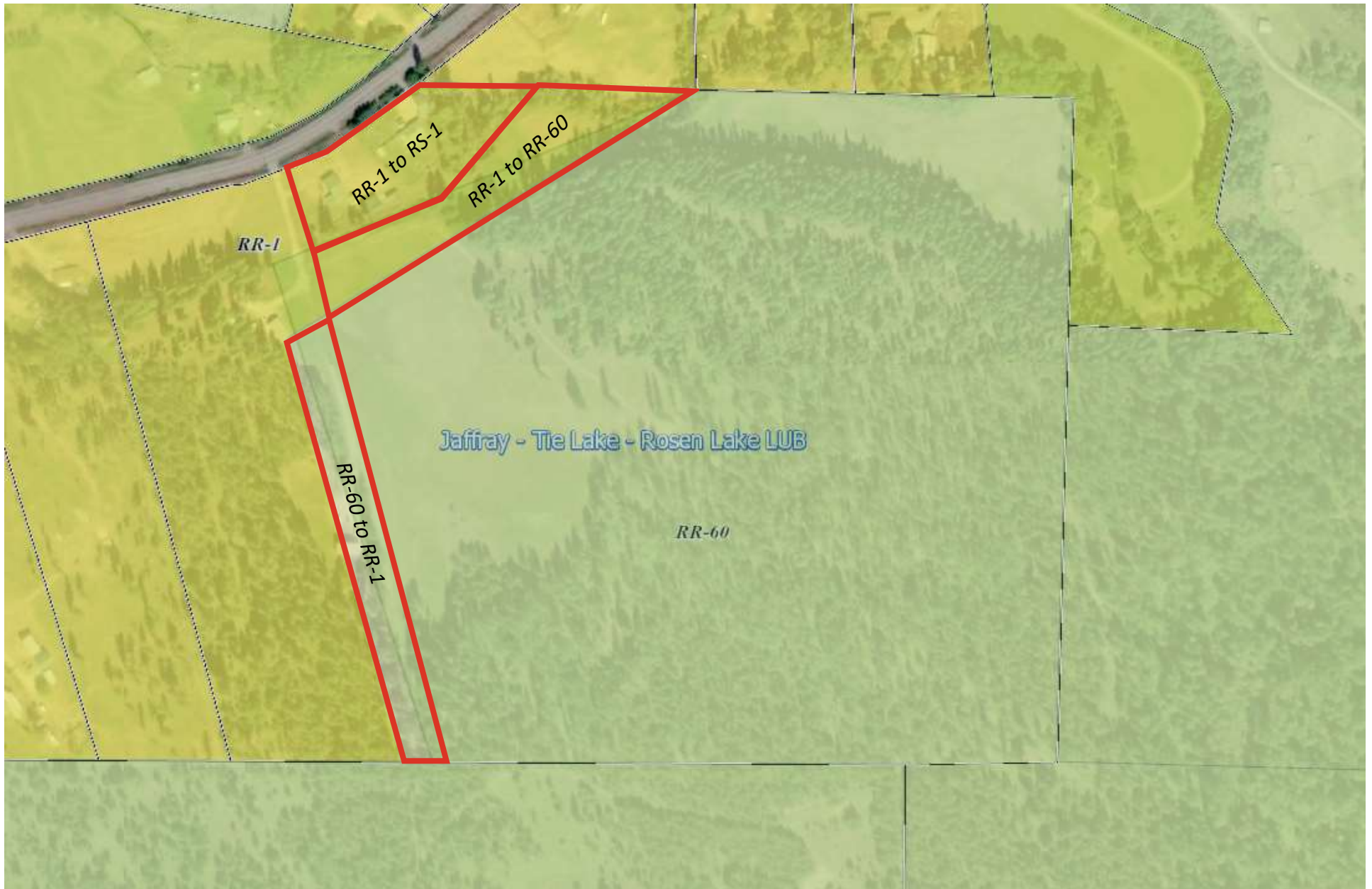
From: [REDACTED]
Sent: Friday, June 27, 2025 8:29 AM
To: Karen MacLeod
Cc: [REDACTED]
Subject: RE: Land Use Bylaw Amendment Application (Streloff) Part of Lot 5 (Amended) DL 4590 Kootenay District Plan 2345 Except Part Included
Attachments: P 724 210 Streloff - Ltr Dir APC.pdf

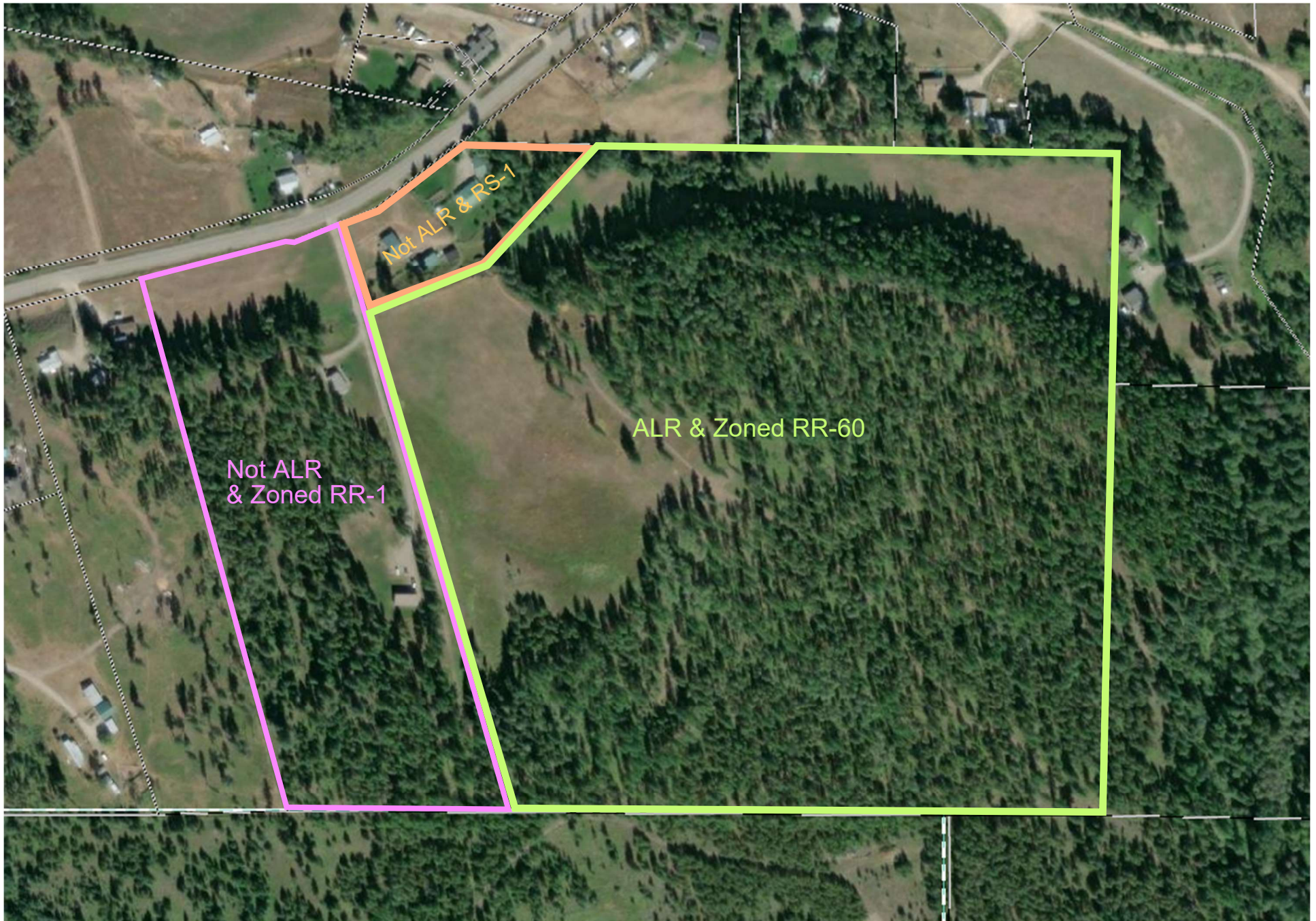
Hi Karen,
The following is the information you requested

- 1) Topic- Land Use Bylaw Amendment on above noted property– Linework and Zoning categories
- 2) Executive Summary-
 - a) Second Phase of aligning ALR and Land Use Zoning boundary on property
 - b) ALR Linework changes confirmed with ALR
 - c) RDEK Area B Planning Commission reviewed June 18
 - d) Attached are the changes requested- Description and Maps as compiled by RDEK Planning
- 3) Designated Speaker- Ken Streloff (owner)
- 4) Specific action requested- RDEK Director agreement/approval of requested Zoning changes
- 5) Request Zoom Attendance requested
- 6) No powerpoint presentation.

Hopefully, this is all that you will need from me. Mainly would like to be available for questions from the panel as I believe they will have a copy of the proposal from RDEK Planning group prior to the meeting. (Attached FYI).

Ken Streloff
[REDACTED]





Proposed Future Subdivision



Alistair McInnis

Subject: FW: Delegation Request - P 725 317 Novak
Attachments: Zoning Bylaw Text Amendment Application cover letter.pdf; Bylaw Text Amendment Application - Novak.pptx

From: jean@terpsmaconsulting.com <jean@terpsmaconsulting.com>

Sent: Friday, June 20, 2025 8:15 AM

To: Alistair McInnis <amcinnis@rdek.bc.ca>

Cc: 'Pat Novak' [REDACTED] 'KELLY NOVAK' [REDACTED]

Subject: FW: Delegation Request - P 725 317 Novak

Hi Alistair,

Please replace the PowerPoint file I sent you yesterday with the one attached to this email. I made a minor change to the size of the porch on the manufactured home. Everything else is the same as previously submitted.

Thank you.

Jean

From: jean@terpsmaconsulting.com <jean@terpsmaconsulting.com>

Sent: June 19, 2025 2:30 PM

To: 'Alistair McInnis' <amcinnis@rdek.bc.ca>

Cc: 'Pat Novak' [REDACTED] 'KELLY NOVAK' [REDACTED]

Subject: Delegation Request - P 725 317 Novak

Hi Alistair,

Subject Property: 9765 and 9767 Pighin Road, Wycliffe

On behalf of Patricia Novak and her daughter Kelly Novak I request to be a delegation at the July 10th Planning Committee meeting. I would like to attend in person and present the attached PowerPoint slide show.

The application is for a site-specific zoning bylaw text amendment to permit an existing manufactured home to remain on the subject property as a secondary residence. The manufactured home is legally in place by an Accessory Dwelling Agreement and Safekeeping Agreement / Housing Agreement No. 46, 2021. No change to the RR-60 Zone designation is being applied for, and there are no proposed changes to the structures on the subject property. The attached cover letter from our application is attached for further detail.

Please let me know if you need any other information.

Thank you.

Jean Terpsma

Terpsma Land Development Consulting

250-421-1004

Terpsma Land Development Consulting

8621 Pighin Rd, Cranbrook BC V1C 7C9 | 250-421-1004 | email: jean@terpsmaconsulting.com

March 18, 2025

File: 25-04

Jennifer MacDonald, Planning Technician
Regional District of East Kootenay
19 - 24 Ave S
Cranbrook BC V1C 3H8

**Re: Site-Specific Zoning Bylaw Text Amendment Application
Parcel A (See 168548I) Lot 3, DL 7327, KD Plan 6116 (PID: 008-519-471)
Location: 9765 & 9767 Pighin Road, Wycliffe**

On behalf of Patricia (Pat) Novak and her daughter Kelly Novak I submit an application for a site-specific Zoning Bylaw Text Amendment on the above noted parcel in the Wycliffe area. The subject property is within the ALR, and it is approximately 6 ha (14.9 acres) in size.

On the property there is a single family dwelling, and a manufactured home that is permitted as a temporary residence for a relative requiring care. The manufactured home is 14' wide by 65' long, on a non-permanent foundation, with a 13' x 23' porch. Both units are connected to a groundwater well that is approximately 180 feet deep, producing approximately 5 gallons per minute. At the time the manufactured home was placed a new septic system was installed to adequately handle both dwellings.

The property is zoned RR-60, Rural Resource within the Wycliffe Zoning & Floodplain Management Bylaw. The application is a site-specific zoning bylaw text amendment to permit the manufactured home to remain as an accessory dwelling, and to permit a non-family member to live in it. Kelly currently lives in the manufactured home and assists her mother as required but she is considering moving from the property. For Pat to continue to stay in the home she has resided in for 40 years she requires some help. There is a family friend who is interested in moving into the manufactured home and assisting Pat as needed.

Should this application be successful the Accessory Dwelling Agreement and Safekeeping Housing Agreement with the RDEK will no longer be required. No changes to the zoning designation, existing land use or structures are being applied for. The proposed text amendment will provide greater flexibility for Pat to age in place as long as possible and it will provide an affordable housing option for a community member.

I trust you will find the application complete, however please contact me should you have any questions or require anything further at this time.

Sincerely,

Jean Terpsma

Encl.
cc: P & K Novak

Karen MacLeod

From: Rhiannon Chippett
Sent: Wednesday, July 2, 2025 9:18 AM
To: Karen MacLeod; Jahan Morrow-Rogers
Subject: FW: Request to Present at the Planning and Development Services Committee on July 10, 2025

From: Linda Hunter [REDACTED]
Sent: July 2, 2025 9:17 AM
To: Rhiannon Chippett <rchippe@rdek.bc.ca>
Cc: Allen Johnson [REDACTED] Tina Hlushak <thlushak@rdek.bc.ca>
Subject: Request to Present at the Planning and Development Services Committee on July 10, 2025

Good morning Rhiannon, I am submitting this request to present at the PDSC on July 10, 2025.

[The topic on which the delegation wishes to speak:](#)

Bylaw No 3404 and Bylaw No 3405.

[An executive summary or outline of the presentation to be made:](#)

FSVCA would like to express our concerns with the adoption of these Bylaws and the impact on our community. We have specific concerns with Bylaw 3405 and the rezoning of this property to a commercial zoning designation.

[The name of the designated speaker\(s\):](#)

Allen Johnson, and Linda Hunter, President Fernie Snow Valley Community Association. The FSVCA represents over 600 homes and 1500 residents on the Fernie Ski Hill.

[The specific action which is being requested of the Board:](#)

Our ask is that the Planning and Services Committee not progress adoption of Bylaw 3405.

[If you are attending the meeting in person or via Zoom:](#)

Allen Johnson and/or Linda Hunter will be presenting via Zoom.

[Whether or not you will have a powerpoint presentation.](#)

A presentation will be provided on July 14, 2025.

Also, would it be possible to schedule our presentation in one of the later presentation times? Allen has a medical appointment at 1:00 which we are hoping this won't conflict with our presentation time.

Thanks again Rhiannon. Can you please confirm receipt of this email and also advise of the meeting time and agenda once it has been finalized.

Linda Hunter
President, Fernie Snow Valley Community Assoc
[REDACTED]

Personal information has been withheld in
accordance with section 22(1) of the *Freedom
of Information and Protection of Privacy Act*.

Connie Thom

Subject: FW: Request to Present at the Planning and Development Services Committee on July 10, 2025

Good morning Karen, I am submitting this request to present at the PDSC on July 10, 2025.

The topic on which the delegation wishes to speak:

Currie Creek Development on Resort Drive, Fernie, BC

An executive summary or outline of the presentation to be made:

As a homeowner on Resort Drive would like to express our concerns regarding the development and re-zoning process and bylaws.

The name of the designated speaker(s):

Heidi-Lynne Balasch, current owner of home on Resort Drive directly across the street from the Currie Creek development.

The specific action which is being requested of the Board:

My ask is that the Planning and Services Committee not approve the bylaws for re-zoning the Currie Creek Development.

If you are attending the meeting in person or via Zoom:

Heidi-Lynne will be presenting via Zoom.

Whether or not you will have a powerpoint presentation.

A presentation will be provided on July 8, 2025 if I choose to use a powerpoint presentation.

Thank you for your consideration,

Sincerely,

Heidi-Lynne Balasch

Karen MacLeod

From: Kyla Earle <kearle@bigblockconstruction.ca>
Sent: Wednesday, June 25, 2025 11:10 AM
To: Karen MacLeod
Cc: Alex Miller; Ben Miller; Jai Roberts
Subject: RE: Delegation Request – July 10 RDEK Planning Committee Meeting

Hi Karen,

Thanks so much for confirming. Please see our responses below to formalize our delegation request:

1. The topic on which you wish to speak:

OCP and Zoning Amendment application for Currie Creek Developments

2. An executive summary or outline of the presentation to be made:

We will provide an overview of the proposed Currie Creek development and speak to how it aligns with the Regional District's OCP goals, housing needs, and planning principles. We will also address community considerations and next steps in the application process.

3. The name of the designated speaker(s):

Alex Miller and Jai Roberts (to be confirmed)

4. The specific action which is being requested of the Board:

We are requesting that the Board support advancing the OCP and Zoning Amendment application to the next stage in the review process.

5. If you are attending the meeting in person or via Zoom:

We are still confirming our availability and will advise shortly whether we'll attend in person or via Zoom.

6. Whether or not you will have a PowerPoint presentation:

We may use a short visual presentation (PDF format). If so, we will submit it by noon on Tuesday, July 8th as requested.

Thanks again, and please don't hesitate to reach out if anything further is needed.

Best,

Kyla Earle (on behalf of Currie Creek Developments)



Kyla Earle

Community Development Manager

📞 306.291.4225

📍 #10 - 3703 Mitchelmore Ave, Saskatoon, SK, S7P 0C5

🌐 bigblockconstruction.ca

[Review our business on Google >](#)

Karen MacLeod

From: Alistair McInnis
Sent: Monday, June 23, 2025 12:27 PM
To: Karen MacLeod
Subject: FW: Martin DVP
Attachments: P 725 545 Martin - APC Dir Ltr.pdf; Martin - Info.pdf; DVP 19-25 Presentation - 2178 Trappers Way.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

From: Craig Martin <[REDACTED]>
Sent: Monday, June 23, 2025 10:37 AM
To: Alistair McInnis <amcinnis@rdek.bc.ca>
Subject: Fw: Martin DVP

Hi Alistair.. looks like our DVP application will be included for the July 10th planning committee meeting.

1. The topic on which you wish to speak; **DVP 19-25**
2. An executive summary or outline of the presentation to be made;

1) In the process for applying for BP - discovered existing raised deck on west side of home was built inside MoT 4.5m set back and as a result is nonconforming. Requesting to relax the exterior side parcel line setback from 4.5m to 1.15m to allow for the existing nonconforming deck. MoT has approved the setback request. DVP from Columbia Valley Zoning Bylaw 3255, 2023, Section 4.7(4)(b)(i).

2) The addition of a roof over the hot tub patio to protect from snow damage puts total lot coverage over 35%. Requesting to increase the parcel coverage from 35% to 37.7%. DVP from Columbia Valley Zoning Bylaw 3255, 2023, Section 4.7(4)(d).

3. The name of the designated speaker(s); **Craig Martin**
4. The specific action which is being requested of the Board; **side yard set back variance and maximum lot coverage variance**
5. If you are attending the meeting in person or via Zoom; and - **Zoom**
6. Whether or not you will have a powerpoint presentation - **Yes, pdf attached**

Thanks,

Craig Martin
[REDACTED]

Subject Development Services – Monthly Building Report

Month July 2025

Building

Total monthly inquiries (phone/email/counter): 659

Average length of time between a completed application being received to the permit being issued: 7 weeks

Jurisdiction	May 2025			Year to Date		
	Permits Issued	Dwellings Created	Construction Value	Total Permits Issued	Total Dwellings Created	Construction Value
Area A	2	3	\$1,525,000	17	8	\$7,159,000
Area B	6	1	\$950,500	49	5	\$5,574,600
Area C	8	1	\$794,000	33	12	\$7,406,750
Area E	3	1	\$230,000	14	3	\$2,093,500
Area F	22	10	\$6,698,500	73	29	\$24,608,930
Area G	3	1	\$465,000	13	6	\$2,258,659
Totals	44	17	\$10,663,000	199	63	\$49,101,439

Canal Flats	3	0	\$6,000	9	0	\$156,000
Cranbrook	19	3	\$3,349,500	69	110	\$32,493,310
Elkford	2	0	\$255,000	8	3	\$1,844,865
Fernie	10	6	\$5,241,600	42	20	\$18,366,540
Invermere	5	1	\$764,596	42	40	\$15,101
Kimberley	30	5	\$4,985,841	90	60	\$27,781,393
Radium	0	0	\$0	77	0	\$328,568
Sparwood	9	16	\$4,579,000	24	21	\$6,539,971
Totals	78	31	\$19,181,537	291	254	\$102,611,874

Bylaw Compliance

Number of active compliance files: 96

	Land Use / Construction	Unsightly	Noise
Area A	7	0	3
Area B	6	0	1
Area C	26	2	4
Area E	4	3	1
Area F	24	2	6
Area G	3	2	2
Totals	70	9	17

Columbia Valley Dog Control

May 2025	Area F	Area G	Total
Complaints	1	0	1
Notification/Warning Issued	1	0	1
Captured	0	0	0
Turned Over to DCO	0	0	0
Pound Nights	0	0	0
Licenses Sold			0

Year to Date	Area F	Area G	Total
Complaints	6	3	9
Notification/Warning Issued	6	3	9
Captured	0	0	0
Turned Over to DCO	0	0	0
Pound Nights	0	0	0
Licenses Sold			25

Subject Development Services – Monthly Planning Report

Month July 2025

STATISTICS

(May 16, 2025 – June 15, 2025)

	2025	2024
INQUIRIES	251	280
BUILDING CHECKS	38	29

	----- ELECTORAL AREAS -----						YEAR	
	A	B	C	E	F	G	2025	2024
Agricultural Land Reserve		1		1	1		3	2
Bylaw Amendments (Zoning / Land Use / OCP)		1	2		1	2	6	0
Development Permits			1				1	4
Development Variance Permits / Board of Variance					1		1	7
Subdivisions	2		3	2	1		8	0
Ministry Referrals							0	3
Other Agency Referrals (MoTT/Liquor Control etc.)							0	2
Other Permits & Agreements (Housing Agreements / Temp. Use / Floodplain Exemptions / Campground)							0	1
Covenant Processing (Charging & Releasing)	1	1	1	1			4	0
TOTALS 2025	3	3	7	4	4	2	23	
TOTALS 2024	2	1	4	2	8	2		19

PROJECTS

Electoral Area B Parks

Draft Park Management Plans for the Rosen Lake Accesses, Tie Lake Regional Park, Dawson's Path and the Yaqaxxaqłamki Boat Launch are available on the RDEK Engage Page for final public review and comment prior to Board consideration. These plans provide an overview of each of the RDEK

Parks and outlines management goals and anticipated improvements to maintain the parks. The comment period will close on July 15th.

PENDING APPLICATIONS

Effective June 30, 2025, the following applications are in queue to be processed:

TYPE	A, B & C	E, F & G
Bylaw Amendment		1
DVP/ Minor DVP/ Board of Variance	2	
DP (ESA, Steep Slopes, Form & Character)	2	2
ALR	1	
Temporary Use Permit		1
Campground		
Reconsideration		
Liquor/Cannabis Licence		
Relative Requiring Care		
Applications Subtotal	5	4
Subdivision Referral	1	1
FrontCounter BC Referral		
Mines Referral	2	
MOTT Referral (roads, etc)		
Referrals Subtotal	3	1
Total Pending	8	5

Short Term Rental Temporary Use Permit Applications (All Areas)

2025 Application Review

Issued – 70

Refused – 1

Under Review – 49

Received (Not Yet Started Processing) – 0

**Advisory Planning Commission
Electoral Area A**

Minutes

June 17, 2025

Present:

Joe Caravetta, Secretary and Chair
Daivd Beranek
Thorna Lawrence
Regan Rome

Thomas McDonald
Allen Kennedy
Karen Alexander

Cliff Mitchell

AGENDA

1. CALL TO ORDER 1935 hours

2. Minutes

2.1 Cliff motion that the minutes of the APC meeting held on May 20, 2025, be adopted as circulated, seconded by Allen.

Carried

3. Planning and Development Report

3.1 Planning and Development Services Committee for June

No issues

4. Bylaw Amendment Application

4.1 725 113 Fernie Alpine Resort / Currie Creek Development

Motion by Thorna that the APC recommend the Currie Creek Development application for the entire proposed parcel (0.938 hectares) be supported for rezoning of multifamily zoning (R-MF) but no part of the said parcel be supported for rezoning to CG-8 Resort Commercial Zoning, seconded by Regan

Motion Carried

5. Adjourned

Meeting adjourned at 2010 hours.

Secretary Joe Caravetta

**Advisory Planning Commission
Electoral Area B**

Minutes

June 18, 2025

Baynes Lake Fire Hall

Present:

Shayne Webster, Chair
Lorie Sinclair, Vice Chair
Lily Durham, Secretary
Wendy Salanski
Maureen Coulombe
Gary Mitchell
Barrie McDonald
John Todd
Cory Wentzell
Karen Bergman
Josh Petersen
Krista Damstrom

Director Stan Doehle

1. Call to Order

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

2. Delegations

Ken Streloff spoke to their application P 724 210- Rosen Lake Road/Streloff

Hilary Grimsrud & Grant Grimsrud spoke to their application P 725 204-Baynes Lake/Grimsrud

3. Adoption of the Minutes

Moved by Barrie McDonald
Seconded by Gary Mitchell

That the minutes of the Advisory Planning Commission meeting held on May 21, 2025, be adopted.

CARRIED

4. Planning & Development Services Monthly Report

Moved by Lorie Sinclair
Seconded by Krista Damstrom

That the monthly Planning & Development Services Report be received.

5. Bylaw Amendment Applications**5.1 P 724 210-Rosen Lake Road/Streloff**

Moved by Lily Durham

Seconded by Barrie McDonald

That the Advisory Planning Commission recommends the P 724 210-Rosen Lake Road/Streloff Bylaw Amendment application be supported.

CARRIED

Comments: Unanimous

5.2 P 725 204-Baynes Lake/Grimsrud

Moved by Lily Durham

Seconded by Josh Petersen

That the Advisory Planning Commission recommends the P 725 204-Baynes Lake/Grimsrud Bylaw Amendment application be refused.

CARRIED

Comments: Applicant has been advised of potential changes to application to create 2 true-1-hectare pieces.

6. Presentation

Karen Bergman spoke on National Aboriginal Day and gave a presentation on "Home on Native Land."

7. Adjournment

The meeting adjourned at 7:33 pm.

Advisory Planning Commission Electoral Area C

Minutes

June 18, 2025

RDEK Conference Room

Present: Jim Westwood, Rob Gay, Vince Miller, Samantha Freeman, Herb Janzen, Steve Rogers

Absent: Aaron Shuttleworth, Bob Bjorn, Richard Wake

1. Call to Order:

Jim Westwood called the meeting to order at 5:00 pm

2. Adoption of the Minutes:

2.1 APC meeting – May 21, 2025

That the minutes of the Advisory Planning Commission meeting held on May 21, 2025, be adopted as circulated.

Moved by: Herb Janzen

Seconded by: Steve Rogers

3. Planning & Development Services Reports:

3.1 June 2025 – Rob indicated the Power Paving application for a gravel pit had been passed by the Board

4. Bylaw Amendment Application

4.1 P 725 317 – Bylaw No. 3401 (Wycliffe / Novak)

Delegation Jean Terpsma and Kelly Novak

To amend the zoning bylaw to permit a second dwelling unit on the subject property to house a non-related caregiver for the property owner, provided the second dwelling unit does not exceed the size requirement outlined in the ALR Use Regulation.

The Advisory Planning Commission recommends that the P 725 317 – Wycliffe / Novak Bylaw Amendment Application be supported.

Moved by Jim Westwood

Seconded by Samantha Freeman

5. Adjournment: 5:20 pm

Wednesday, June 18th, 2025

Windermere Firehall**Present:****Area F**

David Chernoff

Karl Conway

Bruce Hamstead

Seona Helmer - Chair

Leah Downey

Mara King

Colleen Roberts

Area G

Brandon Csokonay

Hermann Mauthner

Directors

Susan Clovechok - Area F

Roberta Schnider - Area G

Nancy Wilfley - Secretary

Regrets: Norm Funnell Shelley Hopkins Carolyn Maher Owen Mitchell Rick Tegart
Chris Zehnder

Introduction of Commission Members.

Delegations:**P 725 545- Panorama/Martin**

7:05pm. - Craig Martin (Zoom) presents a Powerpoint with details on his DVP application. Application is to reduce the exterior side yard setback from 4.5 to 1.15m for an existing deck. Also, to increase the parcel coverage from 35.5% to 37%. Extra parcel coverage is for a roof to cover the hot tub. A building permit discovered that part of the side parcel line was adjacent to a road right of way. An exterior side yard set back is required. MoTT has approved set back. Craig shows photo's of blueprints and building.

7:15pm. - Craig answers questions. Craig has proper Building Permits. He has approval from Panorama to use ski out for access. Craig agrees to placing a covenant that states he can't enclose the area for added indoor space.

7:16pm. - Craig closes Zoom Call.

P725 555 - Windermere East/ Halverson (RDEK)

7:01pm. - Kris Nickerson and Tom Smith from RDEK explains application and uses a Powerpoint. Kris explains application and gives background on current system. Plan is to double the capacity of the existing Reservoir. Expansion will be by the current Reservoir. A Master Plan report was completed in 2022 and states the existing reservoir is inadequate for the current demand. Kris answers questions. Land is within the ALR and is on Private property. Property owners have an easement and application is within the Easement agreement. Water is pumped from Lake Windermere.

7:31pm. - Kris ends presentation.

7:46pm. - Kris and Tom leave meeting.

P 725 556- Windermere/Mclver

7:32pm. - Natasha Wilson from Global Raymac Surveys (Adam Brash) speaks to application and reminds us that the Commission members have seen this application already. Applicant has met the Covenant requirements. Septic was approved for a Type 1 sewer system.

7:36pm. - Natasha ends presentation.

7:46pm. - Natasha leaves meeting.

1. Call To Order

Meeting called to order at 7:40pm.

2. **Minutes**
2.1 APC Meeting - May 21st, 2025

MOVED by K. Conway
SECONDED by L. Downey
THAT the Minutes of the Advisory Planning Commission meeting held on May 21st, 2025 be adopted as circulated.
CARRIED
3. **Reports**
3.1 Development Services Report - June - Received.
4. **Agricultural Land Reserve Applications**
4.1 P725 555 - Windermere East/Halverson (RDEK)

MOVED by M. King
SECONDED by H. Mauthner
THAT the Advisory Planning Commission recommends the Agricultural Land Reserve application from Windermere East/Halverson (RDEK) be supported.
CARRIED
5. **Development Variance Permit Applications**
5.1 P725 545 - Panorama/Martin

MOVED by B. Hamstead
SECONDED by C. Roberts
THAT the Advisory Planning Commission recommends the DVP application from Panorama/Martin be supported with a Covenant stating that the patio area cannot become a liveable indoor space.
CARRIED

5.1 P725 556 - Windermere/Mclver

MOVED by K. Conway
SECONDED by D. Chernoff
THAT the Advisory Planning Commission recommends the DVP application from Windermere/Mclver be supported.
CARRIED
6. **ADJOURNMENT**
The meeting adjourned at 7:46pm.

Request for Decision Bylaw Amendment Application

File No: P 724 571
Reference: Bylaw No. 3359
Date: June 19, 2025

Subject: Bylaw No. 3359 (Windermere North / McGregor)
Applicant: Judy and Lyle McGregor
Agent: Jessie Blakley
Location: 461 Lakeview Place, Windermere North
Legal: Lot A, District Lot 4347, Kootenay District Plan NEP67223
(PID: 024-839-892)

Proposal: To amend the text of the zoning bylaw to permit placement and seasonal residential use of a recreational vehicle with a roof, covered deck and three outbuildings without establishment of a principal use on the property.

Development Agreement: The owners have offered to register a covenant on the property stating that the current uses (identified in the above proposal) will cease to be permitted if the property is sold or transferred to new owners.

Options:

1. THAT Bylaw No. 3359 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 21, 2024 (Windermere North / McGregor)” be introduced.
2. THAT Bylaw No. 3359 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 21, 2024 (Windermere North / McGregor)” not proceed.

Recommendation: **Option 2**

This is a residential neighborhood, with most of the properties along the street containing dwellings that comply with RDEK regulations. There are other avenues that may be more appropriate to pursue to construct a dwelling on the property, such as a development variance permit application to reduce setback requirements or to meet floodplain regulations. The use of an RV as a permanent residential unit is not supported, even with the intended seasonal nature of the proposal.

Property Information: **OCP Designation:** R-SF, Residential Low Density, which supports single family residential subdivisions, duplexes and zoning that supports secondary suites.

OCP Policies:

- A mix of residential densities is supported within the plan area.
- Bylaw amendment applications for residential development should address the following:
 - (i) Compatibility of the proposed development with surrounding land uses, parcel sizes, local rural character and lifestyle;
 - (ii) Access to the development and proposed internal road networks;

**Property
Information -
cont'd:**

- (iii) Demonstrate the use of Conservation Subdivision Design principles where appropriate, such as:
 - (a) Identifying and establishing buffers from features such as riparian areas, wetlands, Class 1 ungulate winter range, wildlife corridors, wildlife habitat areas, natural hazard areas, woodlands and agricultural land;
 - (b) Clustering development into nodes of smaller lots in order to preserve larger contiguous environmentally sensitive areas and agricultural zones; and
 - (c) Utilizing compact neighbourhood design with dwelling units built in close proximity to each other to minimize the overall development footprint and required infrastructure.
 - (iv) Integrate FireSmart Principles.
- Development is encouraged to recognize and integrate opportunities to retain and maximize the viewscales.

Zone Designation: R-1, Single Family Residential Zone; minimum parcel size is 555 m².

Parcel Size: 0.1 ha (0.23 ac)

Density: The R-1 zone permits one single family dwelling and one secondary suite within a principal dwelling per parcel. The parcel currently has one recreational vehicle and accessory outbuildings.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Low, within the Windermere fire protection area

BC Assessment: Residential (Residential outbuilding only)

Water and Sewer Services: The property does not have a water source and there is an onsite sewage disposal system that the recreational vehicle is connected to. The applicants have stated that they bring in drinking water and have a pump pulling water from the lake. They do not have a water licence for pumping from the lake.

Flood Hazard Rating: The property is adjacent to Lake Windermere. Development must comply with floodplain management provisions.

**Professional
Studies:**

None

**Additional
Information:**

- The zoning regulations the property is currently not in compliance with are:
 - Up to two recreational vehicles can be parked and stored accessory to a lawfully established and ongoing permitted use.
 - Recreational vehicles may only be used as a residential use where specifically designated in the general regulations.
 - Accessory buildings cannot be constructed without a principal use being established on the property.
 - The principal use to which a recreation vehicle or accessory building may be accessory is not established on this property.

**Additional
Information
cont'd:**

- The application states that the owners applied for a building permit historically and it was not approved as it did not meet setback requirements. As an alternative a recreational vehicle was established on the property. There is not a building permit file attached to the property in the RDEK's digital record system.
- The applicants provided supporting documentation that is attached to this staff report. This information includes signatures from neighbours that the owners collected to support their application. These signatures have been provided prior to the RDEK completing public notifications as identified below for this application.
- The applicants have offered a restrictive covenant stating that the current uses cease to be permitted if the property is sold or transferred to new owners. The concern with this option is the need for monitoring when the property has been sold or transferred. A Temporary Use Permit would provide a means for the applicants to continue to use the RV on property, with specific timelines set out for expiry or renewal and would be a more practical approach if the intent is not to approve the requested use for the long term.

Consultation:

Under revised section 464 (3) of the *Local Government Act* a local government must not hold a public hearing on a zoning bylaw if:

- a) an OCP is in effect for the area that is subject of the zoning bylaw;
- b) the bylaw is consistent with the OCP;
- c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development; and
- d) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development.

Section 467 (1) of the *Local Government Act* specifies that if a local government decides to not hold, or is prohibited from holding, a public hearing, it must provide notice to the public prior to first reading of the bylaw. Notice must be provided in accordance with the RDEK Public Notice Regulation Bylaw and the applicable requirements of section 466 of the *Local Government Act*.

Publication Date: May 29, 2025 issue of the Columbia Valley Pioneer

Notice Mailing Date: May 9, 2024

Notices Mailed: 16

Response to Notice and Advertising: Three responses have been received from the notification process. Two letters express support for the application and one letter expresses support conditional on an expiration date being established.

APC Area F & G: Support not recommended

**Consultation
cont'd:**

Referral Agencies:

- **Interior Health Authority:** The property is very confined and constrained for onsite services and there is not a lot of unencumbered space available for the purpose of onsite sewerage disposal. IHA recommends that prior to approval of this application the RDEK require the property owner to protect an area for a reserve/backup sewerage disposal system in perpetuity under a restrictive covenant. It is also noted that if any of the existing sewerage disposal system is located under the covered deck that the applicant reconsiders the deck location.
- **Transportation & Transit:** The Ministry has no concerns with the bylaw change, however the owner is limited to one access only and all buildings or structures must be outside the setback area.
- **Environment:** The Ministry of Environment clarified that domestic purpose use does not require a water licence in BC. If the use does not fit under the definition of domestic purpose, then a water licence is required. Generally speaking, the definition of domestic purpose means the use of water for household purposes by the occupants of one or more private dwellings located on a single parcel including without limitation the following uses: drinking water, food preparation and sanitation, fire prevention, providing water to animals or poultry and irrigation of a garden not exceeding 1 000 m²
- **Ktunaxa Nation Council:** No response
- **Shuswap Band:** No response
- **School District No. 6:** No response
- **Telus:** No response

**Documents
Attached:**

- Bylaw
- Location Map
- Land Use Map
- Zone Designation Map
- Aerial Photo
- Letter from Applicant with Neighbour Signatures
- Site Plan
- Site Photos
- IHA Referral Response
- Ministry of Environment Referral Response
- Public Submissions

**RDEK
Contact:**

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

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3359

A bylaw to amend Bylaw No. 3255 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023."

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 3255;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 21, 2024 (Windermere North / McGregor)."
2. Section 1.32 is amended by adding the following:
 - (28) On Lot A, District Lot 4347, Kootenay District Plan NEP67223, except parts included in Plans R121 and R289, placement and seasonal *residential use* of one *recreational vehicle* with a roof, covered deck and three outbuildings without establishment of a *principal use* on the property is permitted.

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

Location Map



Notes:

250 0 125 250 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 10-24-2024 10:46 AM

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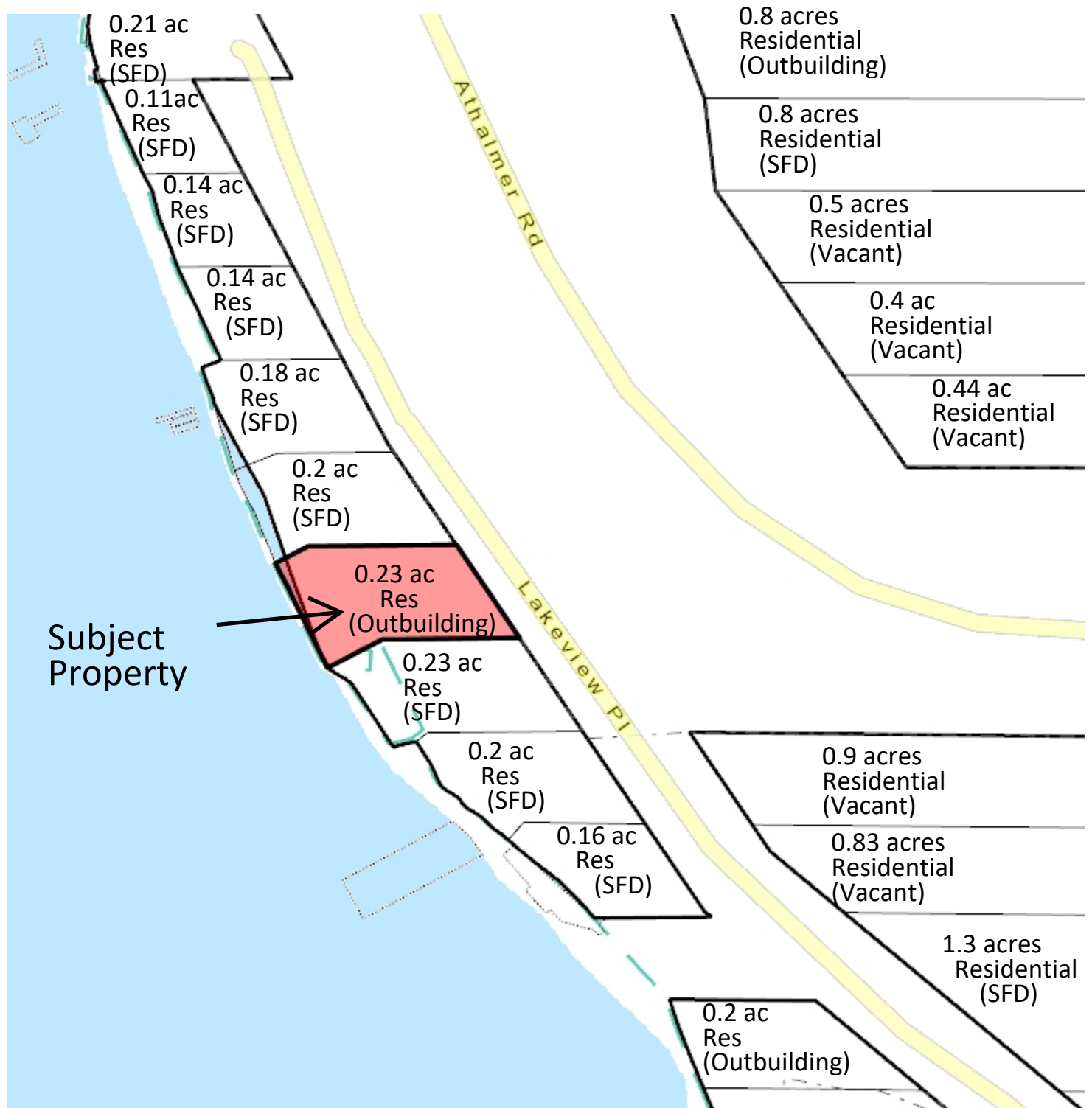
Scale = 1 : 10,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Land Use Map



Notes:

50 0 25 50 Meters

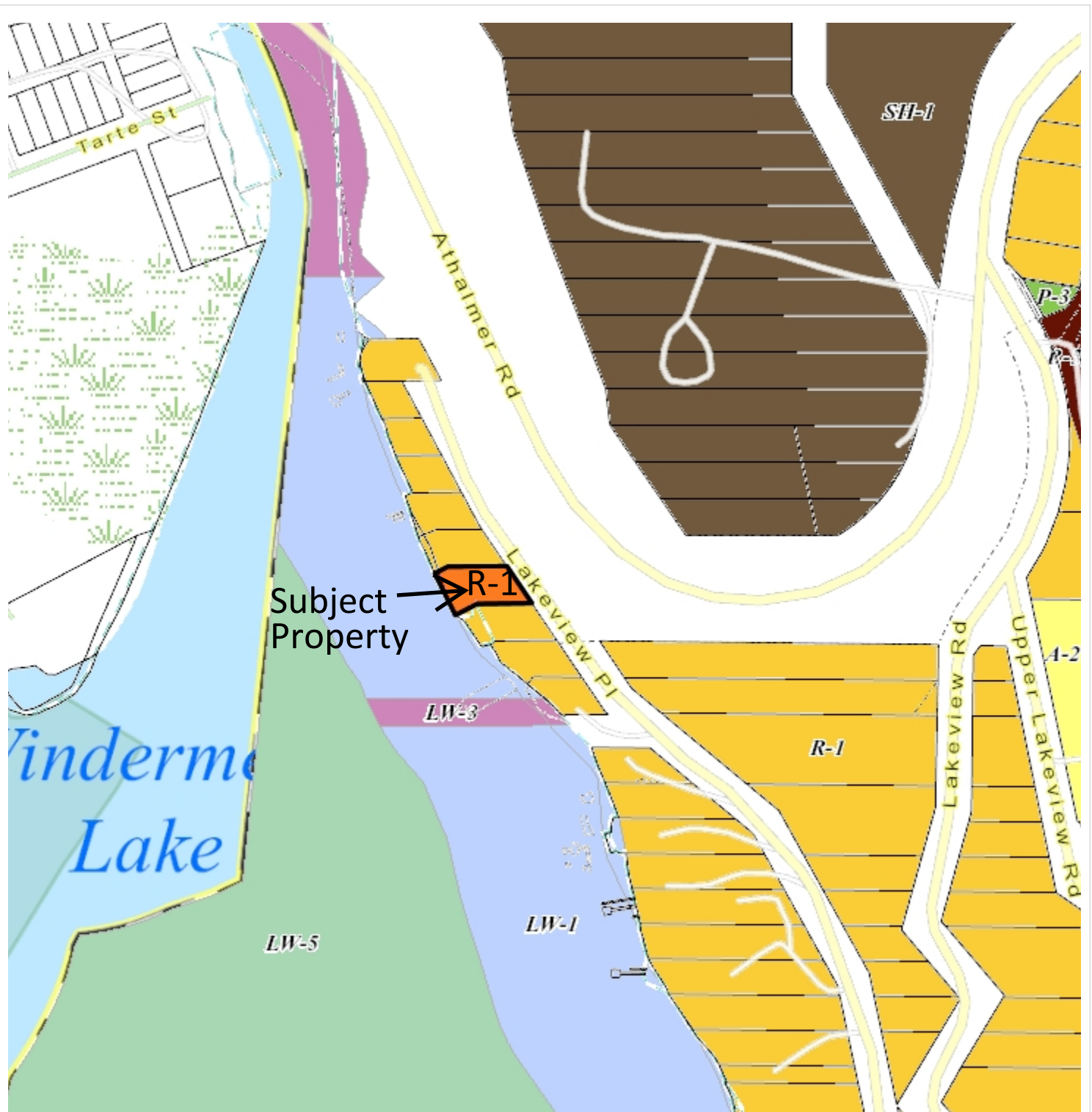
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Zone Designation Map



Notes:

125 0 63 125 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 10-24-2024 10:48 AM

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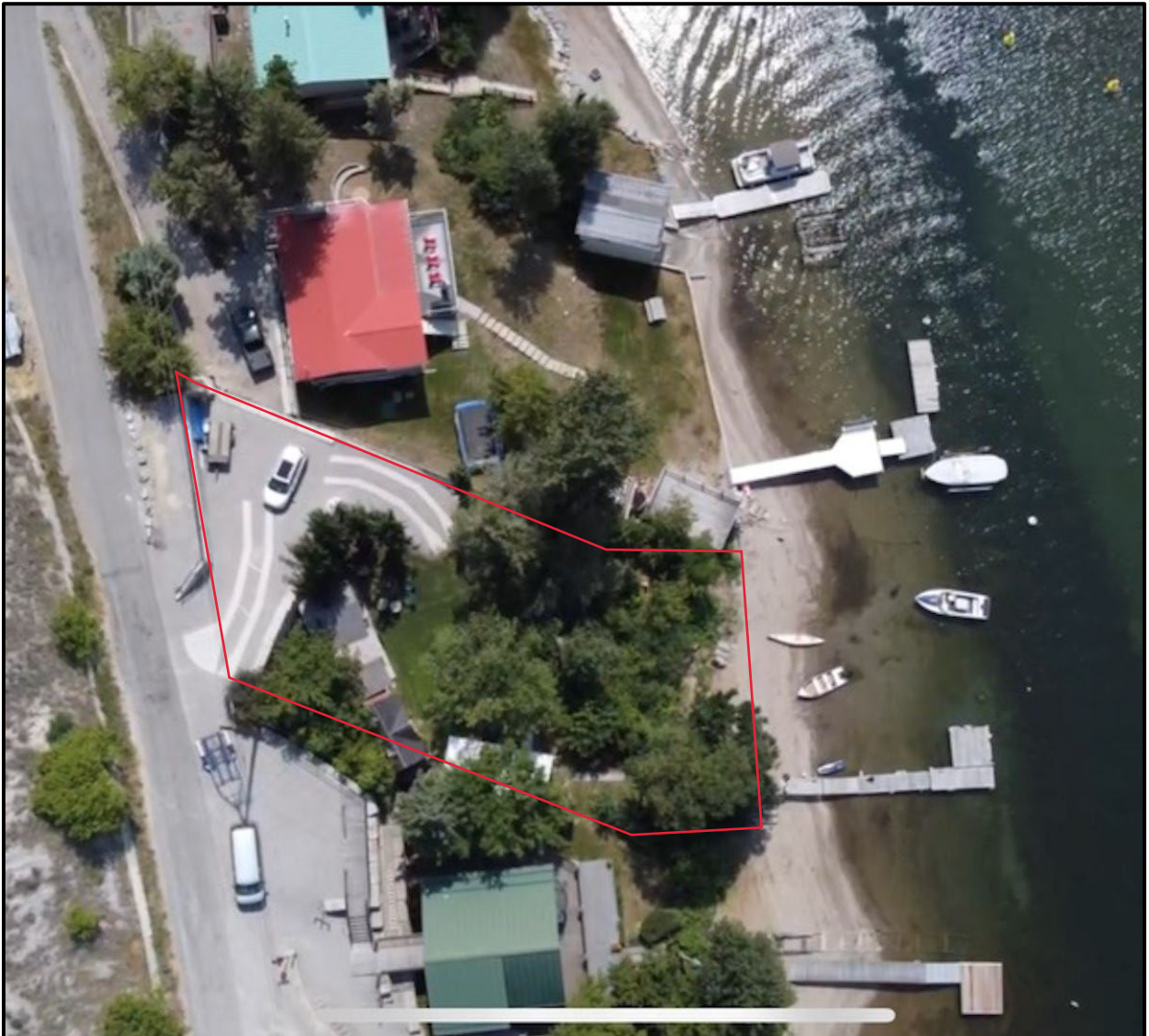
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Aerial Photo





Subject property: 461 Lakeview Place, Windermere BC

August 13th, 2024

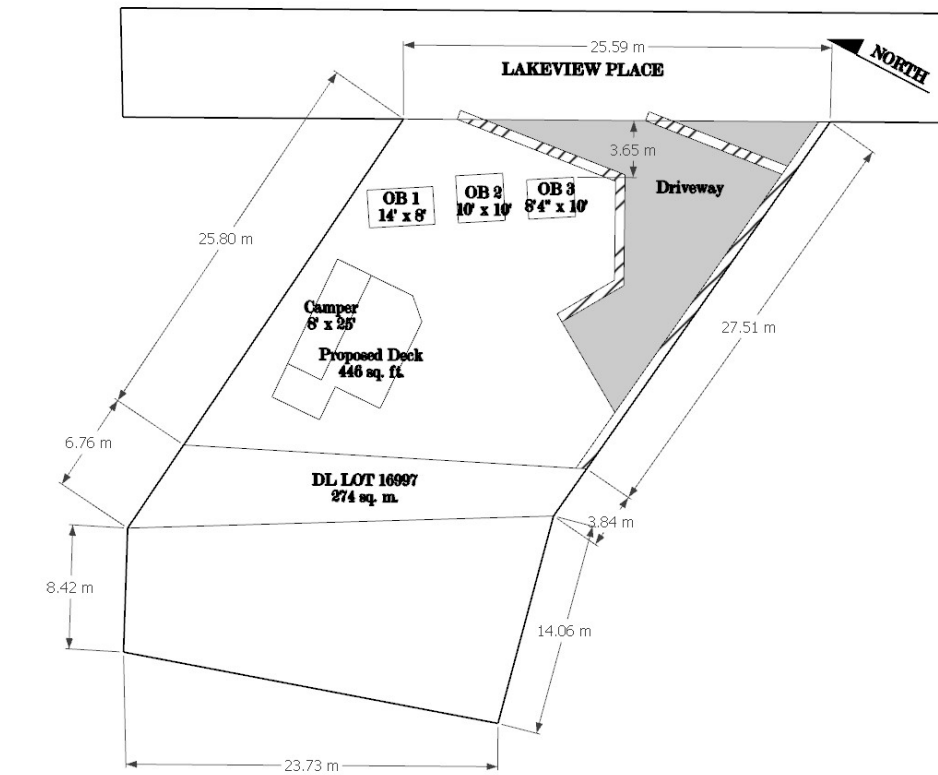
Bylaw Variance Hearing Board,

To familiarize you with the area and adjacent properties, here is an arial view of the property and a plot plan showing locations of existing structures and footprints of each structure.

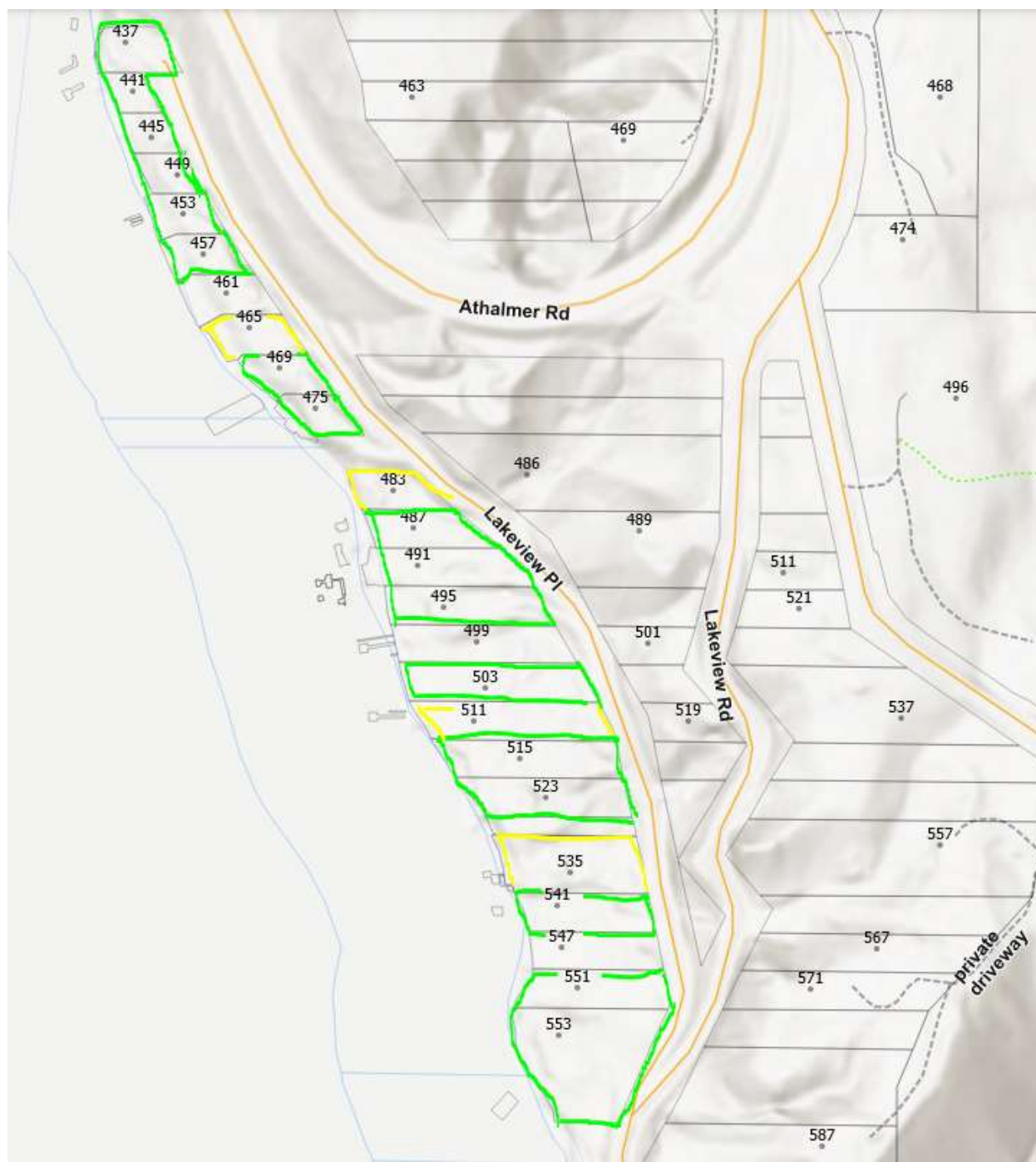
As you can see there is a home on either side of the property that clearly have larger structures and are closer to the lake than the McGregor's Travel Trailer.

When the property was purchased in 1989 a travel trailer and the existing outbuildings were in place. The people who owed the property to the South of the McGregor's at the time were looking to sell but were having a hard time as there was a shared driveway. In 2015 the McGregors, at their own expense, put in a separate driveway, to accommodate. This required extensive retaining walls and costs as the area is on a steep slope. This driveway takes up about 25% of their lot.

They have been denied a building permit in the past due to usable area on the lot. Once this disappointing news came in they have utilized the property as is. At this point they ae looking to keep the existing travel trailer and improve their living conditions by adding a deck and pergola in front of the travel trailer.



The following letter has been hand delivered to all of their neighbours by Judy and Lyle with overwhelming support. The image below depicts who has given their support in writing, highlighted in green, who was unavailable for comment, highlighted in yellow and who is opposed, highlighted in red.



Here is the letter and signatures.

August 1, 2024

Dear Friends and Neighbours,

Lyle and I have been spending the summer at 461 Lakeview Place as your neighbour for the last 35 years. We bought the lot in 1989 complete with a holiday trailer and outbuildings.

As Lyle owned a building construction company in Calgary, we immediately applied for a permit as we planned to build a cabin. However, to our dismay and surprise, a permit was denied due to the size of the lot and the setback requirements. Disappointed to have essentially purchased an "unbuildable" property, we simply left the trailer in its original location and have used it ever since.

We are now getting on an age and the annual task of resealing the trailer roof led us to pursue a more maintenance free solution that will make things easier to manage in the years to come. To this end, this year we sought to add a roof structure over our holiday trailer and a deck out front. We've now been informed that we need a building permit to continue with these upgrades and a bylaw amendment to even keep our holiday trailer and outbuildings.

Without your support, not only will we lose the ability to complete these improvements, we are being told we must remove our holiday trailer and outbuildings. As we were previously denied permission to build a cabin, losing the holiday trailer and outbuildings leaves us with nothing. Essentially a death blow to a property on which we have created rich family memories for the last 35 years.

We would greatly appreciate your support in signing the following letter to indicate you are in favour of allowing us to improve our living arrangements, with our roof covering and deck, and support the continued use of grandfathered trailer site and outbuilding that we've enjoyed these last 35 years.

Sincerely,

Lyle and Judy McGregor

Handwritten signatures of Lyle and Judy McGregor in blue ink.

Subject Property: 461 Lakeview Place.

Date	Name	Address	Signature	Support?	
				Yes	No
Aug 2/24	DANA DEDELUK	487 LAKEVIEW PL	Dana Dedeluk	X	
Aug 2	Neil G. Hupchick	495 Lakeview PL	Neil G. Hupchick	X	
Aug 2	VAL MCNEVIN	437 LAKEVIEW PL	Val McNevin	X	
Aug 2	LLOYD DORRIS	441 LAKEVIEW PL	Lloyd Dorris	X	
Aug 2	Jeffrey Perkins	449 Lakeview R	Jeffrey Perkins	X	
Aug 2	CATHY CHAO	463 LAKEVIEW PL	Cathy Chao	X	
Aug 3	CINDY ROYER	475 Lakeview PL	Cindy Royer	X	
Aug 3	VERONIQUE HUL	491 Lakeview PL	Veronique Hul	X	
Aug 3	Karla Scarfield	503 Lakeview R	Karla Scarfield	✓	
Aug 3	Wendy Maltzman	515 Lakeview PL	Wendy Maltzman	✓	
Aug 3	Shelley Ramsay	523 Lakeview PL	Shelley Ramsay	✓	
Aug 3	Jeremy Wallis	541 Lakeview PL	Jeremy Wallis	✓	
Aug 3	Sue McMaster	551 Lakeview PL	Sue McMaster	✓	
Aug 5	Alison OBA	553 Lakeview PL	Alison OBA	✓	
Aug 3	Diana Larkin	457 Lakeview Place	Diana Larkin	✓	
Aug 3	Charlotte Reid	445 Lakeview Place	Charlotte Reid	✓	
Aug 3	WENDE BRASH	469 LAKEVIEW PLACE	Wende Brash	✓	
Aug 3	RANDALL BRASH	469 LAKEVIEW PLACE	Randall Brash	✓	

The neighbour that is closest to the proposed deck and existing travel trailer is not only in support of the proposed changed but will be positively affected as their view will be cleaner and more aesthetically pleasing.

Here is the letter from their neighbour to the North.

August 1, 2024

Re: 461 Lakeview Place, Windermere

To Whom it May Concern:

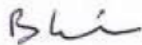
We live at 457 Lakeview Place in Windermere and have been neighbours next door to Lyle and Judy McGregor since we bought our property fourteen years ago. Our house is two-story and our side bedroom window looks down on their lot. They have been good neighbours, kept things tidy, clean and quiet, and we keep an eye on each other properties.

We have no concerns with them having a trailer on the lot and are pleased to see that they are adding a roof over the trailer and decks in front. We hope you will allow them to continue and finish the project they have started.

If you have any questions, please contact us at [REDACTED]

Personal information has been withheld in accordance with section 22(1) of the *Freedom of Information and Protection of Privacy Act*.

Thank you,

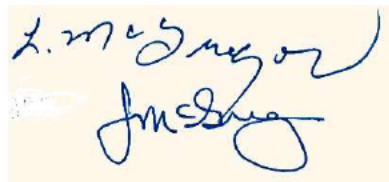


Brian and Brenda Lenzin

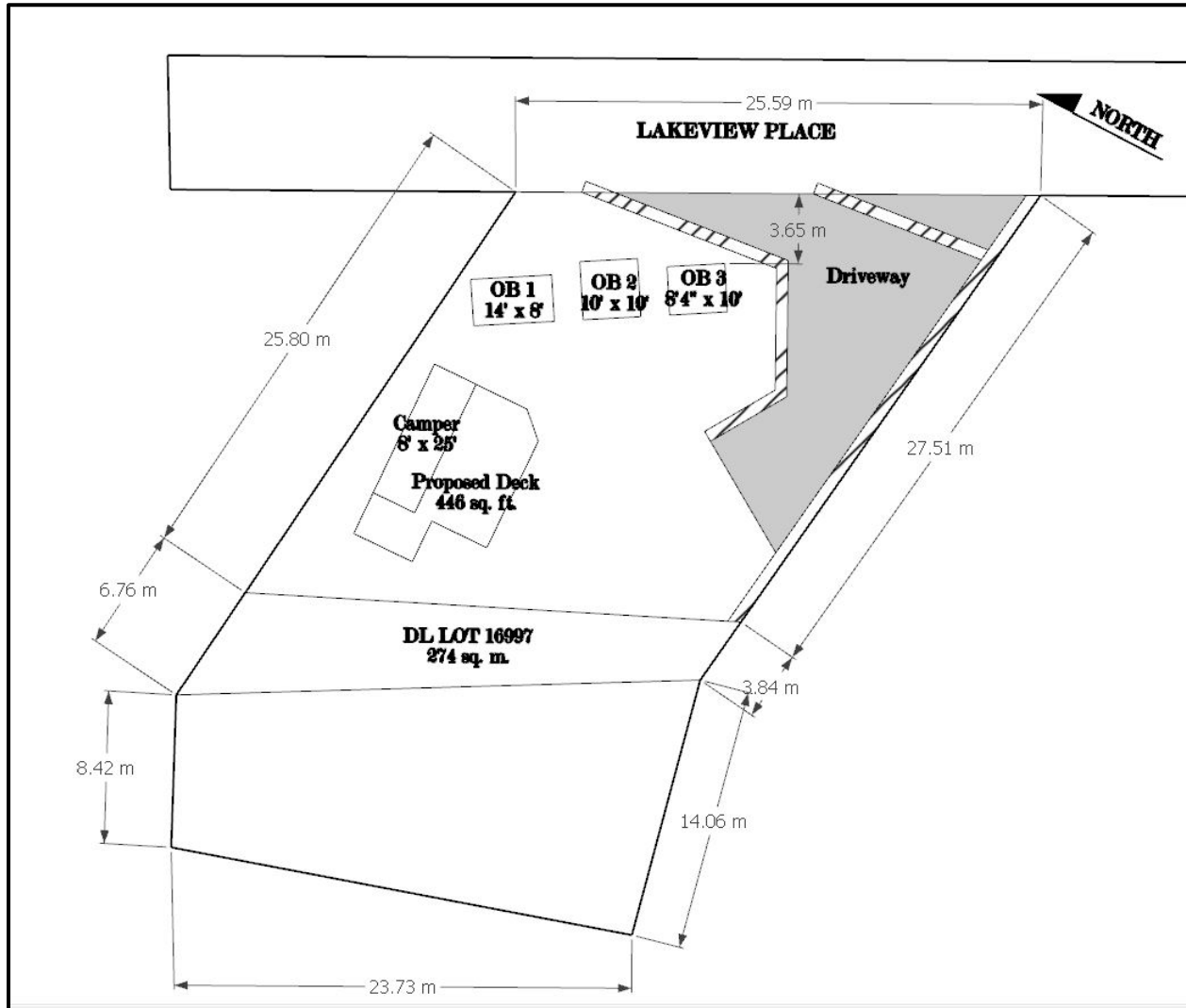
We are hoping the board sees that the land usage here is for residential use and that this is what Judy and Lyle are using it for. The McGregors would have gladly built had they been awarded the permit. The work they are looking to do will only improve the area and that this will benefit them and all neighbours. Keeping mind that the neighbour most affected is strongly in favor we hope this hearing has a positive outcome!

Sincerely,

Judy & Lyle McGregor



Site Plan









Krista Gilbert

From: HBE [IH] <HBE@interiorhealth.ca>
Sent: Tuesday, May 20, 2025 10:48 AM
To: Krista Gilbert
Subject: RE: Bylaw 3359 for Review and Comment

Good day Krista,

Thank you for the opportunity to provide comments for consideration regarding the above referenced Temporary Use Permit application. It is our understanding that this application is to amend the text of the zoning bylaw to permit placement and seasonal residential use of a recreational vehicle with a roof, covered deck and three outbuildings without establishment of a principal use on the property. The subject property is located at 461 Lakeview Place, in Windermere North. This referral has been reviewed from Healthy Community Development and Environmental Public Health perspective and the following is provided for the Regional District of East Kootenay's information to support the application decision-making, and for the applicant's awareness.

This existing property is very confined and constrained for onsite services (e.g. drinking water and sewerage disposal) due to a number of factors including but not limited to, property size, an existing watercourse (e.g. lake), existing property coverage and improvements (e.g. driveway, recreational vehicle, 3 outbuildings, etc.), and the proposed development (i.e. covered deck with roof).

Recognizing all of the above-noted constraints, it does not leave a lot of unencumbered space (useable area) available for the purpose of onsite sewerage disposal, including consideration of any required setbacks under the BC Sewerage System Regulation. To ensure the long term sustainability of this property, and recognizing that community sewer is not likely to be an option going forward, we recommend that prior to approving this application, the Regional District of East Kootenay require the property owner to protect an area for a reserve / back up sewerage disposal system in perpetuity under a restrictive land use covenant.

It is also worth mentioning that if all or part of the existing sewerage disposal system serving the recreational vehicle on this property is (or will be) located under the proposed covered deck, the applicant reconsider the proposed deck location. Generally, it's not recommended to build a deck directly over a septic tank or disposal system. The weight of the deck can damage the tank or disposal system, and it can also hinder maintenance and repairs.

Interior Health is committed to working collaboratively with the Regional District of East Kootenay to support healthy, sustainable community development, land use planning and policy creation. If you have any questions or require additional information, please feel free to email me directly at hbe@interiorhealth.ca.

Mike Adams

Mike Adams (he/him/his)

Team Leader, Healthy Community Development

Interior Health

www.interiorhealth.ca



Interior Health

Interior Health would like to recognize and acknowledge the traditional, ancestral, and unceded territories of the Dăkelh Dené, Ktunaxa, Nlaka'pamux, Secwépemc, St'át'imc, syilx, and Tšilhqot'in Nations where we live, learn, collaborate and work together.

Krista Gilbert

From: Both, Ella WLRS:EX <Ella.Both@gov.bc.ca>
Sent: Monday, May 12, 2025 4:22 PM
To: Krista Gilbert
Cc: Wilbrink, Natasha B WLRS:EX
Subject: RE: Bylaw 3359 for Review and Comment

Hello Krista,

Depending on the purpose of use for water, I have received this clarification from our Water Authorizations team:

Domestic purpose use does not require a water licence in BC, unless permanent works are installed, or the property and use of water does not fit under the definition of 'domestic'. All other purposes, regardless of quantity would require a licence. Here is the definition of 'domestic purpose' for the purposes of a water licence in BC:

- *"domestic purpose" means the use of water for household purposes by the occupants of, subject to the regulations, one or more private dwellings, other than multi-family apartment buildings, including, without limitation, hotels and strata titled or cooperative buildings, located on a single parcel, including, without limitation, the following uses: (Section 2, WSA)*
 - *(a) drinking water, food preparation and sanitation;*
 - *(b) fire prevention;*
 - *(c) providing water to animals or poultry kept*
 - *(i) for household use, or*
 - *(ii) as pets;*
 - *(d) irrigation of a garden not exceeding 1,000 m² that is adjoining and occupied with a dwelling, [note that a 'garden' includes a lawn]*

Domestic water use is 2.27m³/day or 500 gallons per day. If more water is being used, or if the irrigated area is larger than 1000m², or for a purpose outside of what is described above - then a water licence would need to be obtained.

Thank you,

Ella Both, RPBio (she/her)
Ecosystems Biologist
Ministry of Water, Land and Resource Stewardship
Kootenay Boundary Region
250-420-6323 (office)

From: Krista Gilbert <kgilbert@rdek.bc.ca>
Sent: Thursday, May 1, 2025 3:04 PM
To: Both, Ella WLRS:EX <Ella.Both@gov.bc.ca>
Cc: FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>; Wilbrink, Natasha B WLRS:EX

<Natasha.Wilbrink@gov.bc.ca>

Subject: RE: Bylaw 3359 for Review and Comment

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello Ella,

I have asked the applicants and they do not have a water licence. Is there an amount of water pumped that would be under the limit that requires a water licence?

Krista Gilbert
Planning Technician

From: Both, Ella WLRS:EX <Ella.Both@gov.bc.ca>
Sent: Tuesday, April 22, 2025 3:10 PM
To: Krista Gilbert <kgilbert@rdek.bc.ca>
Cc: FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>; Wilbrink, Natasha B WLRS:EX <Natasha.Wilbrink@gov.bc.ca>
Subject: RE: Bylaw 3359 for Review and Comment

Hello,

The application package states under Servicing that the property owner pumps water from the lake, but does not clarify for which purpose. Please note that if the resident is pumping water from the lake, they must have a water license or approval to do so. Can you please provide clarity surrounding use and if the resident has a license or water approval.

Please find attached additional comments from WLRS Ecosystems.

Thank you,

Ella Both, RPBio (she/her)
Ecosystems Biologist
Ministry of Water, Land and Resource Stewardship
Kootenay Boundary Region
250-420-6323 (office)

From: Krista Gilbert <kgilbert@rdek.bc.ca>
Sent: Thursday, April 10, 2025 10:10 AM
To: IHA: Healthy Built Environment <HBE@interiorhealth.ca>; FOR Cranbrook Referrals FOR:EX <FLNRCranbrookReferrals@gov.bc.ca>; Rocky Mountain District Development Services Group MOTI:EX <RMDdevapp@gov.bc.ca>; Baker, Gena WLRS:EX <Gena.Baker@gov.bc.ca>; XT:Rice, Alan ECC:IN <alan.rice@sd6.bc.ca>; Telus 1: Rory Bruce <Rory.Bruce@Telus.com>; Telus 2: Engineering <Kelowna.Engineering@Telus.com>
Subject: Bylaw 3359 for Review and Comment

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Referral Agency:

On behalf of the Regional District of East Kootenay, please see the attached referral information for Bylaw No. 3359 which propose to amend the text of the zoning bylaw to permit placement and seasonal residential use of a recreational vehicle with a roof, covered deck and three outbuildings without establishment of a principal use on the property. The subject property is located at 461 Lakeview Place, in Windermere North.

The referral form and other attachments contain information to assist in your review.

Please reply to this email address with your comments prior to Friday, May 23, 2025.

The bylaw is expected to be presented to the Board on June 13, 2025.

If you have questions, please don't hesitate to call or email.

Krista Gilbert
Planning Technician

Regional District of East Kootenay
19 24th Avenue South
Cranbrook BC V1C 3H8
Main: 250-489-2791
Email: kgilbert@rdek.bc.ca

Krista Gilbert

From: Brian & Lynda Colgan [REDACTED]
Sent: Thursday, May 29, 2025 8:43 AM
To: Krista Gilbert
Cc: [REDACTED]
Subject: Bylaw No 3359 (Windermere North/McGregor)

Re File No P 724 571

My wife & I have owned a lot on Lakeview Road for the past 25 years (847 Lakeview Road). We know the McGregors and have valued them as important members of our lakeside community since they bought their lot in 1989.

We support their application to have the bylaw amended to allow them to proceed with the construction of a roof over their trailer and a deck adjacent to the trailer. Most importantly they should be allowed to continue the use of the lot as a site for their recreational trailer. In our opinion this should be considered a grandfathered use. It is clear from the documentation that they have the support of their close neighbors for this use.

Brian & Lynda Colgan
847 Lakeview Road, Invermere, BC
[REDACTED]

Krista Gilbert

From: Brenda_Brian Lenzin [REDACTED]
Sent: Friday, May 30, 2025 7:45 PM
To: Krista Gilbert; Susan Clovechok
Subject: Bylaw Change re: McGregors' Property

We are the neighbours who own the property bordering and directly north of the McGregors' Property We have been impressed with their improvements to date and their planned improvements. We are fully in support of their completing their project and feel it is a positive improvement to the neighborhood.

We hope the RDEK comes to the same conclusion.

Respectfully

Brian and Brenda Lenzin
[REDACTED]

Sent from my iPhone

Krista Gilbert

From: Bill Nooyen [REDACTED]
Sent: Monday, June 2, 2025 12:12 PM
To: Krista Gilbert
Subject: Amended Text of Zoning Bylaw

Hi Krista – this email is in response to the May 5, 2025 letter I received from RDEK titled “Notice – Bylaw Amendment Windermere North / McGregor” along with the additional information package that you emailed.

I live next door to Judy & Lyle McGregor (“the McGregors”) at 465 Lakeview Place, Kootenay District Plan NEP69384 Lot 4347 & DL17047, which I have owned since July 2018. The McGregors have been utilizing a recreational vehicle on their property since I have known, mainly during the seasonal summer months. As per the information package, the McGregor’s have been enjoying their property for 30 plus years and as per the signatures they acquired last August 2024, they are well liked within the community. I agree the McGregors are solid people and good neighbours, keeping their property tidy and making thoughtful enhancements to improve the overall esthetics of their property.

Based on what I have heard from various sources and my assessment of the information provided, over their 30-year history there appears to have been building permit mistakes or misguidance made by both parties, RDEK and the McGregors. As such, the McGregors should not be forced to remove the current recreational vehicle or any of the improvements they have completed to date. Although I don’t think this amendment is consistent with the Lake Windermere Official Community Plan Bylaw No. 2929 as the May 5 letter states, which clearly states recreational vehicles are not permitted, by singling out only the McGregors specific lot will hopefully avoid any future precedence. I do support RDEK’s proposed text amendment to the zoning bylaw but I would like caveats added regarding time limitations and property ownership. Also, I believe the McGregors and RDEK should continue working collaboratively to establish an acceptable design and subsequent building permit approval consistent with the community plan.

Per the proposed zoning amended text of Bylaw No. 21, 2024 (Windermere North / McGregor): On Lot A, District Lot 4347, Kootenay District Plan NEP67223, except parts included in Plan R121 and R289, placement and seasonal residential use of one recreation vehicle with roof, covered deck and three outbuilding without establishment of a principal use on the property is permitted. **I agree with the proposed but recommend additional text (or similar to): This permission is subject to the following conditions, based on the sooner of: expiry on August 31, 2034, any change in title ownership from Judy & Lyle McGregor, or 3 years following building permit approval.**

Thanks,
Bill Nooyen
[REDACTED]

Request for Decision Bylaw Amendment Application

File No: P 724 210
Reference: Bylaw No. 3358
Date: June 26, 2025

Subject: Bylaw No. 3358 (Rosen Lake Road / Streloff)
Applicant: Ken and Joyce Streloff
Agent: Ken Streloff
Location: 7124 Rosen Lake Road, Jaffray
Legal: Lot 5 (Amended, See 1324971) District Lot 4590 Kootenay District Plan 2345
Except Part Included in Plan NEP19344 (PID: 008-122-687)

Proposal: To amend the land use designations of portions of the subject property to align with new approved ALR boundaries and to accommodate future subdivision.

Development Agreement: None

Options:

1. THAT Bylaw No. 3358 cited as ““Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 36, 2024 (Rosen Lake Road / Streloff)” be introduced.
2. THAT Bylaw No. 3358 cited as ““Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 36, 2024 (Rosen Lake Road / Streloff)” not proceed.

Recommendation: Option 1

The proposal is the last stage required to fix a mapping error that occurred between historical ALC mapping and the RDEK's. The mapping error was discovered when mapping technology advanced and the mapping available from each agency was overlayed. The proposal will align the land use designation boundaries with the ALR boundaries in the manner they were intended. Once aligned it will accommodate future subdivision creating up to 4 lots which is what was originally contemplated when the Land Use Bylaw was adopted in 1999.

Property Information: **Current Land Use Designations:**
RR-1, Rural Residential (Estate) Zone, which supports rural residential development of parcels 1.0 ha and,
RR-60, Rural Resource Zone which supports parcels 60 ha or larger.

Proposed Land Use Designations:
RS-1, Single Family Residential, which supports 0.3 ha parcels
RR-1, Rural Residential (Estate) Zone, which supports 1.0 ha parcels,
RR-60, Rural Resource Zone which supports parcels 60 ha or larger.

**Property
Information –
cont'd:**

Land Use Policies & Objectives:

- The Board supports a pattern of low density residential development consisting of single family dwellings, two family dwellings and single family dwellings with a secondary suite on parcels not fronting on the lakes. Higher density residential developments will not be supported at this time. However, in recognition of the need to provide a range of housing options for an aging population and a range of income groups, this policy will be reviewed periodically. Should the need for a broader range of housing options be identified, an amendment to this plan will be required. The amendment may be initiated by the Regional District or by an owner requesting the change.

Parcel Size: 27.8 ha (68.6 ac)

Density:

Existing: 3 single family dwellings on one lot.

Proposed: 3 single family dwellings on 3 lots plus one agricultural parcel.

Potential: If parcels were created at the smallest size possible under the proposed zoning, the proposal could result in creation of up to 6 residential lots plus one agricultural parcel. (This calculation does not consider the locations of the homes or their existing wells or septic systems).

ALR Status: Partially within the ALR. ALC Resolutions #669/2024 (inclusion) and #666/2024 (exclusion) apply to the subject property. These decisions align with the proposed bylaw amendments.

Interface Fire Hazard Rating: Moderate to high; within the Jaffray fire protection service area.

BC Assessment: Residential & Farm (grain & forage).

Servicing: Each existing dwelling has its own onsite well and individual onsite sewage disposal system.

**Professional
Studies:**

None

**Additional
Information:**

- The applicant has stated that, in 1999, during a site visit with both the RDEK and the ALC, all parties agreed onsite as to where the ALR boundary and the zone boundary should be. The owner understood at the time that both agencies completed their mapping accordingly, believing the two boundaries to align and that, when these boundaries were aligned, future subdivision into up to 4 lots could be accommodated. With updated mapping technology available and, as each agency digitized outdated mapping, it became apparent that the two boundaries did not align.
- In 2017, when the RDEK was considering creating an OCP and zoning bylaw for the Jaffray area, it was agreed between the owner and RDEK staff that the new OCP and Zoning Bylaws might be able to reflect a zoning boundary shift to align with the ALR boundary.

However, the proposed bylaws developed through the planning process were not adopted.

- Since 2017, the owner decided that they would like to not only *align* the boundaries, but also *shift* them slightly to better reflect certain property features (like the existing driveway and a small field area). Additionally, the proposed shift of ALR and zoning boundaries would enable a streamlined process for a future subdivision which will divide the property into 3 lots (with a possible 4th), which could result in one parcel for each of the existing dwellings outside the ALR, and one vacant agricultural parcel inside the ALR.
- In 2023, the owners submitted their inclusion and exclusion applications which were approved by the ALC in 2024 / 2025. The approval decisions result in adjusted ALR boundaries to better align with property features and protection of the best agricultural land.
- The final stage of the process is this rezoning application to shift the boundaries of the RR-1 and RR-60 land to align with the new ALR boundaries and to change the zone designations of certain pieces to accommodate future subdivision.
- The portion of land proposed to be amended from RR-1 to RS-1 (the main dwelling nearest Rosen Lake Road) has a surveyed area of 0.96 ha. To accommodate the proposed future subdivision the RS-1 zone is required to accommodate the creation of a parcel less than 1.0 ha. The RS-1 zone provides the next smallest minimum parcel size currently available in the bylaw.

Consultation:

Advisory Planning Commission:

Area B: Support recommended.

Referral Agencies:

- **Interior Health Authority:** No objection
- **Transportation & Transit:** Interests unaffected. Any concerns regarding access and/or the ministry's road network will be addressed at subdivision.
- **Water, Land & Resource Stewardship:** Standard letter (attached)
- **Agricultural Land Commission:** No response received
- **Ktunaxa Nation Council:** No response received
- **School District No. 5:** No response received
- **Telus:** No response received

**Documents
Attached:**

- Bylaw No. 3358
- Location Map
- Land Use Map
- Land Use Designation Map & Policies
- Aerial Photo

Documents

Attached cont'd:

- Proposal
- Sketch showing result if proposal is successful
- Conceptual future subdivision
- Referral Response

RDEK

Contact:

Tracy Van de Wiel, Planning Technician 2
Phone: 250-489-0311
Email: tvandewiel@rdek.bc.ca

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3358

A bylaw to amend Bylaw No. 1414 cited as "Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999."

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 1414;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 36, 2024 (Rosen Lake Road / Streloff)."
2. The designation of parts of Lot 5 (Amended, See 132497I) District Lot 4590 Kootenay District Plan 2345 Except Part Included in Plan NEP19344, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, are amended from RR-1, Rural Residential (Estate) Zone to RR-60, Rural Resource Zone, RR-60 Rural Resource Zone to RR-1, Rural Residential (Estate) Zone and, RR-1 Rural Residential (Estate) Zone to RS-1, Single Family Residential Zone.

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

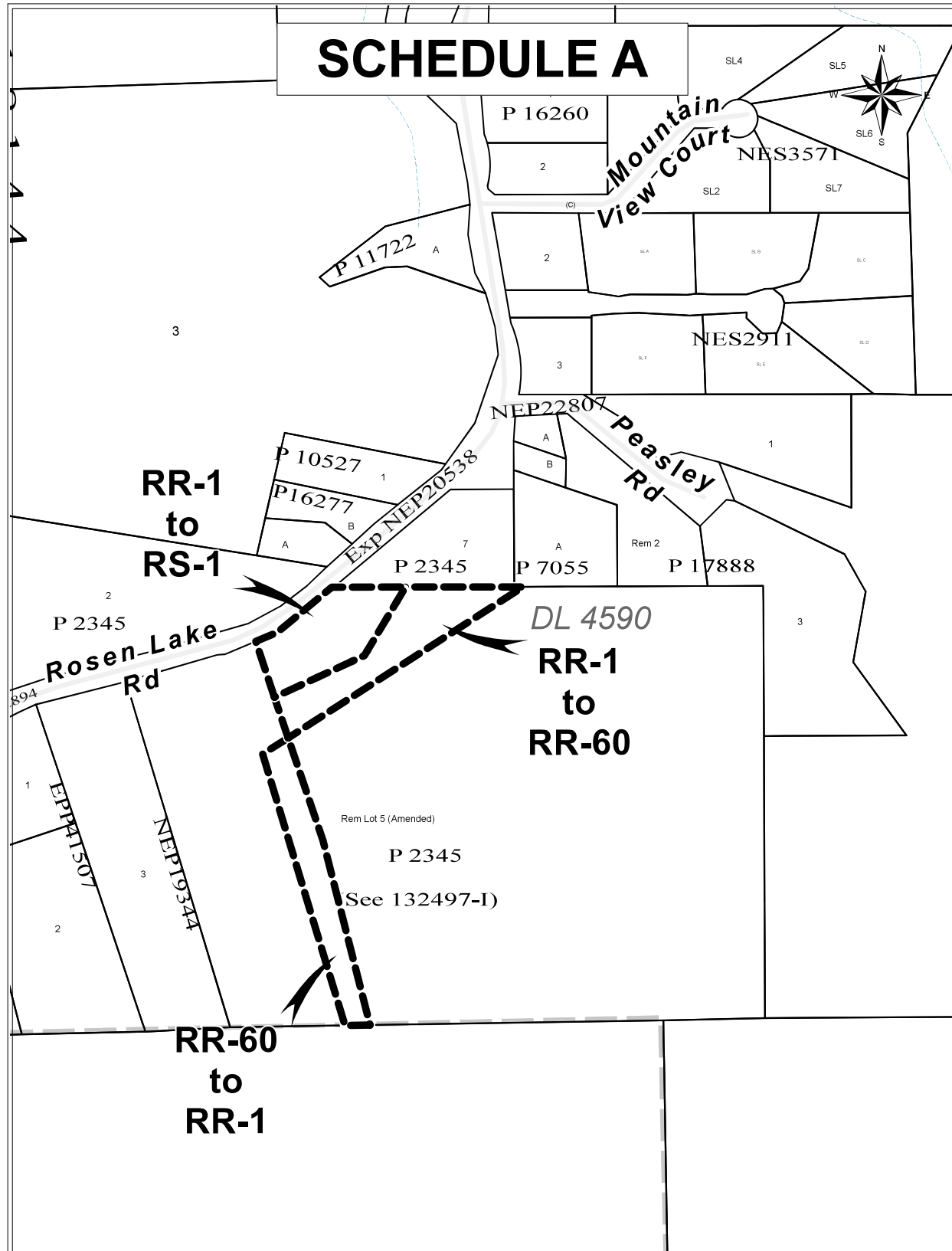
READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

SCHEDULE A

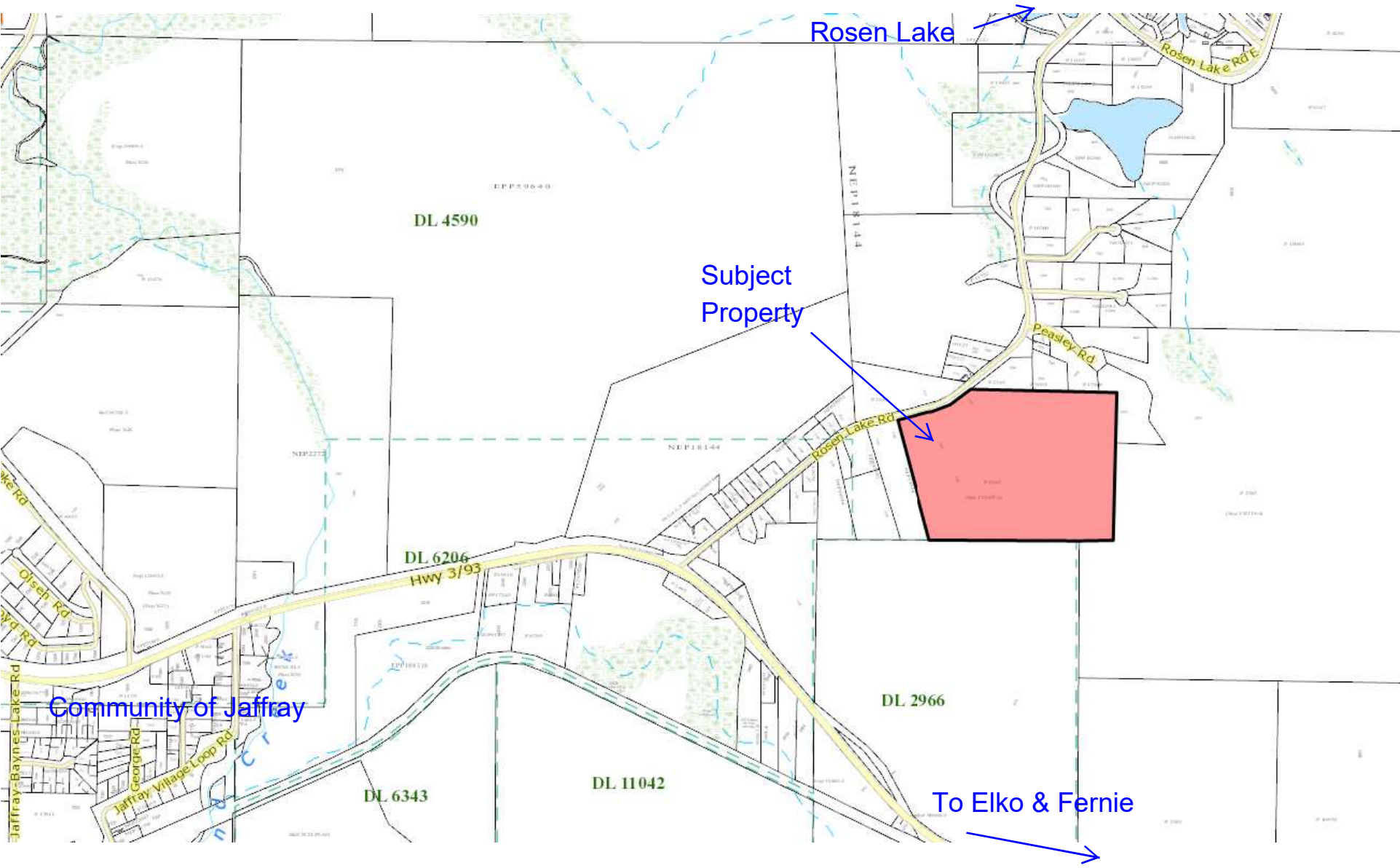


This is Schedule A referred to in Bylaw No. 3358 cited as "Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 36, 2024 (Rosen Lake Road / Strelhoff)."

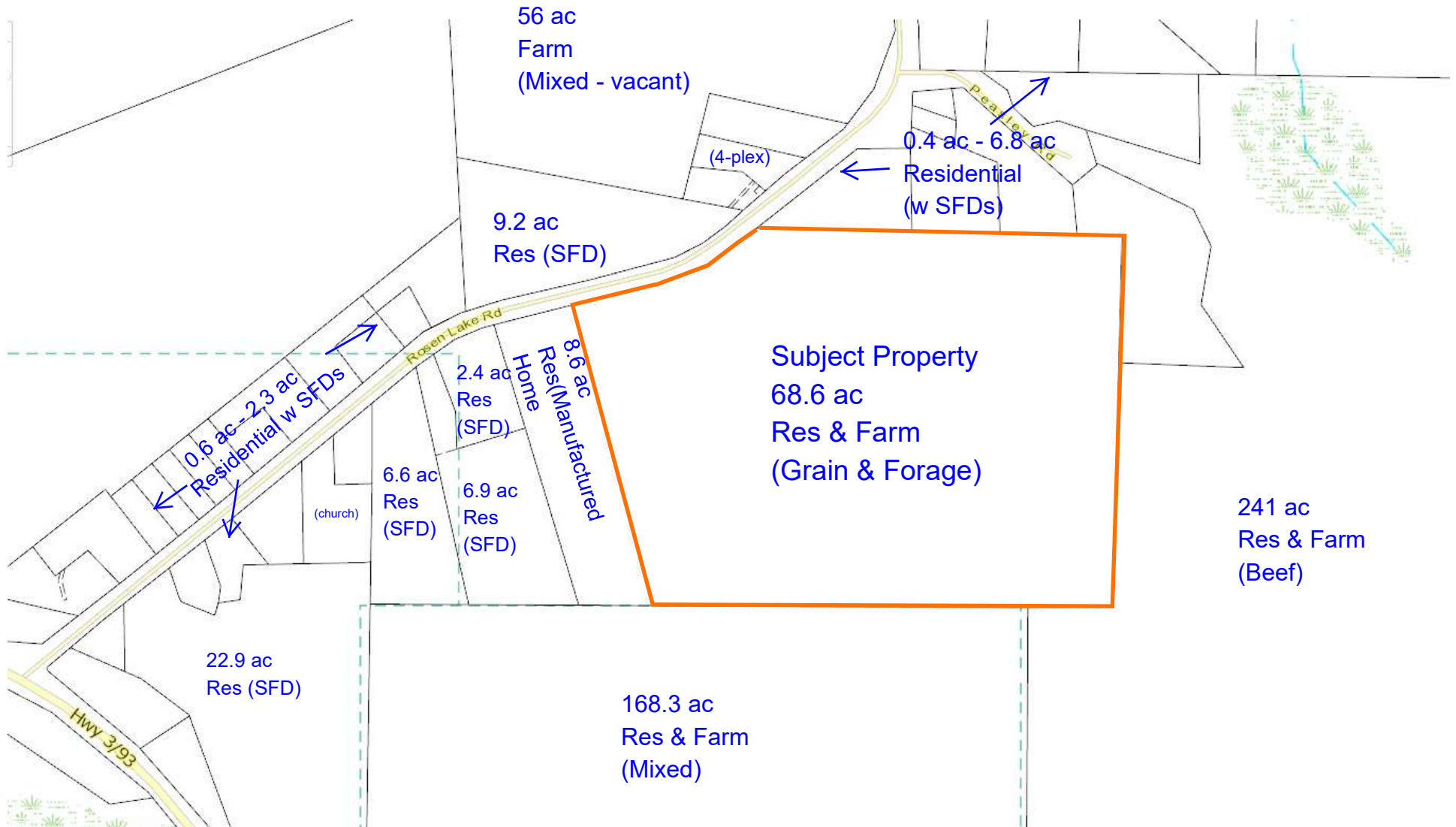
Chair

Corporate Officer

Date _____

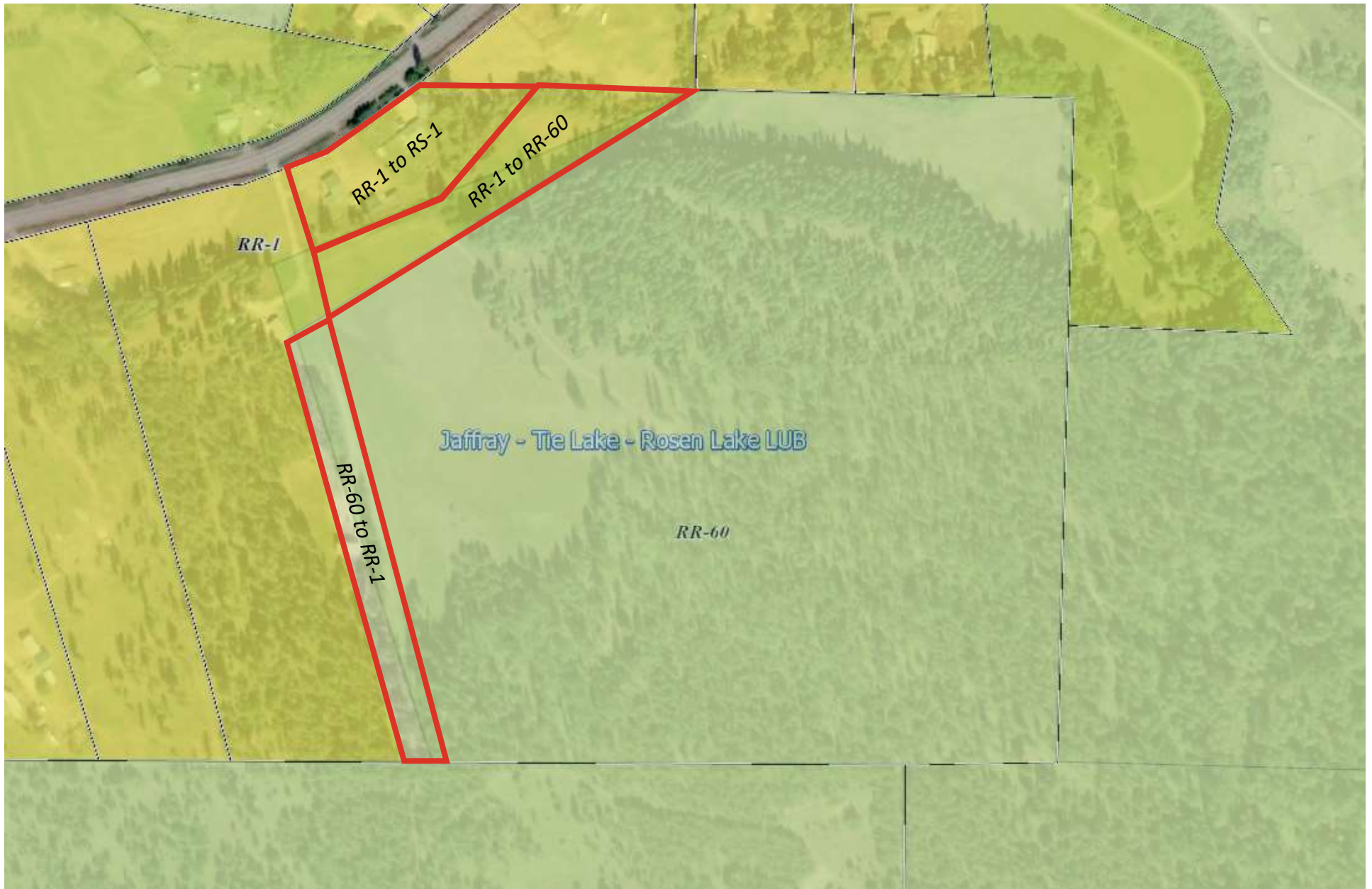


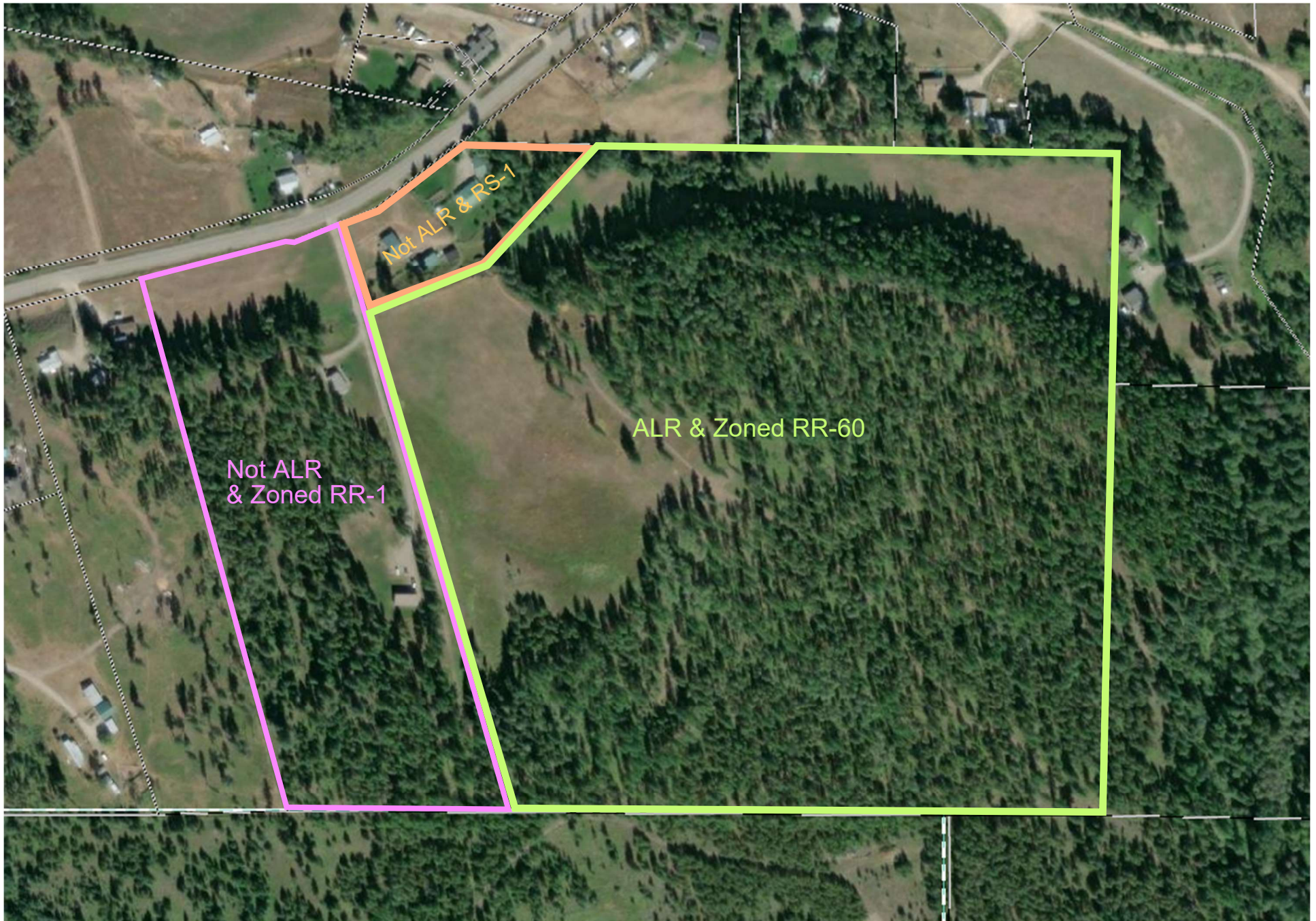
Land Use Map



[illegible]







Proposed Future Subdivision





July 5, 2023

Greetings,

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a “stream” [as defined in the [Water Sustainability Act](#) (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation](#) (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act](#) (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are

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adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee](#) (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds - Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Hérons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#)

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provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Kind Regards,



Shannon White, RPBio
Ecosystems Section Head - Kootenay-Boundary Region
Ministry of Water, Land & Resource Stewardship
778-520-2683 / Shannon.white@gov.bc.ca

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Request for Decision Bylaw Amendment Application

File No: P 725 317
Reference: Bylaw No. 3401
Date: June 27, 2025

Subject: Bylaw No. 3401 (Wycliffe / Novak)
Applicant: Novak, Patricia and Kelly
Agent: Terpsma Land Development Consulting
Location: 9767 Pighin Road, Wycliffe
Legal: Parcel A (See 168548I) Lot 3 District Lot 7327 Kootenay District Plan 6116 (PID: 008-519-471)

Proposal: To amend the zoning bylaw to permit a second dwelling unit on the subject property to house a non-related caregiver for the property owner, provided the second dwelling unit does not exceed the size requirement outlined in the ALR Use Regulation.

Development Agreement: N/A.

Options:

1. THAT Bylaw No. 3401 cited as “Regional District of East Kootenay – Wycliffe Zoning & Floodplain Management Bylaw No. 2256, 2010 – Amendment Bylaw No. 17, 2025 (Wycliffe / Novak)” be introduced.
2. THAT Bylaw No. 3401 cited as “Regional District of East Kootenay – Wycliffe Zoning & Floodplain Management Bylaw No. 2256, 2010 – Amendment Bylaw No. 17, 2025 (Wycliffe / Novak)” not proceed.

Recommendation: Option 1

The second dwelling unit is an 84.5 m² (910 ft²) manufactured home, placed on a non-permanent foundation and complies with the ALR Use Regulations. There is an existing well that services both dwellings and to adequately handle sewage disposal, a new septic system was installed.

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 Objectives and Policies:

- Support residential development on a range of rural parcel sizes.
- Land in the ALR is generally designated and supported for agricultural use.
- It was determined that the OCP planning process was not the appropriate time to pre-designate significant land use changes for properties in the plan area. The preferred course of action is that specific amendments and changes to land use that could have a significant impact on the community be reviewed on an individual basis through the regular amendment process. The amendment process will allow the specific details and impacts of the

Property Information - cont'd:	<p>proposed land use change to be reviewed by the Regional District and the public on a site specific basis.</p> <p>Zone Designation: RR-60, Rural Resource which has a minimum parcel area requirement of 60 ha.</p> <p>Parcel Size: 6.3 ha (15.58 ac).</p> <p>Density: No change. There is currently a SFD and a manufactured home placed on the property under a relative requiring care agreement.</p> <p>ALR Status: Within the ALR.</p> <p>Interface Fire Hazard Rating: High and moderate; does not fall within a fire protection area.</p> <p>BC Assessment: 2 acres or more – SFD; duplex.</p> <p>Water and Sewer Services: Onsite.</p> <p>Flood Hazard Rating: The subject property is not identified as being within a flood hazard area.</p>
Professional Studies:	None
Additional Information:	There is currently a relative requiring care agreement in place which permits a manufactured home on the property to house a relative who provides care for the property owner. The caregiver (relative) is no longer able to provide care for the property owner; therefore, the property owner is applying to amend the zoning bylaw to permit a second dwelling unit on the property to house a non-related caregiver to reside on the property.
Consultation:	<p>Under revised Section 464(3) of the <i>Local Government Act</i> a local government must not hold a public hearing on a zoning bylaw if:</p> <ul style="list-style-type: none">a) an OCP is in effect for the area that is subject of the zoning bylaw;b) the bylaw is consistent with the OCP;c) the sole purpose of the bylaw is to permit a development that is, in whole or in part, a residential development; andd) the residential component of the development accounts for at least half of the gross floor area of all buildings and other structures proposed as part of the development. <p>Section 467(1) of the <i>Local Government Act</i> specifies that if a local government decides to not hold, or is prohibited from holding, a public hearing, it must provide notice to the public prior to first reading of the bylaw. Notice must be provided in accordance with the RDEK Public Notice Regulation Bylaw and the applicable requirements of Section 466 of the <i>Local Government Act</i>.</p> <p>Publication Date: June 19, 2025 – Advertiser.</p> <p>Notice Mailing Date: May 29, 2025.</p>

Consultation
- cont'd:

Notices Mailed: Eight.

Response to Notice: One response in opposition to Bylaw No. 3401 has been received in response to the notices mailed or advertising for this proposal and no notices have been returned as undeliverable.

APC Area C: Application supported.

Referral Agencies:

- **Interior Health Authority:** No concerns.
- **Ministry of Transportation & Transit:** No concerns.
- **Water, Land & Resource Stewardship:** Standard letter.
- **Ktunaxa Nation Council:** Chance Find Procedures.
- **Agricultural Land Commission:** No concerns.
- **School District No. 5:** No response.
- **Telus:** No response.

Documents
Attached:

- Bylaw
- Location and Land Use Map
- OCP Designation Map
- Zone Designation Map
- Aerial Map
- Proposal
- Referral Responses
- Notice Response

RDEK
Contact:

Jenn MacDonald, Planning Technician
Phone: 250-489-6903
Email: jmacdonald@rdek.bc.ca

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3401

A bylaw to amend Bylaw No. 2256 cited as "Regional District of East Kootenay – Wycliffe Zoning & Floodplain Management Bylaw No. 2256, 2010".

WHEREAS the Board of the Regional District of East Kootenay wishes to amend Bylaw No. 2256;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Wycliffe Zoning & Floodplain Management Bylaw No. 2256, 2010 – Amendment Bylaw No. 17, 2025 (Wycliffe / Novak)."
2. Section 1.28 (1) is amended by adding the following:
 - (g) A maximum of two dwelling units are permitted on Parcel A (see 1685481) Lot 3 District Lot 7327 Kootenay District Plan 6116 provided the second dwelling unit complies with the size requirements outlined in the ALR Use Regulation.

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

READ A THIRD TIME the day of , 2025.

APPROVED by the Ministry of Transportation and Transit the day of , 2025.

Signature: _____

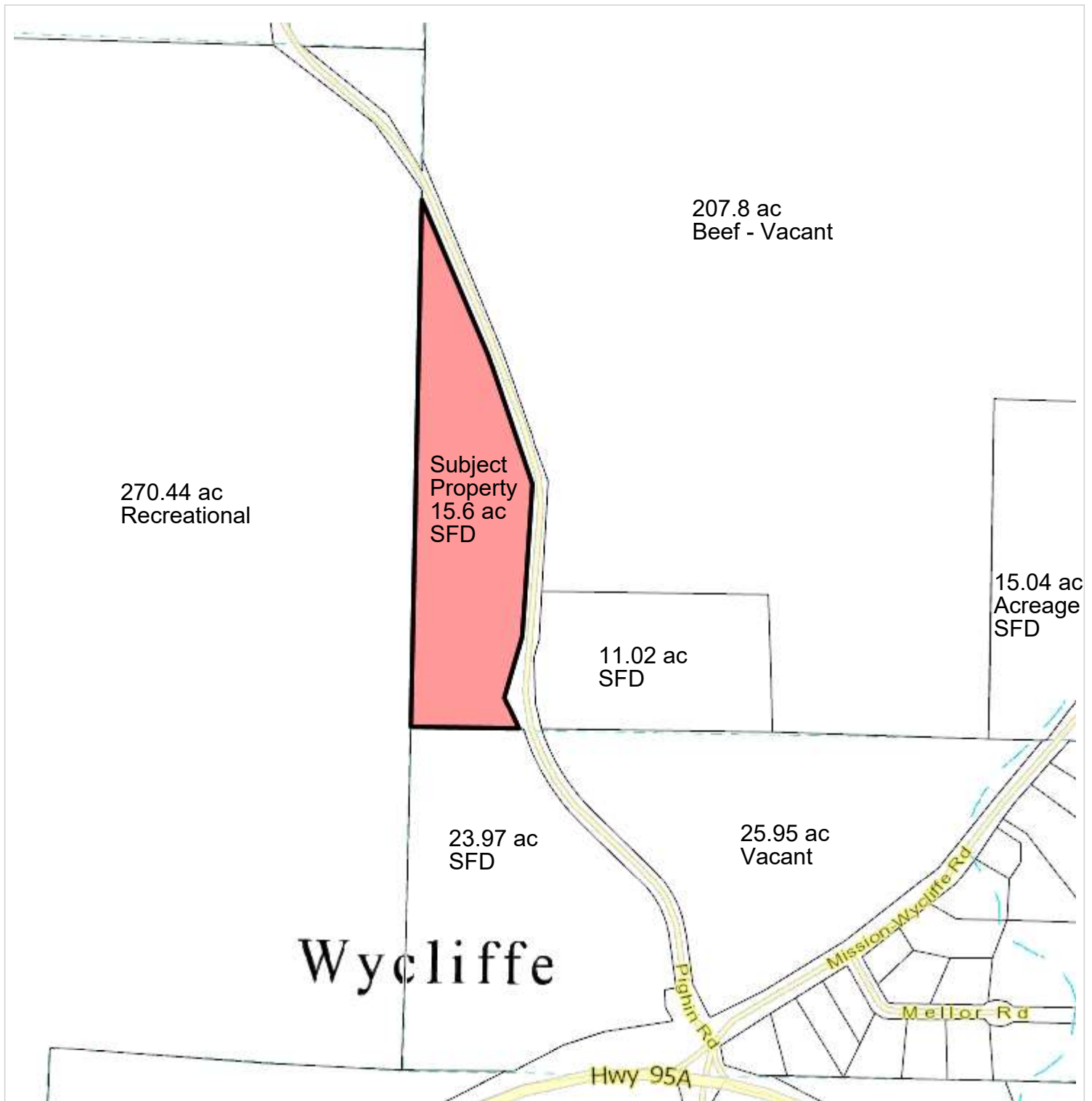
Print Name: _____

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

Location and Land Use Map



Notes:

249 0 125 249 Meters

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Page 78 of 183

Scale = 1: 9,976



THIS MAP IS NOT TO BE USED FOR NAVIGATION

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OCP Designation Map



Notes:

249 0 125 249 Meters

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Zone Designation Map



Notes:

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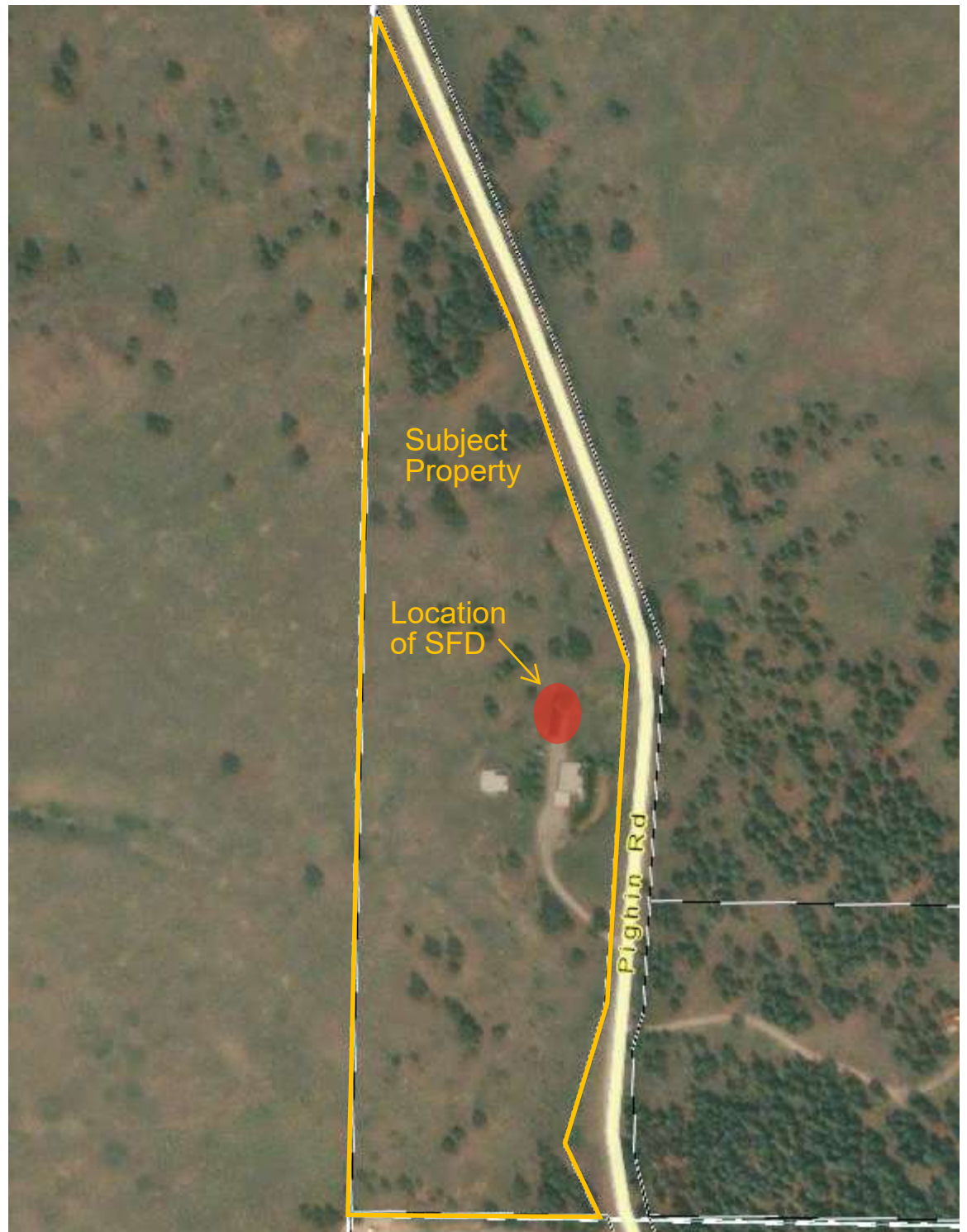


THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Legend

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



Notes:

80 0 40 80 Meters

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Terpsma Land Development Consulting

8621 Pighin Rd, Cranbrook BC V1C 7C9 | 250-421-1004 | email: jean@terpsmaconsulting.com

March 18, 2025

File: 25-04

Jennifer MacDonald, Planning Technician
Regional District of East Kootenay
19 - 24 Ave S
Cranbrook BC V1C 3H8

**Re: Site-Specific Zoning Bylaw Text Amendment Application
Parcel A (See 168548I) Lot 3, DL 7327, KD Plan 6116 (PID: 008-519-471)
Location: 9765 & 9767 Pighin Road, Wycliffe**

On behalf of Patricia (Pat) Novak and her daughter Kelly Novak I submit an application for a site-specific Zoning Bylaw Text Amendment on the above noted parcel in the Wycliffe area. The subject property is within the ALR, and it is approximately 6 ha (14.9 acres) in size.

On the property there is a single family dwelling, and a manufactured home that is permitted as a temporary residence for a relative requiring care. The manufactured home is 14' wide by 65' long, on a non-permanent foundation, with a 13' x 23' porch. Both units are connected to a groundwater well that is approximately 180 feet deep, producing approximately 5 gallons per minute. At the time the manufactured home was placed a new septic system was installed to adequately handle both dwellings.

The property is zoned RR-60, Rural Resource within the Wycliffe Zoning & Floodplain Management Bylaw. The application is a site-specific zoning bylaw text amendment to permit the manufactured home to remain as an accessory dwelling, and to permit a non-family member to live in it. Kelly currently lives in the manufactured home and assists her mother as required but she is considering moving from the property. For Pat to continue to stay in the home she has resided in for 40 years she requires some help. There is a family friend who is interested in moving into the manufactured home and assisting Pat as needed.

Should this application be successful the Accessory Dwelling Agreement and Safekeeping Housing Agreement with the RDEK will no longer be required. No changes to the zoning designation, existing land use or structures are being applied for. The proposed text amendment will provide greater flexibility for Pat to age in place as long as possible and it will provide an affordable housing option for a community member.

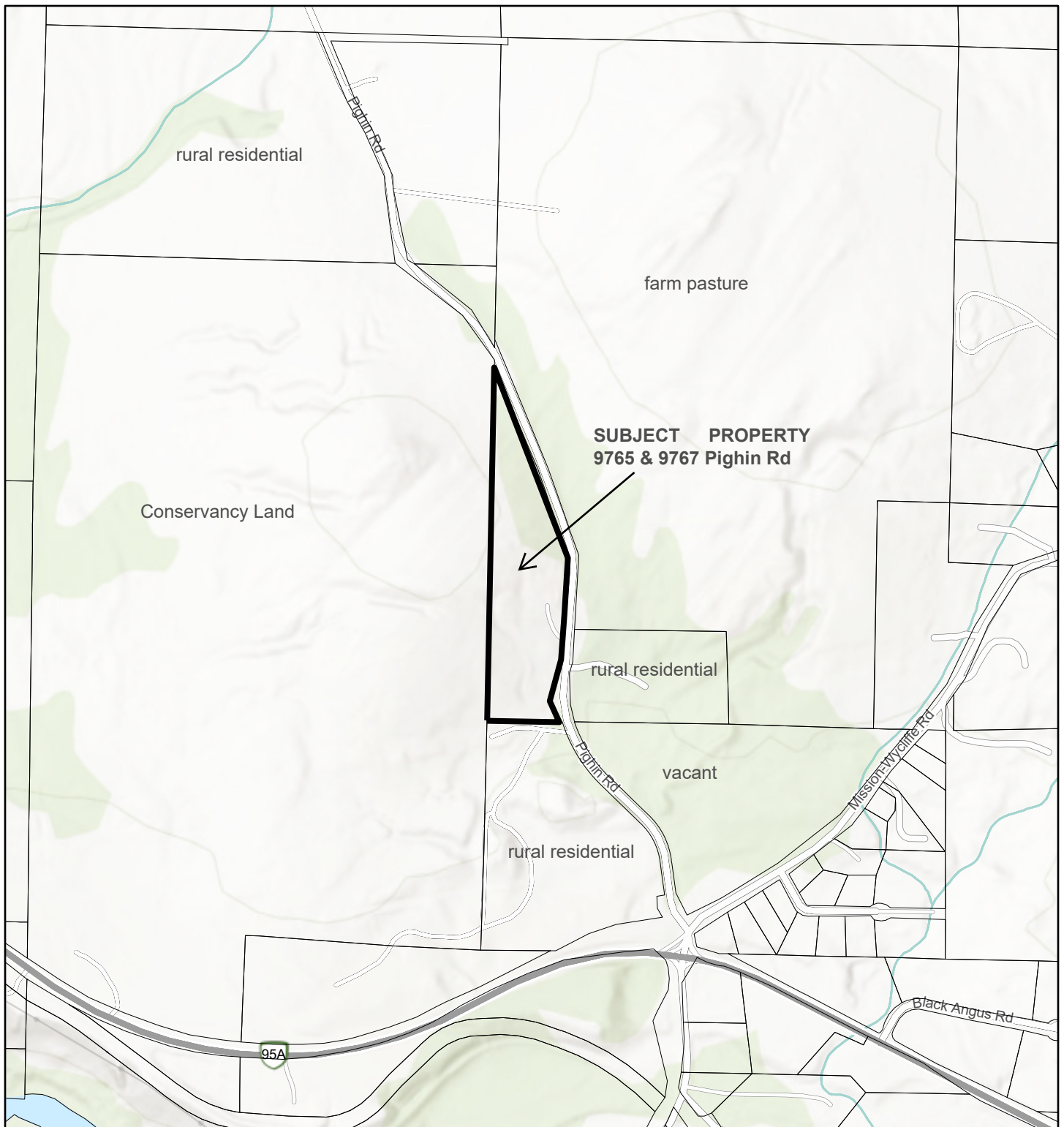
I trust you will find the application complete, however please contact me should you have any questions or require anything further at this time.

Sincerely,

Jean Terpsma

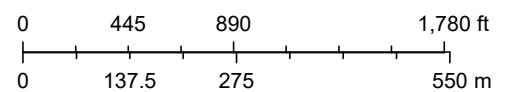
Encl.
cc: P & K Novak

Novak Location Map



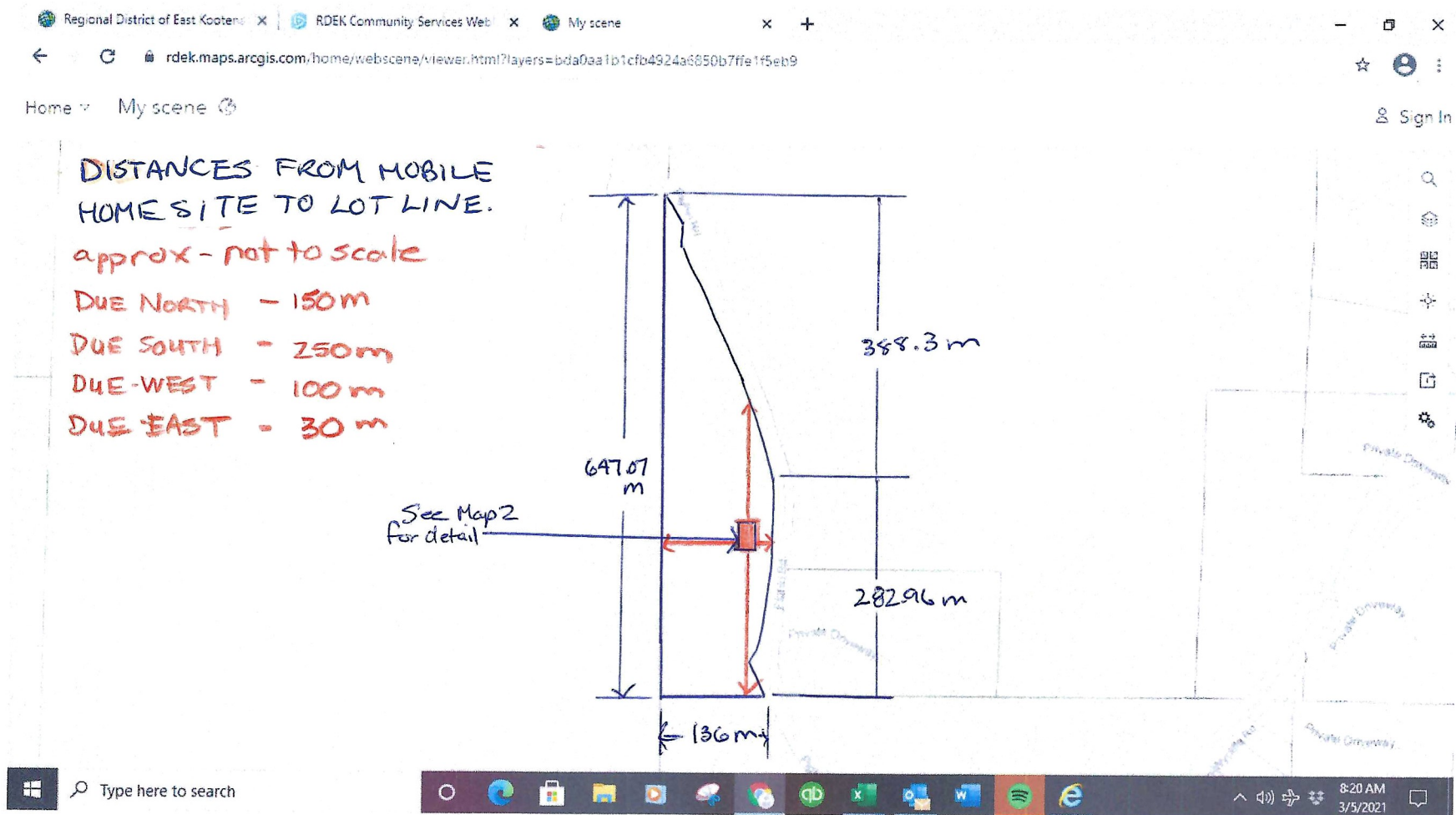
Terpsma Land Development Consulting
March 17, 2025

1:15,000



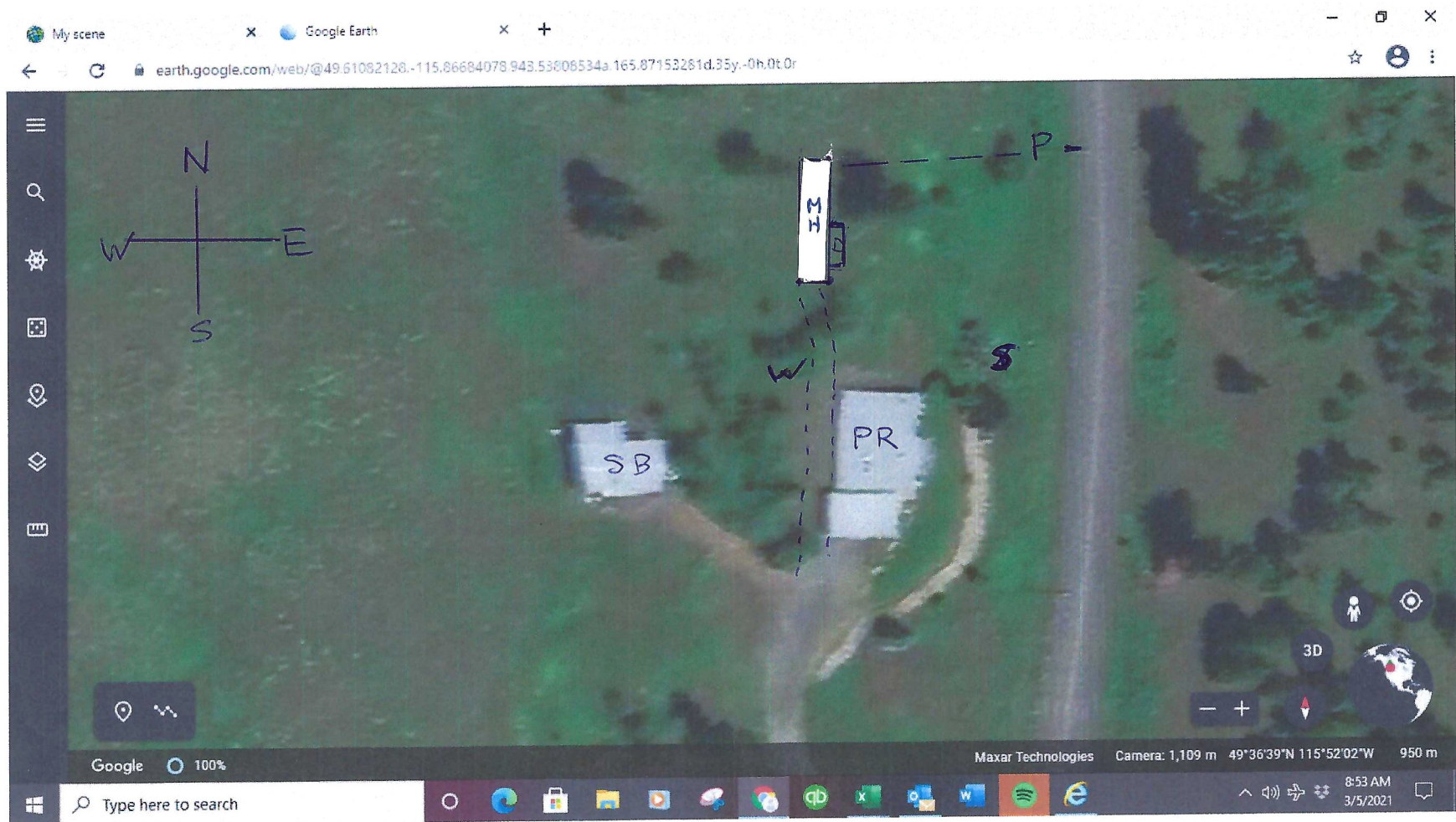
Esri, NASA, NGA, USGS, FEMA, Sources: NRCan, Esri Canada, and Canadian Community Maps contributors.

MAP 1



Distances are approximate.
 See Map 2 for detail
 Not to scale

MAP 2



Not to scale

LEGEND

- P - power-aria
- S - septic
- W - well
- PR - primary residence
- SB - storage building
- MH - proposed Mobile Home site
- MHD - " " " deck
- - Access - extension of existing driveway

SIZES - approximate

- PR - 13.4m X 23.4 m
- SB - 15.5m X 12.7 m
- MH - 4.3m X 19.8 m
- MHD - 4m X 7m



July 5, 2023

Greetings,

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a “stream” [as defined in the [Water Sustainability Act](#) (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation](#) (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act](#) (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are

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Stewardship

Land Use Policy,
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Ecosystems

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Page 1 of 3

adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee](#) (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds - Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Hérons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#)

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provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Kind Regards,



Shannon White, RPBio
Ecosystems Section Head - Kootenay-Boundary Region
Ministry of Water, Land & Resource Stewardship
778-520-2683 / Shannon.white@gov.bc.ca

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Jennifer MacDonald

From: [REDACTED]
Sent: Tuesday, June 24, 2025 10:01 AM
To: Jennifer MacDonald
Subject: Bylaw Ammendment 3401

Hi Jenn

Could you please email me the information package. I live on Pighin Rd and have concerns regarding this amendment. There are several secondary residences that have popped up on Pighin Rd which are all within the ARL. Most of these secondary homes have added wells and septic systems and were done as temporary health support dwellings for a relative providing care for the land owner. Once the land owner has gone to the expense of putting these temporary dwellings in place, they most likely do not want to go to the expense of removing the structures once care is not needed or the situation has changed. With amending bylaw 3401 to allow a single property to have a secondary permanent dwelling, I believe you will set a precedence that will allow all rural property owners to utilize this loophole. This will increase the density of all rural areas and also increase property taxes in these areas. This will put higher demands on rural roads, which are already poorly maintained, increase demand on the aquifer, due to more ground water wells, and increase density to ARL lands.

Thanks Jamie

Chance Find Procedures for Archaeological Material

This document provides information on how a developer and/or their contractor(s) can manage for potential archaeological material discoveries while undertaking construction and/or maintenance activities. This document can provide assistance to in-field contractors in the identification of archaeological remains and the procedures to follow if a discovery is made. The discovery of human remains initiates a different course of action and is outlined separately. Under the provincial *Heritage Conservation Act (HCA)*, archaeological sites that pre-date 1846 are automatically protected whether on public or private land. Protected sites may not be damaged, altered or moved in any way without a Section 12 or 14 Permit as issued through the *HCA*. It is illegal to collect or remove any heritage object from an archaeological site unless authorized to do so under permit.

1. Activities occurring outside of known Archaeological Sites:

When archaeological material is encountered outside of known archaeological site areas work in the vicinity must stop immediately no matter what type of material or feature has been identified. Alteration to an archaeological site can only occur under a Section 12 (Site Alteration Permit) or Section 14 (Heritage Inspection Permit) *Heritage Conservation Act* permit. Such permit applications should be prepared by a professional archaeologist.

If archaeological material is discovered during the course of construction activities:

- 1.1 **Stop Work:** Halt all work in the area of the discovery and safely secure the area. Contact the project manager or site foreman.
- 1.2 **Contact an Archaeologist:** An archaeologist should be contacted as soon as possible. For a list of qualified archaeologists in the area, the proponent is directed to the BC Association of Professional Consulting Archaeologists website: www.bcapa.ca. The proponent may also wish to contact the Ktunaxa Nation Council (archaeology@ktunaxa.org; 1-250-489-2464).
- 1.3 **Archaeologist provides guidance:** The archaeologist will direct the proponent on the next courses of action, which will include notifying the Archaeology Branch and First Nations with interest in the area.

2. Activities Occurring within Known Archaeological Site Boundaries:

Land altering activity within a previously recorded archaeological site must be conducted under a Section 12 HCA Site Alteration Permit (SAP), in some cases with an onsite archaeological

monitor. It is common for additional archaeological material and features to be encountered during activities occurring within previously recorded archaeological sites. Minor finds (lithic flakes, diffuse charcoal or fire altered rock) may not require work to stop, however significant finds require a level of assessment by a professional archaeologist, and it is up to the onsite project manager to determine the level of significance based on criteria presented below.

2.1 Significant Cultural Finds that Require a Professional Archaeologist (described in detail in Section 4)

- Intact archaeological features, which can include but are not limited to hearths, cultural depressions (e.g. cache pits, house depressions) and rock alignments or forms (e.g. tipi rings, cairns, blinds)
- Significant archaeological materials, which include but are not limited to, the presence of formed lithic tools (e.g. projectile point, microblade core, scraper), a dense concentration of lithic waste flakes, or artistic items
- Human Remains (described in detail in Section 3)

2.2 Archaeological Site Management Options

- 2.2.1 **Site Avoidance:** If the boundaries of a site have been delineated, redesign the proposed development to avoid impacting the site. Avoidance is normally the fastest and most cost effective option for managing archaeological sites. Site avoidance could also be achieved through minimizing ground disturbance by looking for alternative constructive methods.
- 2.2.2 **Mitigation:** If it is not feasible to avoid the site through project redesign, it is necessary to conduct systematic data collection and analysis within the site prior to its loss. This could include surface collection and/or excavation. This work can be time-consuming and therefore expensive to conduct.
- 2.2.3 **Protection:** It may be possible to protect all or portions of the site which will be impacted through installation of barriers during the development period and possibly for a longer period of time. Methods for barrier construction could include fencing around site boundaries or applying geotextile to the ground surface and capping it with fill. The exact method used would be site-specific.

3. Chance Find Procedures for Identified Human Remains

Procedures in the event of the discovery of human remains during construction are covered in depth by an Archaeology Branch Policy Statement, found on their website at www.for.gov.bc.ca/archaeology, and are summarized below.

- 3.1 Stop all construction activities immediately in the area of found or suspected human remains and contact the RCMP and/or Office of the Coroner.
- 3.2 The coroner must determine whether the remains are of contemporary forensic concern or archaeological/aboriginal.

3.3 If the remains are found to be of aboriginal ancestry then the next step involves the relevant First Nations collaboratively determining the appropriate treatment of those remains.

The key to respectfully dealing with ancient aboriginal remains is to involve the appropriate First Nations as early as possible in the process. However this must be done in a manner that does not interfere with the coroner's office ability to conduct their business in the manner that they see fit.

4. Site Identification Guide

The following are characteristics typical to site types found within the Ktunaxa Traditional Territory.

4.1 Artifact Scatters

Lithic (stone) scatters from the production and maintenance of stone tools are the most common type of archaeological site found in the region. Other materials that may be represented in artifact scatters are Fire Broken Rock (FBR), bone, antler and tooth.

Lithics: What to look for

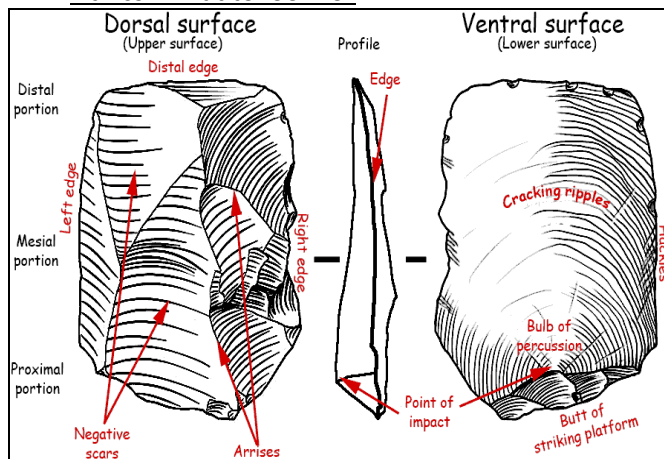


Image 1: Basic flake morphology



Image 2: Examples of lithic flakes



Image 3: Example of lithic scatter found on ground surface



Image 4: Example of formed lithic artifacts

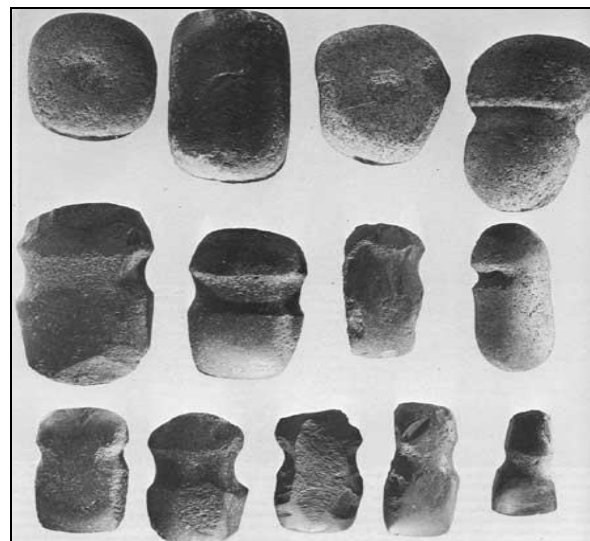


Image 5: Ground stone artifacts

Bone, Tooth and Antler Artifacts: What to Look For

- Obvious shaping
- Incising
- Unnatural holes



Image 6: Bone and Antler artifacts

4.2 Fire Broken Rock and Hearths

Fire-broken rock (FBR) results from the use of fire during cooking, heating and processing activities. FBR is often associated with other features including hearths and cultural depressions, but can also be thinly scattered in concentrations away from the features with which they were first associated.

When looking for FBR, note concentrations of roughly fractured rock from rapid heating and cooling, rock showing signs of burning or oxidation and/or reddening or blackening of surrounding matrix.



Zig/Zag
Pattern

Image 7: Example of FBR; note the zig/zag pattern of breakage common to FBR
 A hearth feature is evidence of a fire pit or other fireplace feature of any period. Hearths were used for cooking, heating, and processing of some stone, wood, faunal, and floral resources and may be either lined with a wide range of materials like stone or left unlined. Occasionally site formation processes (e.g., farming or excavation) deform or disperse hearth features, making them difficult to identify without careful study.

Hearths: What to look for

- FBR
- reddening or blackening of the associated soil/sediment
- charcoal
- layering of FBR and charcoal, and
- depressions in the earth associated with FBR, reddened or blackened matrix and charcoal.



Image 8: Example of a hearth uncovered along the wall of an excavation unit

4.3 Cultural Depressions

Any depression seen on the ground surface that appears to have been excavated by man can be a cultural depression and have archaeological significance. These “pits” were dug for a variety of reasons such as for food storage, cooking or as a base for a dwelling. They can range in size from 1m across to 7-10m across, and are usually found associated with other artifacts such as FBR and lithic scatters.

To identify a cultural depression, look for:

- Subtle to deep scours on the ground surface that are circular to rectilinear in shape
- A raised rim along the edge of a depression
- Depressions associated with artifacts and FBR
- Depressions associated with fire reddening and blackening of the matrix



Image 9: Example of a large cultural depression in a natural setting

4.6 Rock Alignments

There are several types of rock alignments that occur within the culture area, which include tipi rings, medicine wheels, cairns and blinds. When attempting to identify rock alignments, look for a group of rocks that look purposefully placed as in a circle, pile or line; isolated groups of rock that do not seem to belong to that landscape; and/or rocks which form a pattern.



Image 10: Example of a Cairn or piling of rocks



Image 11: Example of a tipi ring in a natural setting

Request for Decision Bylaw Amendment Application

File No: P 725 204
Reference: Bylaw Nos. 3402 & 3403
Date: June 27, 2025

Subject: Bylaw No. 3402 & Bylaw No. 3403 (Baynes Lake / Grimsrud)
Applicant: Grimsrud, Grant
Agent: N/A
Location: 843 Waldo Road, Baynes Lake
Legal: Lot 3, Block 27, District Lot 132, Kootenay District, Plan 1181
(PID: 013-875-710)

Proposal: To amend the OCP and zone designation of the subject property to accommodate a proposed two lot subdivision.

Development Agreement: None

Options:

1. THAT Bylaw No. 3402 cited as “Regional District of East Kootenay – Baynes Lake Official Community Plan Bylaw No. 2319, 2011 – Amendment Bylaw No. 31, 2025 (Baynes Lake / Grimsrud)” be introduced.
2. THAT Bylaw No. 3403 cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 47, 2025 (Baynes Lake / Grimsrud)” be introduced.
3. THAT Bylaw No. 3402 cited as “Regional District of East Kootenay – Baynes Lake Official Community Plan Bylaw No. 2319, 2011 – Amendment Bylaw No. 31, 2025 (Baynes Lake / Grimsrud)” not proceed.
4. THAT Bylaw No. 3403 cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 47, 2025 (Baynes Lake / Grimsrud)” not proceed.

Recommendation: Options 1 & 2

The proposal is compatible with the policies and objectives outlined in the Baynes Lake OCP and adjacent land uses.

Property Information: **Current OCP Designations:**
MH, Medium Holdings, which supports rural residential development of parcels 2.0 ha in size.

Proposed OCP Designations:
SH, Small Holdings, which supports low density residential development with minimum parcel sizes in the range of 0.2 ha to 2.0 ha.

**Property
Information –
cont'd:**

OCP Residential Land Use Policies & Objectives:

- Recognize the rural character of the plan area by ensuring future residential developments are compatible with adjacent land uses.
- Maintain the current level and rate of new residential development while recognizing the demand for additional residential properties in the plan area.

Current Zoning: RR-2, Rural Residential (Small Holding). The minimum parcel size within the RR-2 zone is 2.0 ha (4.9 ac).

Proposed Zoning: RR-1, Rural Residential (Estate). The minimum parcel size within the RR-1 zone is 1.0 ha (2.47 ac).

Parcel Size: 2.02 ha (5 ac).

Permitted Density: Single family dwelling or duplex.

ALR Status: Not within the ALR.

Interface Fire Hazard Rating: Moderate; within the Baynes Lake fire protection service area.

BC Assessment: 2 acres or more – outbuilding.

Servicing: Well and septic system.

**Professional
Studies:**

None

**Additional
Information:**

As per the South Country Zoning & Floodplain Management Bylaw, the panhandle portion of a proposed lot is excluded from the calculation of parcel size. If the lot layout remains the same when a subdivision referral is received, an approved Development Variance Permit will be required.

Consultation:

Advisory Planning Commission - Area B: Application not supported. The APC advised the applicant to change their application of create two, true one hectare lots.

Referral Agencies:

- **Interior Health Authority:** No concerns
- **Transportation & Transit:** No concerns
- **Water, Land & Resource Stewardship:** Standard letter
- **Ktunaxa Nation Council:** Chance Find Procedures
- **Yaqit ʔa·knuqʔiʔit:** No comment.
- **School District No. 5:** No concerns
- **Telus:** No response

**Documents
Attached:**

- Bylaw No. 3402 & Bylaw No. 3403
- Location and Land Use Map
- OCP Designation Map
- Zone Designation Map

**Documents
Attached Cont'd:**

- Aerial Map
- Proposal

- Referral Responses

**RDEK
Contact:**

Jenn MacDonald, Planning Technician
Phone: 250-489-6903
Email: jmacdonald@rdek.bc.ca

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3402

A bylaw to amend Bylaw No. 2319 cited as “Regional District of East Kootenay – Baynes Lake Official Community Plan Bylaw No. 2319, 2011”.

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2319;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Baynes Lake Official Community Plan Bylaw No. 2319, 2011 – Amendment Bylaw No. 31, 2025 (Baynes Lake / Grimsrud).”
2. The designation of Lot 3 Block 27 District Lot 132 Kootenay District Plan 1181, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from MH, Medium Holdings to SH, Small Holdings.

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

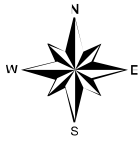
READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

SCHEDULE A



Post. D4289

Ref. P. 15326

Sandberg Rd

Pcl.G
XJ171
35
P. 76

Edwards Rd

1181₆

EPP9327

BIK.27

DL 132

Waldo Rd

MH
to
SH

BIK.26 P

EPP

BIK.33

P.15330

1181₂

BIK.32

This is Schedule A referred to in Bylaw No. 3402 cited as
"Regional District of East Kootenay – Baynes Lake Official
Community Plan Bylaw No. 2319, 2011 – Amendment
Bylaw No. 31, 2025 (Baynes Lake / Grimsrud)."

Chair

Corporate Officer

Date

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3403

A bylaw to amend Bylaw No. 2320 cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2320;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 47, 2025 (Baynes Lake / Grimsrud).”
2. The designation of Lot 3 Block 27 District Lot 132 Kootenay District Plan 1181 outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR-2, Rural Residential (Small Holding) to RR-1, Rural Residential (Estate).

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

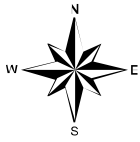
READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

SCHEDULE A



Post. D4289

Ref. P. 15326

Sandberg Rd

XJ171

P. 76

Edwards Rd

1181

EPP9327

BIK.27

DL 132

RR-2
to
RR-1

BIK.26

EPP

P21835

an

Star Rd

P.15330

1181

BIK.32

Waldo Rd

BIK.33

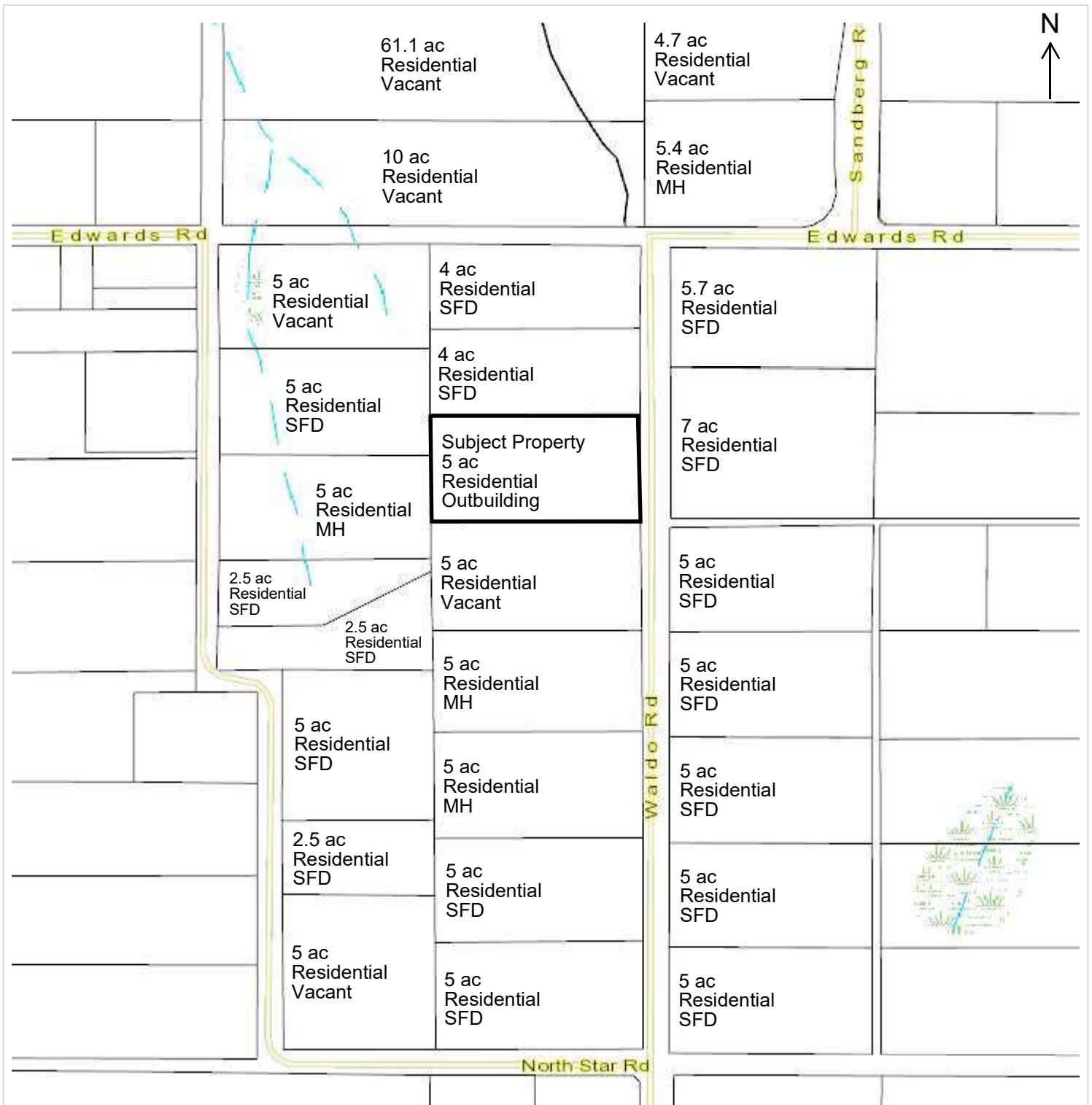
This is Schedule A referred to in Bylaw No. 3403 cited as
"Regional District of East Kootenay – South Country Zoning &
Floodplain Management Bylaw No. 2320, 2011 – Amendment
Bylaw No. 47, 2025 (Baynes Lake / Grimsrud)."

Chair

Corporate Officer

Date

Location and Land Use Map



Notes:

200 0 100 200 Meters

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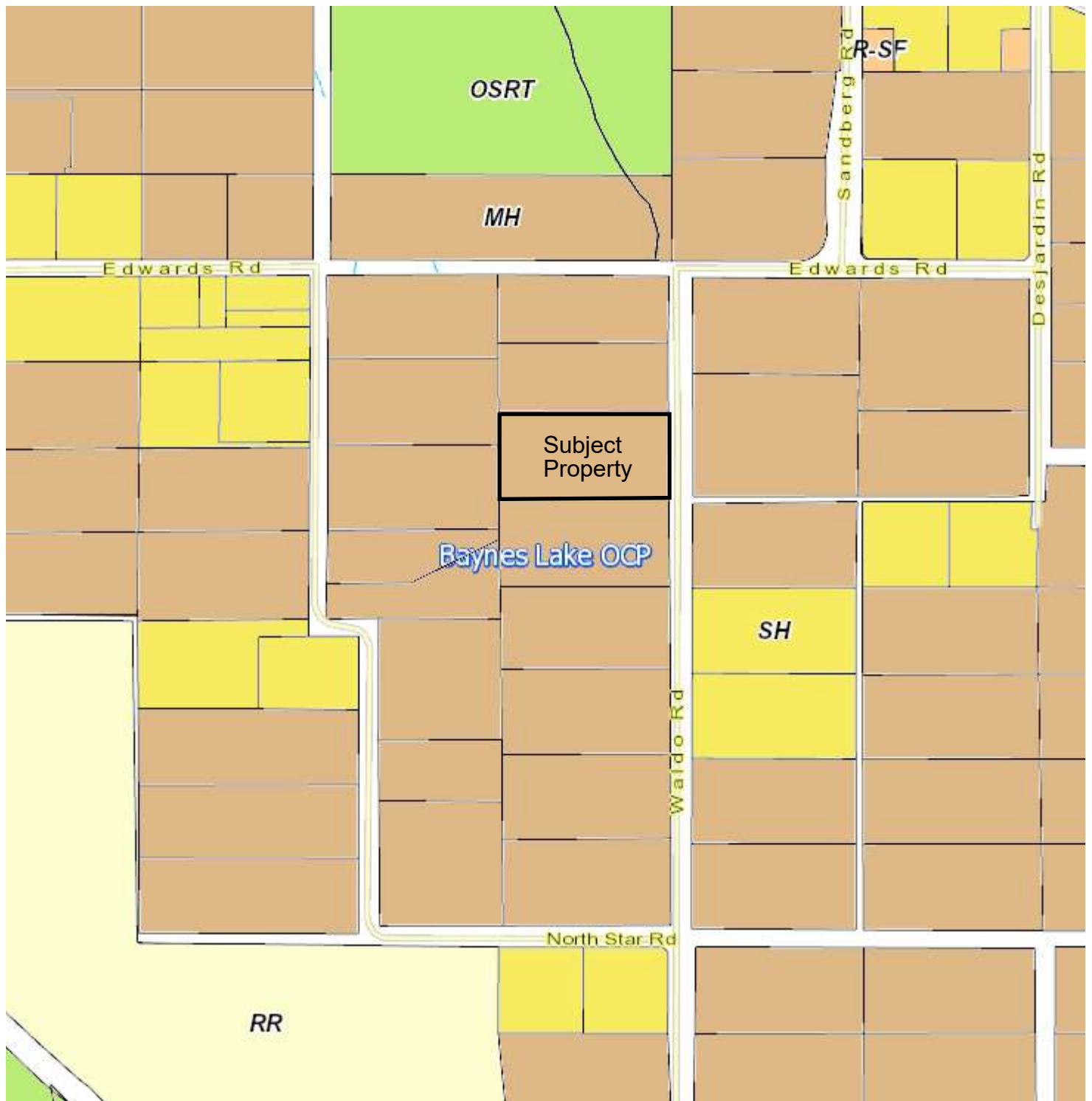
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OCP Designation Map



Notes:

250 0 125 250 Meters

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Page 105 of 183

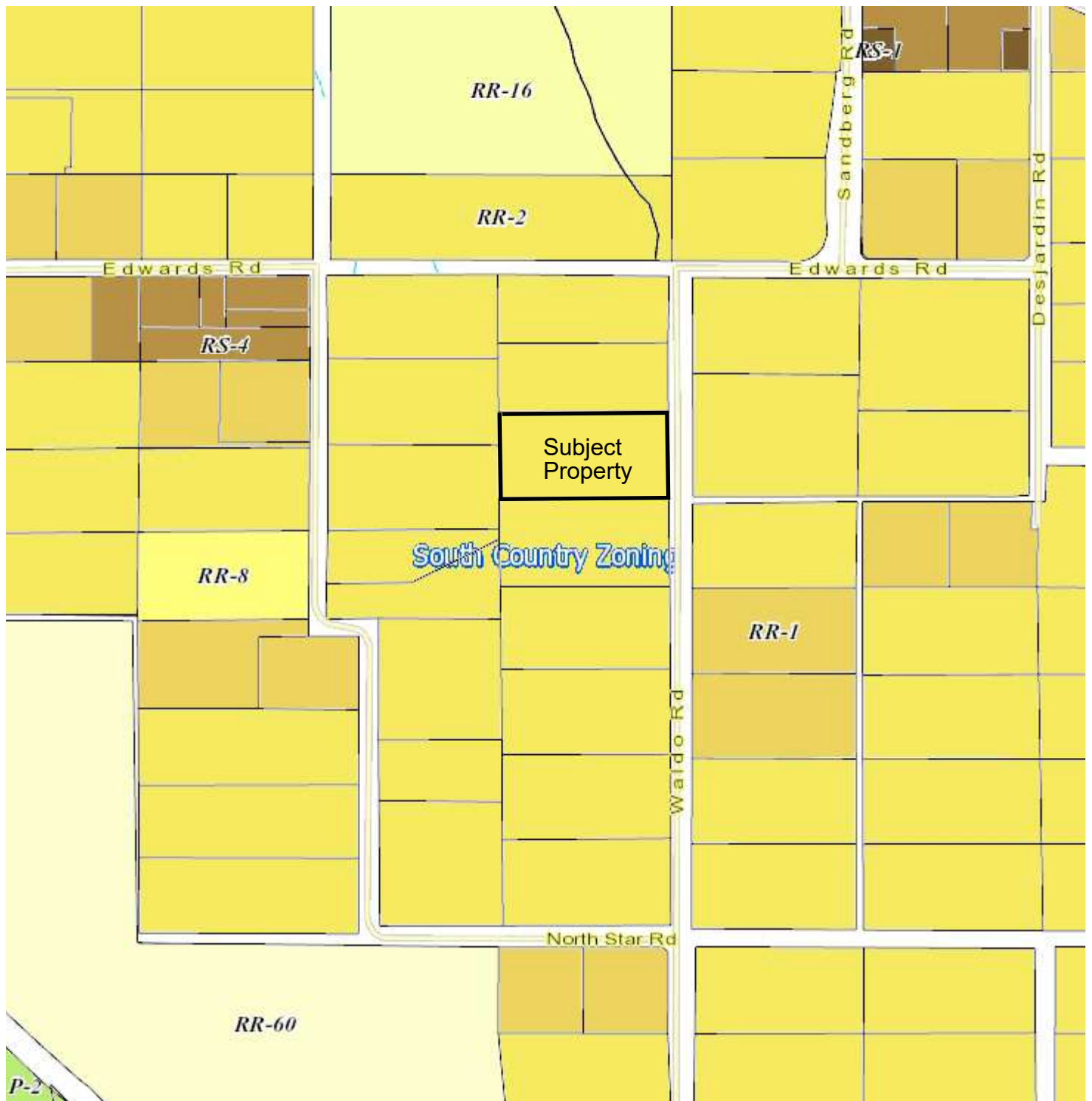
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Zone Designation Map



Notes:

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Page 106 of 183

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Aerial Map



Notes:

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Page 107 of 183

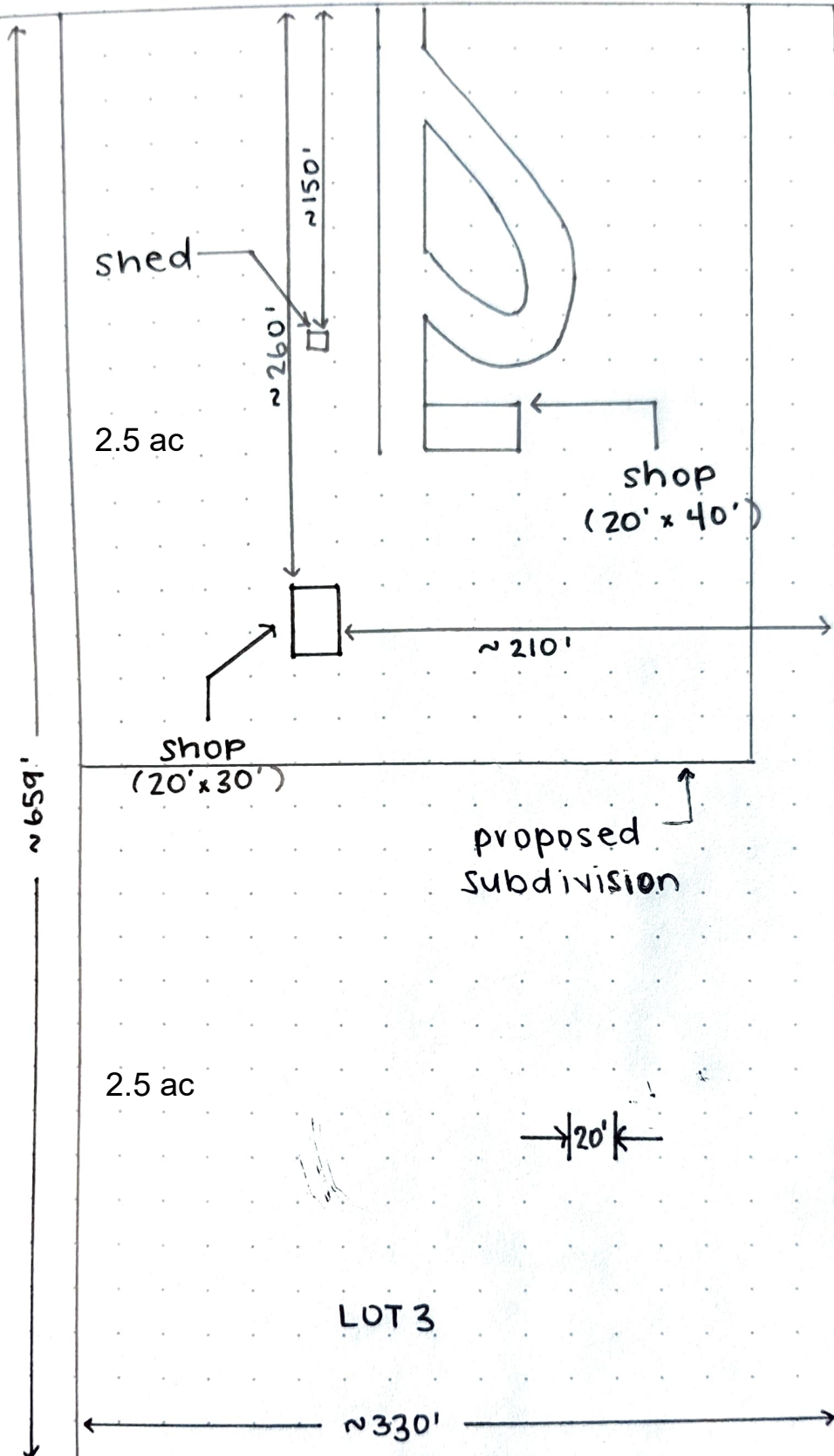
Scale = 1:8,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Waldo Road



LOT 2

LOT 3

LOT 4

LOT 7

LOT 6



July 5, 2023

Greetings,

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a “stream” [as defined in the [Water Sustainability Act](#) (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation](#) (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act](#) (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are

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Stewardship

Land Use Policy,
Planning and
Ecosystems

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Page 1 of 3

adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee](#) (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds - Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Herons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#)

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provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Kind Regards,



Shannon White, RPBio
Ecosystems Section Head - Kootenay-Boundary Region
Ministry of Water, Land & Resource Stewardship
778-520-2683 / Shannon.white@gov.bc.ca

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Chance Find Procedures for Archaeological Material

This document provides information on how a developer and/or their contractor(s) can manage for potential archaeological material discoveries while undertaking construction and/or maintenance activities. This document can provide assistance to in-field contractors in the identification of archaeological remains and the procedures to follow if a discovery is made. The discovery of human remains initiates a different course of action and is outlined separately. Under the provincial *Heritage Conservation Act (HCA)*, archaeological sites that pre-date 1846 are automatically protected whether on public or private land. Protected sites may not be damaged, altered or moved in any way without a Section 12 or 14 Permit as issued through the *HCA*. It is illegal to collect or remove any heritage object from an archaeological site unless authorized to do so under permit.

1. Activities occurring outside of known Archaeological Sites:

When archaeological material is encountered outside of known archaeological site areas work in the vicinity must stop immediately no matter what type of material or feature has been identified. Alteration to an archaeological site can only occur under a Section 12 (Site Alteration Permit) or Section 14 (Heritage Inspection Permit) *Heritage Conservation Act* permit. Such permit applications should be prepared by a professional archaeologist.

If archaeological material is discovered during the course of construction activities:

- 1.1 **Stop Work:** Halt all work in the area of the discovery and safely secure the area. Contact the project manager or site foreman.
- 1.2 **Contact an Archaeologist:** An archaeologist should be contacted as soon as possible. For a list of qualified archaeologists in the area, the proponent is directed to the BC Association of Professional Consulting Archaeologists website: www.bcapa.ca. The proponent may also wish to contact the Ktunaxa Nation Council (archaeology@ktunaxa.org; 1-250-489-2464).
- 1.3 **Archaeologist provides guidance:** The archaeologist will direct the proponent on the next courses of action, which will include notifying the Archaeology Branch and First Nations with interest in the area.

2. Activities Occurring within Known Archaeological Site Boundaries:

Land altering activity within a previously recorded archaeological site must be conducted under a Section 12 HCA Site Alteration Permit (SAP), in some cases with an onsite archaeological

monitor. It is common for additional archaeological material and features to be encountered during activities occurring within previously recorded archaeological sites. Minor finds (lithic flakes, diffuse charcoal or fire altered rock) may not require work to stop, however significant finds require a level of assessment by a professional archaeologist, and it is up to the onsite project manager to determine the level of significance based on criteria presented below.

2.1 Significant Cultural Finds that Require a Professional Archaeologist (described in detail in Section 4)

- Intact archaeological features, which can include but are not limited to hearths, cultural depressions (e.g. cache pits, house depressions) and rock alignments or forms (e.g. tipi rings, cairns, blinds)
- Significant archaeological materials, which include but are not limited to, the presence of formed lithic tools (e.g. projectile point, microblade core, scraper), a dense concentration of lithic waste flakes, or artistic items
- Human Remains (described in detail in Section 3)

2.2 Archaeological Site Management Options

- 2.2.1 **Site Avoidance:** If the boundaries of a site have been delineated, redesign the proposed development to avoid impacting the site. Avoidance is normally the fastest and most cost effective option for managing archaeological sites. Site avoidance could also be achieved through minimizing ground disturbance by looking for alternative constructive methods.
- 2.2.2 **Mitigation:** If it is not feasible to avoid the site through project redesign, it is necessary to conduct systematic data collection and analysis within the site prior to its loss. This could include surface collection and/or excavation. This work can be time-consuming and therefore expensive to conduct.
- 2.2.3 **Protection:** It may be possible to protect all or portions of the site which will be impacted through installation of barriers during the development period and possibly for a longer period of time. Methods for barrier construction could include fencing around site boundaries or applying geotextile to the ground surface and capping it with fill. The exact method used would be site-specific.

3. Chance Find Procedures for Identified Human Remains

Procedures in the event of the discovery of human remains during construction are covered in depth by an Archaeology Branch Policy Statement, found on their website at www.for.gov.bc.ca/archaeology, and are summarized below.

- 3.1 Stop all construction activities immediately in the area of found or suspected human remains and contact the RCMP and/or Office of the Coroner.
- 3.2 The coroner must determine whether the remains are of contemporary forensic concern or archaeological/aboriginal.

3.3 If the remains are found to be of aboriginal ancestry then the next step involves the relevant First Nations collaboratively determining the appropriate treatment of those remains.

The key to respectfully dealing with ancient aboriginal remains is to involve the appropriate First Nations as early as possible in the process. However this must be done in a manner that does not interfere with the coroner's office ability to conduct their business in the manner that they see fit.

4. Site Identification Guide

The following are characteristics typical to site types found within the Ktunaxa Traditional Territory.

4.1 Artifact Scatters

Lithic (stone) scatters from the production and maintenance of stone tools are the most common type of archaeological site found in the region. Other materials that may be represented in artifact scatters are Fire Broken Rock (FBR), bone, antler and tooth.

Lithics: What to look for

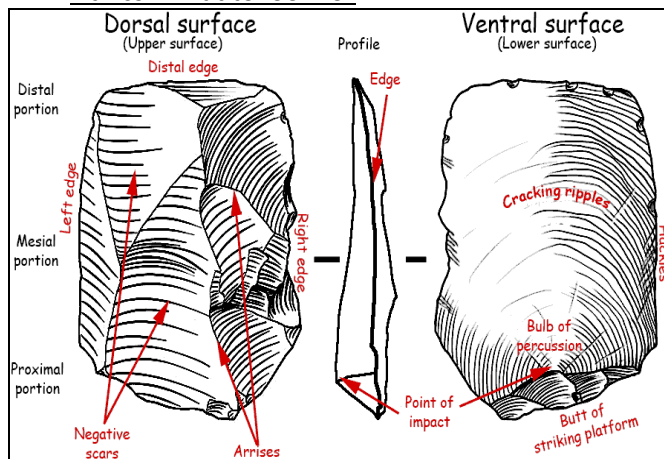


Image 1: Basic flake morphology



Image 2: Examples of lithic flakes



Image 3: Example of lithic scatter found on ground surface



Image 4: Example of formed lithic artifacts

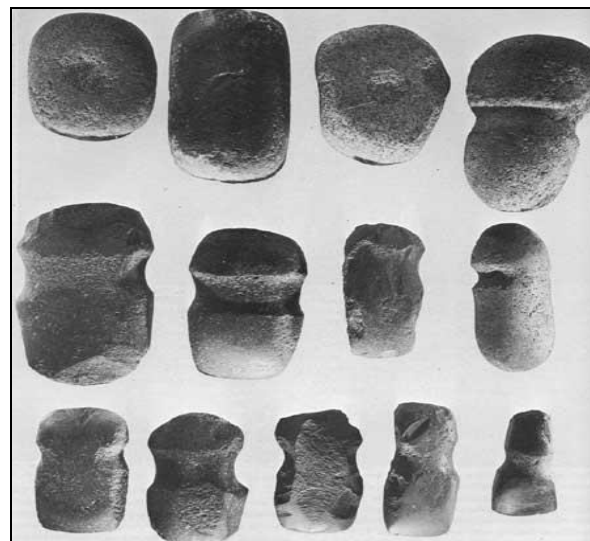


Image 5: Ground stone artifacts

Bone, Tooth and Antler Artifacts: What to Look For

- Obvious shaping
- Incising
- Unnatural holes



Image 6: Bone and Antler artifacts

4.2 Fire Broken Rock and Hearths

Fire-broken rock (FBR) results from the use of fire during cooking, heating and processing activities. FBR is often associated with other features including hearths and cultural depressions, but can also be thinly scattered in concentrations away from the features with which they were first associated.

When looking for FBR, note concentrations of roughly fractured rock from rapid heating and cooling, rock showing signs of burning or oxidation and/or reddening or blackening of surrounding matrix.



Zig/Zag
Pattern

Image 7: Example of FBR; note the zig/zag pattern of breakage common to FBR
 A hearth feature is evidence of a fire pit or other fireplace feature of any period. Hearths were used for cooking, heating, and processing of some stone, wood, faunal, and floral resources and may be either lined with a wide range of materials like stone or left unlined. Occasionally site formation processes (e.g., farming or excavation) deform or disperse hearth features, making them difficult to identify without careful study.

Hearths: What to look for

- FBR
- reddening or blackening of the associated soil/sediment
- charcoal
- layering of FBR and charcoal, and
- depressions in the earth associated with FBR, reddened or blackened matrix and charcoal.



Image 8: Example of a hearth uncovered along the wall of an excavation unit

4.3 Cultural Depressions

Any depression seen on the ground surface that appears to have been excavated by man can be a cultural depression and have archaeological significance. These “pits” were dug for a variety of reasons such as for food storage, cooking or as a base for a dwelling. They can range in size from 1m across to 7-10m across, and are usually found associated with other artifacts such as FBR and lithic scatters.

To identify a cultural depression, look for:

- Subtle to deep scours on the ground surface that are circular to rectilinear in shape
- A raised rim along the edge of a depression
- Depressions associated with artifacts and FBR
- Depressions associated with fire reddening and blackening of the matrix



Image 9: Example of a large cultural depression in a natural setting

4.6 Rock Alignments

There are several types of rock alignments that occur within the culture area, which include tipi rings, medicine wheels, cairns and blinds. When attempting to identify rock alignments, look for a group of rocks that look purposefully placed as in a circle, pile or line; isolated groups of rock that do not seem to belong to that landscape; and/or rocks which form a pattern.



Image 10: Example of a Cairn or piling of rocks



Image 11: Example of a tipi ring in a natural setting

Request for Decision Bylaw Amendment Application

File No: P 725 113
Reference: Bylaw Nos. 3404 & 3405
Date: June 26, 2025

Subject: Bylaw Nos. 3404 & 3405 (Fernie Alpine Resort / Currie Creek Developments)
Applicant: Currie Creek Developments Inc.
Agent: Big Block Construction / Kris Reynolds
Location: Resort Drive, Fernie Alpine Resort
Legal: Lot A, District Lot 8901, Kootenay District, Plan EPP141684
(PID: 032-462-743)

Proposal: To amend the OCP designation of a portion of the subject property and to amend the zoning designation of the entire property to accommodate a proposed townhouse-style multi-family development and make the designations consistent with developed multi-family at the Resort.

Development Agreement: None

- Options:**
1. THAT Bylaw No. 3404 cited as “Regional District of East Kootenay – Fernie Alpine Resort Official Community Plan Bylaw No. 2363, 2012 – Amendment Bylaw No. 5, 2025 (Fernie Alpine Resort / Currie Creek Developments)” be introduced.
 2. THAT Bylaw No. 3405 cited as “Regional District of East Kootenay – Elk Valley Zoning Bylaw No. 829, 1990 – Amendment Bylaw No. 117, 2025 (Fernie Alpine Resort / Currie Creek Developments)” be introduced.
 3. THAT Bylaw No. 3404 cited as “Regional District of East Kootenay – Fernie Alpine Resort Official Community Plan Bylaw No. 2363, 2012 – Amendment Bylaw No. 5, 2025 (Fernie Alpine Resort / Currie Creek Developments)” not proceed.
 4. THAT Bylaw No. 3405 cited as “Regional District of East Kootenay – Elk Valley Zoning Bylaw No. 829, 1990 – Amendment Bylaw No. 117, 2025 (Fernie Alpine Resort / Currie Creek Developments)” not proceed.

Recommendation: Options 1 & 2

The proposal is generally consistent with the location for multi-family development shown on the Resort’s 1998 Master Plan and the proposal will make this site consistent with the other multi-family developments in the area. Additionally, the natural topography in this location and the proposal for townhouse-style buildings instead of a larger condo-type building provide a transition in density.

**Property
Information:**

Current OCP Designations:

The westerly 1/2 of the property: R-SF, Resort Low Density supports single family or two-family residential subdivisions.

The easterly 1/2 of the property: R-MF, Resort Multi-Family which includes condominiums, townhouses, duplexes, single family residential units and indoor/outdoor recreational uses.

Proposed OCP Designation:

R-MF, Resort Multi-Family

OCP Policies (Residential):

- The Regional District will encourage a range of densities and housing mix within the plan area.
- The Regional District will encourage resort owners to monitor the housing needs of the community, consider a variety of housing types and encourage innovative housing approaches to meet the needs of permanent, semi-permanent and seasonal residents of the resort.
- Dwelling units within the residential area may be used for tourist accommodation, and may be rented on a daily, weekly, or monthly basis.
- All multi-family development (three dwelling units or more) is designated a development permit area as shown on Schedule I, to ensure a high quality of design and where appropriate, to provide adequate buffering between lower density residential areas and multi-family developments.

Current Zoning:

RS-2A, Resort Residential Zone, minimum parcel size within this zone is 1670 m².

Proposed Zoning:

CG-8, Resort Commercial Zone, minimum parcel size within this zone is 1670 m².

Parcel Size: 0.938 ha (2.318 ac)

Density:

Current: Vacant

Proposed: 40 dwelling units in 10 townhouse-style buildings

Potential: Both the current RS-2A zone and the proposed CG-8 zone permit multi-family development of up to 60 dwelling units per gross ha of minimum usable site area.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Low. Within the Fernie Rural Fire Protection Service area.

BC Assessment: Residential (vacant)

Property Information – cont’d: **Servicing:** Fernie Alpine Resort Utility Company community water and sewer

Professional Studies: None

Additional Information:

- The OCP amendment is requested to permit the proposed town-house style multi-family development to utilize the entire property.
- The current RS-2A zoning accommodates the same multi-family density as the proposed CG-8 zone however, the CG-8 zone includes commercial accommodation as a permitted use, which will exempt future owners from making an application for a Short Term Rental Temporary Use Permit (STR TUP) under the Policy adopted in 2023.
- The subject proposed multi-family site is within the area identified for multi-family development in the 1998 Master Plan and the proposed CG-8 zone is the same zone designation as all the other developed multi-family developments at Fernie Alpine Resort.

Consultation: **Advisory Planning Commission:**

Area A: The Commission recommends that the parcel be rezoned to permit multi-family (by amending the OCP designation of R-MF) and that the change to the CG-8 Resort Commercial Zone be refused.

Referral Agencies:

- **Interior Health Authority:** No response
- **Transportation & Transit:** The proponent will be required to complete a Simplified Transportation Design Report and Stormwater Management Plan to the satisfaction of the Ministry prior to receiving Ministry approval on rezoning of the lands. (Additional info is provided in the referral response attached).
- **Water, Land & Resource Stewardship:** Standard letter (attached)
- **Ktunaxa Nation Council:** No concerns
- **School District No. 5:** No response
- **Telus:** No issues

Documents Attached:

- Bylaws
- Location Map
- Land Use Map
- Aerial Map
- OCP Map
- Zoning Map
- Proposed Site Plan
- Conceptual Landscaping Plan
- Conceptual Building Design

RDEK
Contact: Tracy Van de Wiel, Planning Technician 2
Phone: 250-489-0311
Email: tvandewiel@rdek.bc.ca

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3404

A bylaw to amend Bylaw No. 2363 cited as "Regional District of East Kootenay – Fernie Alpine Resort Official Community Plan Bylaw No. 2363, 2012."

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2363;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Fernie Alpine Resort Official Community Plan Bylaw No. 2363, 2012 – Amendment Bylaw No. 5, 2025 (Fernie Alpine Resort / Currie Creek Developments)."
2. The designation of part of Lot A, District Lot 8901, Kootenay District, Plan EPP141684, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from R-SF, Resort Low Density to R-MF, Resort Multi-Family.

READ A FIRST TIME the day of , 2025.

READ A SECOND TIME the day of , 2025.

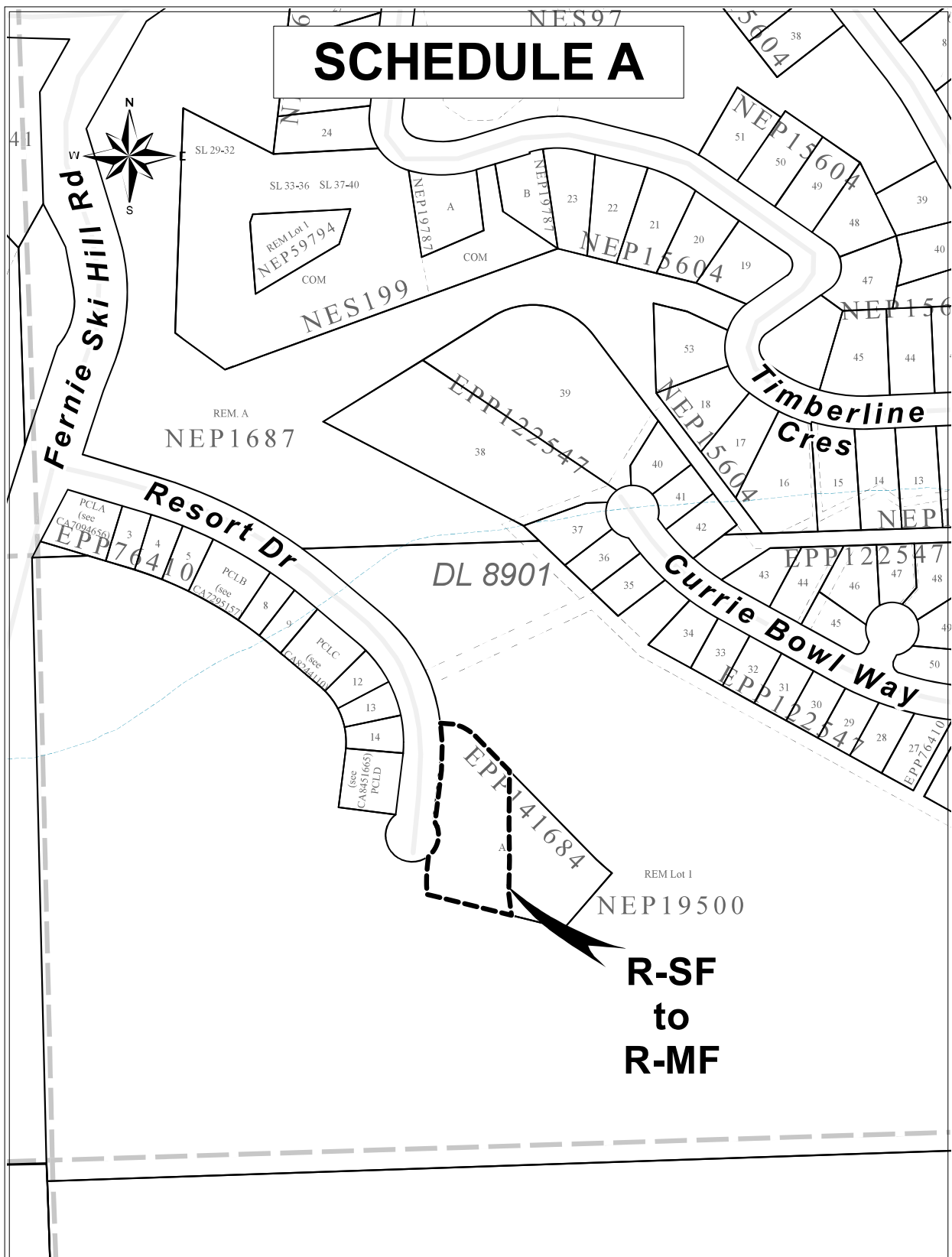
READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

SCHEDULE A



**R-SF
to
R-MF**

This is Schedule A referred to in Bylaw No. 3404 cited as
"Regional District of East Kootenay – Fernie Alpine Resort
Official Community Plan Bylaw No. 2363, 2012 – Amendment
Bylaw No. 5, 2025 (Fernie Alpine Resort / Currie Creek
Developments)."

Chair

Corporate Officer

Date

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3405

A bylaw to amend Bylaw No. 829 cited as “Regional District of East Kootenay – Elk Valley Zoning Bylaw No. 829, 1990.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 829;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Elk Valley Zoning Bylaw No. 829, 1990 – Amendment Bylaw No. 117, 2025 (Fernie Alpine Resort / Currie Creek Developments).”
2. The designation of Lot A, District Lot 8901, Kootenay District Plan EPP141684, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RS-2A, Resort Residential Zone to CG-8, Resort Commercial Zone.

READ A FIRST TIME the _____ day of _____, 2025.

READ A SECOND TIME the _____ day of _____, 2025.

READ A THIRD TIME the _____ day of _____, 2025.

APPROVED by the Ministry of Transportation and Transit the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER

The map displays a residential and commercial area with several roads: Fernie Ski Hill Rd to the west, Timberline Cres to the north, and Currie Bowl Way to the east. A dashed line labeled DL 8901 runs horizontally across the middle. Various lots are numbered and labeled with zoning codes. A specific lot, NEP19500, is highlighted with a dashed boundary and an arrow pointing to it from the text 'RS-2A to CG-8'. Other zoning codes visible include NES199, NES97, NEP15604, EPP122547, EPP141684, and EPP76410. A north arrow is located in the upper left corner.

SCHEDULE A

41

N

W

S

SL 29-32

SL 33-36 SL 37-40

REM Lot 1
NEP59794
COM

NEP19783

COM

NES199

REM. A
NEP1687

EPP122547

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EPP76410

PCLA
(see
CA7094636)

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PCLB
(see
CA7205152)

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PCLC
(see
CA824111)

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13

14

(see
CA8231665)
PCLD

Timberline Cres

NEP15604

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EPP122547

Currie Bowl Way

EPP141684

REM Lot 1
NEP19500

**RS-2A
to
CG-8**

DL 8901

This is Schedule A referred to in Bylaw No. 3405 cited as
"Regional District of East Kootenay – Elk Valley Zoning Bylaw
No. 829, 1990 – Amendment Bylaw No. 117, 2025 (Fernie Alpine
Resort / Currie Creek Developments)."

Chair

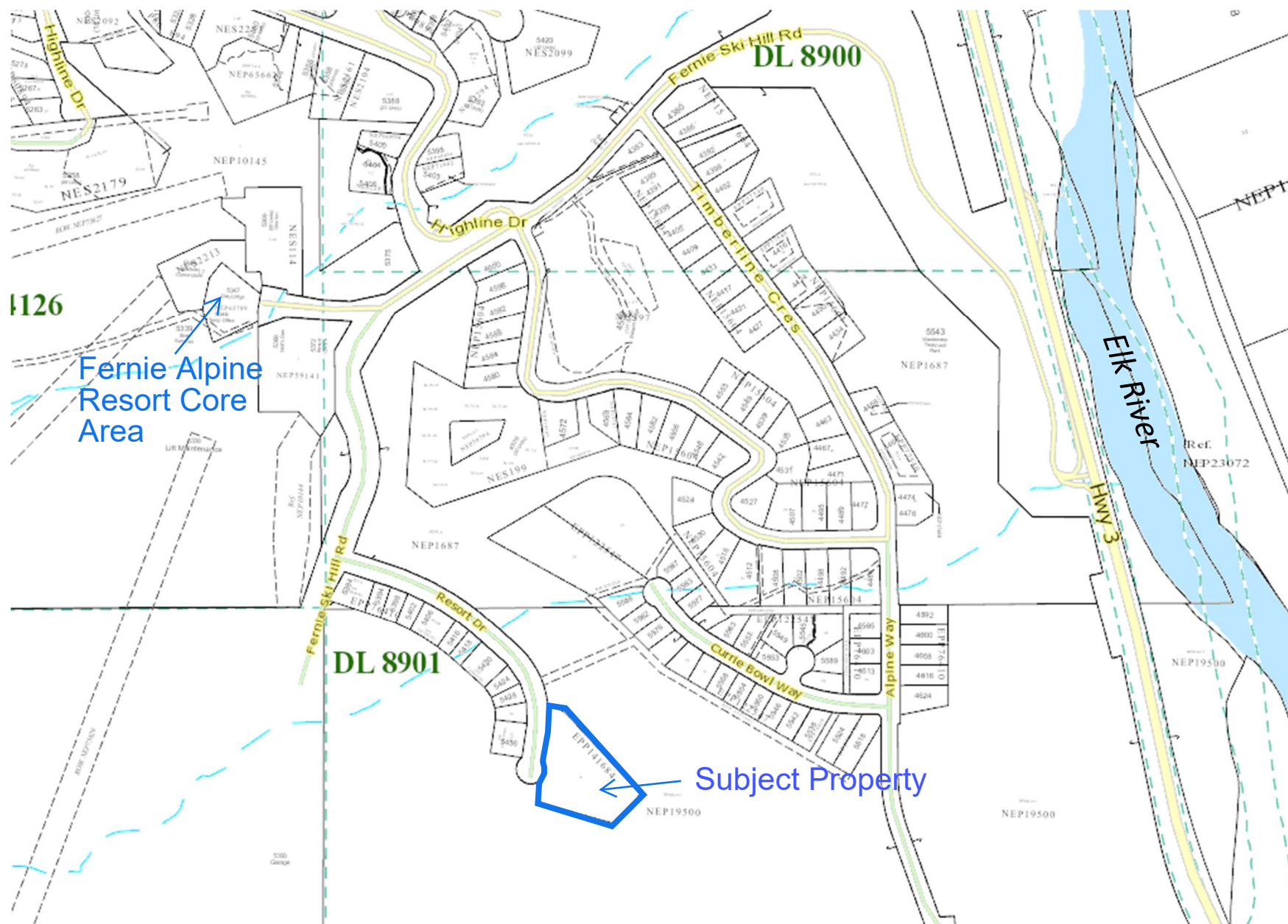
Corporate Officer

Date

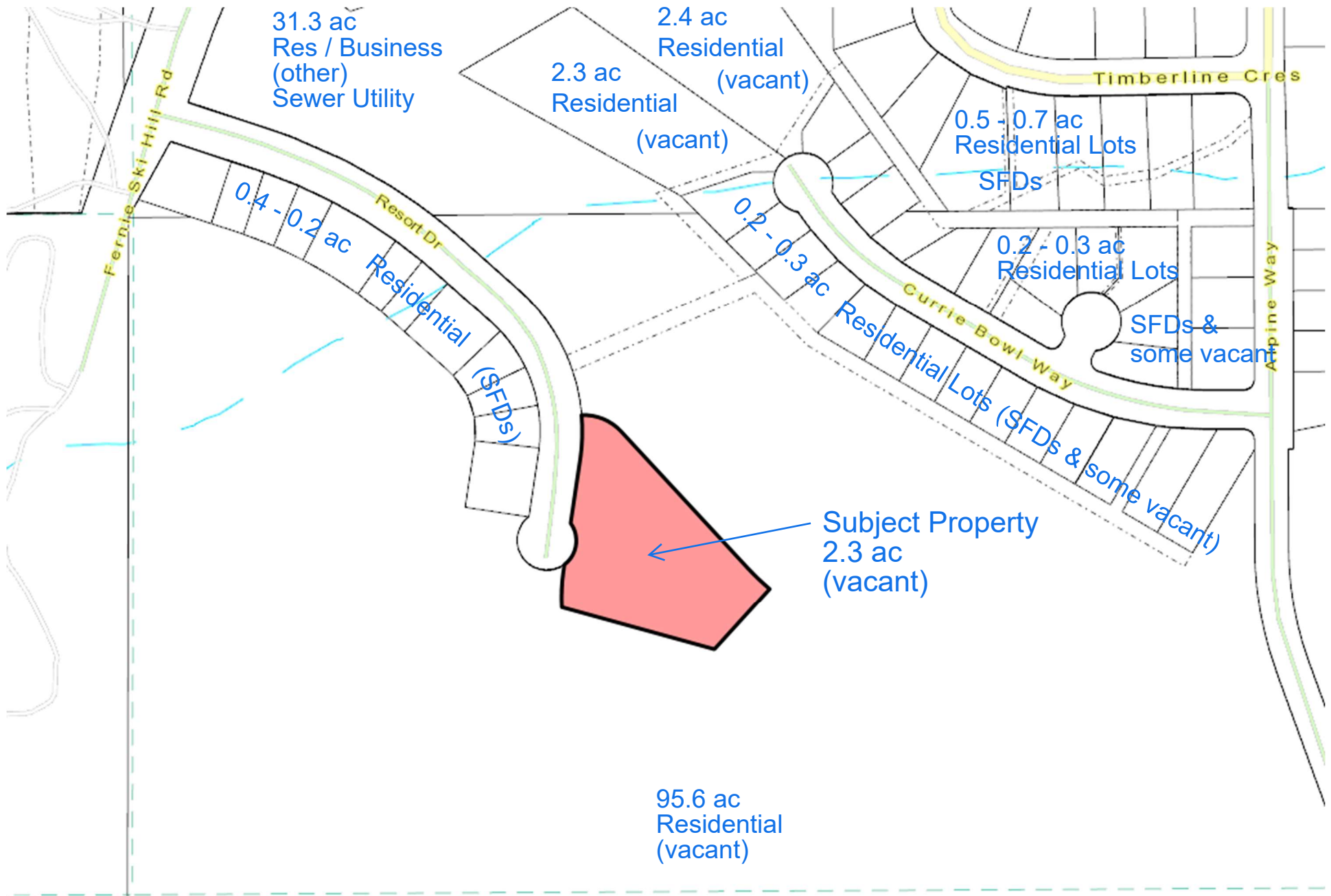
126 of 183

Page 126 of 183

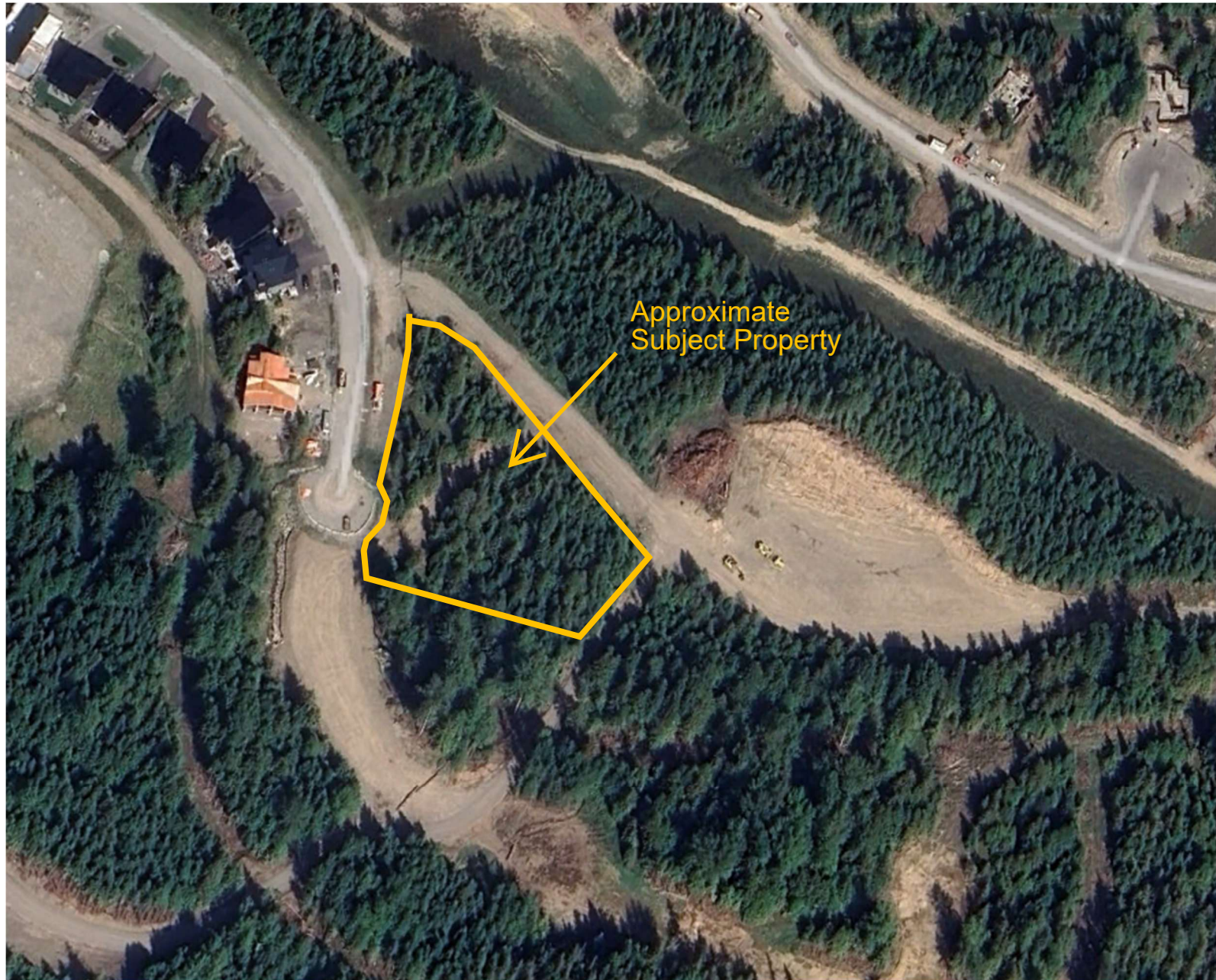
Location Map



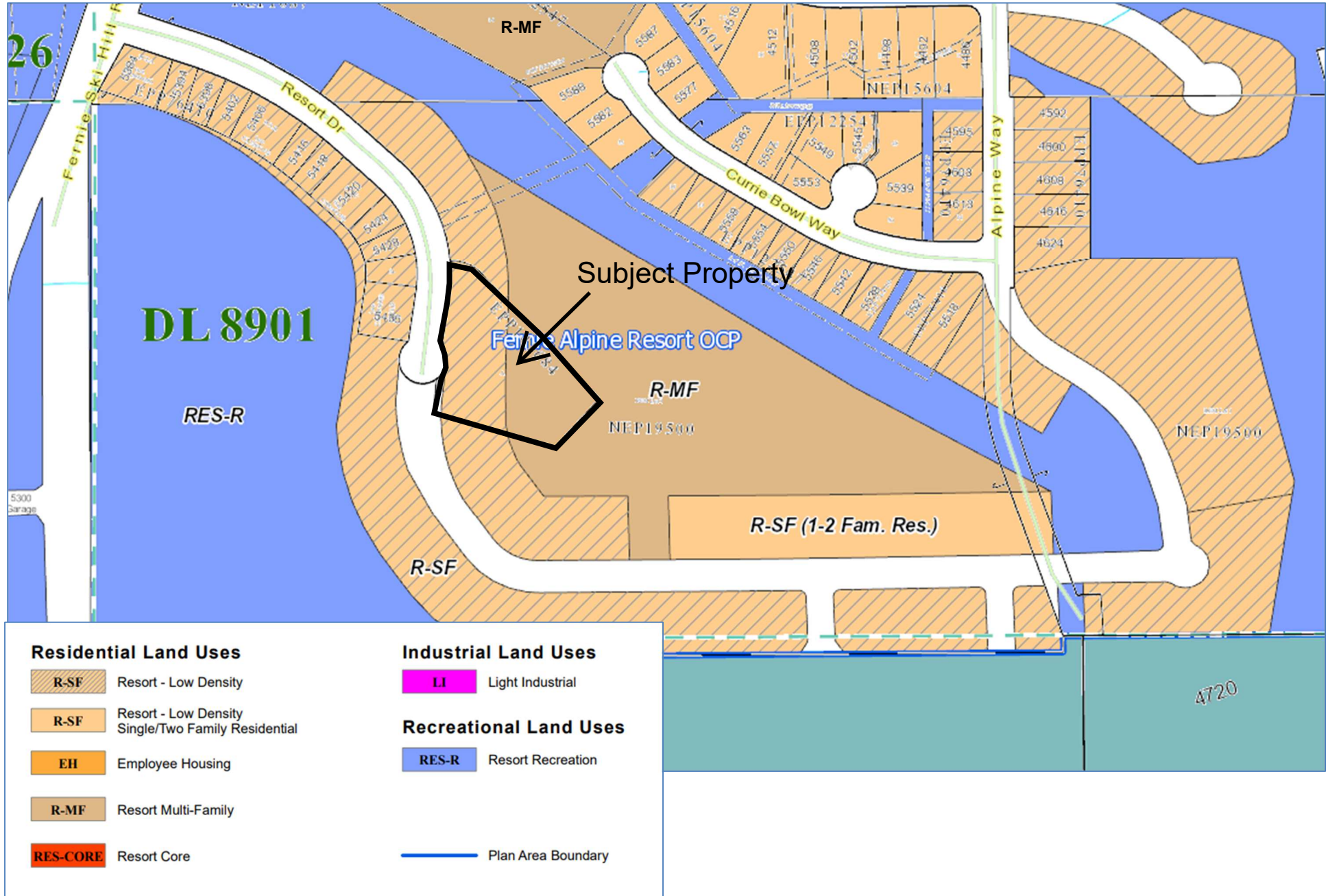
Land Use Map



Aerial Photo



Current OCP Designations



Residential

- RS-1** Single Residential (Urban)
- RS-1(A)** Single Residential (Urban-A)
- RS-2** Recreation Residential
- RS-2A** Resort Residential
- RS-2(B)** Resort Residential (Multi-Family)
- RS-4** Single Residential (Extensive)
- RH-1** Mobile Home (Park) Residential

Watershed Protection

- WP-1** Watershed Protection

Commercial

- CG-4** Highway Commercial
- CG-6** Service Commercial
- CG-8** Resort Commercial
- CG-TP** Tourist Pension Commercial

Rural Residential

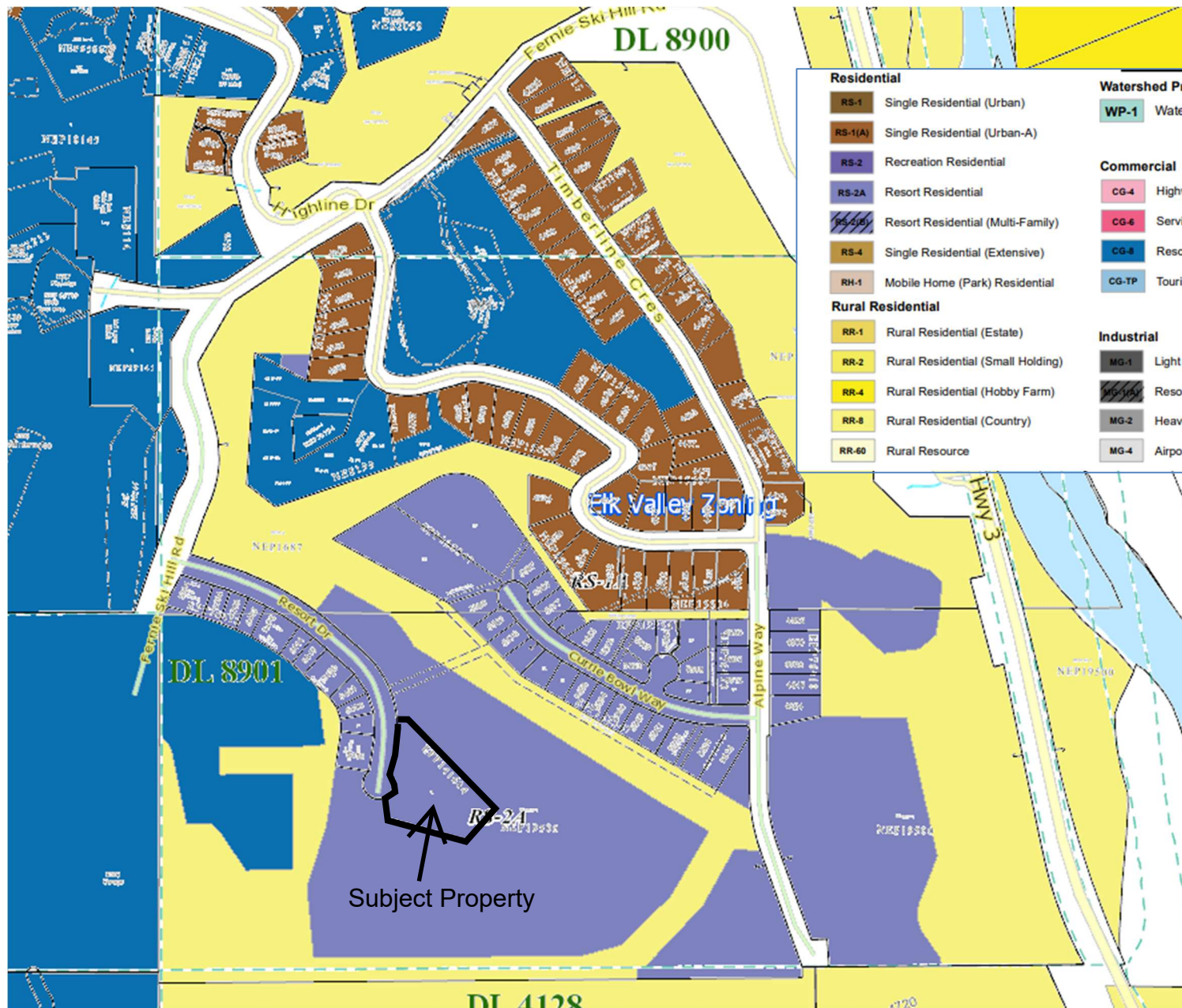
- RR-1** Rural Residential (Estate)
- RR-2** Rural Residential (Small Holding)
- RR-4** Rural Residential (Hobby Farm)
- RR-8** Rural Residential (Country)
- RR-60** Rural Resource

Industrial

- MG-1** Light Industrial
- MG-2** Heavy Industrial
- MG-4** Airport Industrial

Other

- OP-1** Office Professional
- OP-2** Office Professional
- OP-3** Office Professional
- OP-4** Office Professional
- OP-5** Office Professional
- OP-6** Office Professional
- OP-7** Office Professional
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- OP-100** Office Professional





1 SITE PLAN
1" = 60'-0"

LANDSCAPE LEGEND

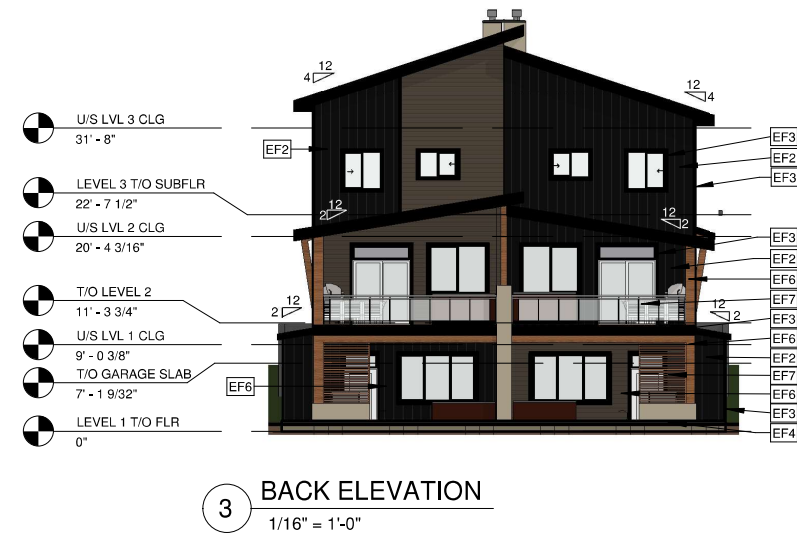
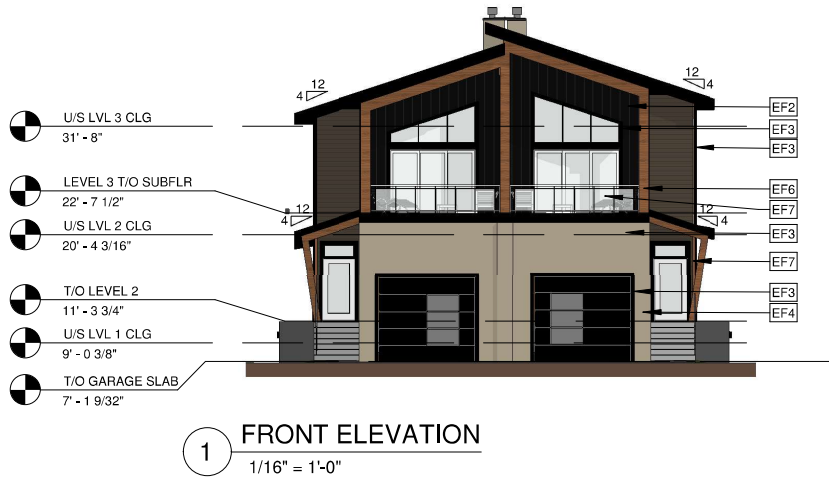
- EXISTING ROAD
- ASPHALT
- CONCRETE
- ROCK - TYPE TBD
- BOULDERS

*PLANTINGS TO BE CONSIDERED AT A LATER DATE.
PLANTS TO COMPLY WITH THE BC FIRESMART
LANDSCAPING BEST PRACTICES IN ORDER TO MITIGATE
RISKS FROM WILDFIRE



1 LANDSCAPE PLAN
1" = 60'-0"

N



EXTERIOR FINISHES LEGEND

EF1 - CEMENTITIOUS LAP SIDING - BLACK

EF6 - METAL CLADDED COL. & BEAMS - WOOD LOOK

Tracy Van de Wiel

From: Casson, Steven TT:EX <Steven.Casson@gov.bc.ca>
Sent: Monday, June 16, 2025 4:56 PM
To: Tracy Van de Wiel
Subject: RE: Bylaws 3404 & 3405 for review and comment (at Fernie Alpine Resort)
Attachments: Appendix A ToR - Planning and Designing Access to Developments Manual.pdf; Timberlanding Phase 3 Subdivision Proposal.pdf; Bylaw 3404 & 3405 Referral - MOTT Comments.pdf; 3404 & 3405.kmz

Follow Up Flag: Follow up
Flag Status: Flagged

MOTT File No.: 2025-02641
RDEK File No.: P 725 113

Hi Tracy,

Thank you for the opportunity to comment on Bylaw Nos. 3404 & 3405, to amend OCP and land use designations of LOT A DISTRICT LOT 8901 KOOTENAY DISTRICT PLAN EPP141684.

Please be advised the ministry's interests are affected by the proposal. The proponent will be required to complete a Simplified Transportation Design Report and Stormwater Management Plan to the satisfaction of the ministry prior to receiving ministry approval on rezoning of the lands.

The array of permitted uses of lands zoned CG-8 provide a multitude of potential options for a developer. Considering the topography of the lot, sightlines, as well as the geometry & proximity of the proposed intersection of Village Way with Resort Drive adjacent to this lot, access, site circulation, parking (including visitor), snow storage, drainage & stormwater management and off-site mitigation will be integral components of the design process that must be addressed from the earliest concept development stages of the project. Future growth and known development proposals of Fernie Alpine Resort should be considered in the design report.

The applicant can reach out to MOTT Development Services, RMDdevapp@gov.bc.ca, to inquire and receive further direction on creation of a Transportation Design Terms of Reference and appropriate Stormwater Management Plan for the proposal.

The following is a link to Planning and Designing Access to Developments Manual for the applicant's reference:
https://www2.gov.bc.ca/assets/gov/driving-and-transportation/funding-engagement-permits/subdividing-land/planning_designing_access_developments_manual.pdf

Please let me know if you have questions or wish to discuss any of the above in further detail.

Thank you,

Steven Casson
Development Services Officer
Rocky Mountain District
129 - 10th Avenue S, Cranbrook, BC V1C 2N1
(250) 420-6550 | Steven.Casson@gov.bc.ca



A

Appendix Terms of Reference

Table of Contents

A.1	Transportation Design Terms of Reference Template.....	1
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A.3	Transportation Data Checklist.....	21

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5	Important Design Issues – Off-Site	5-1
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Other Appendices

B	Quality Assurance	B-1
C	References	C-1
D	Additional Technical Material and Glossary	D-1

A.1 Terms of Reference Template

This form is to be used for all projects where BC MoT is the sole, or a joint road authority.

The form is in four sections (sections A , B and C, and Attachment A).

The developer and Ministry staff complete:

- **Simplified design projects** – Section A – General project description, signature sheet, and basic design criteria (Form Pages 1 to 4)
- or
- **Detailed design projects** –
 - Section A – General project description and signature sheet (Form Pages 1 to 3),
 - Section B – Project design and analysis criteria sheets (Form Pages 5 to 8),
 - and
 - Section C1 or C2 – Roadway and intersection design sheets, one for each roadway segment (C1) or intersection (C2) where the same criteria apply (Form Pages 9 to 10).

Attachment A is for additional information about any criterion.

The completed form (Section A, and if required, Sections B and C, and Attachment A) is used to define the Terms of Reference for the project. It must be completed and agreed to by the developer and all involved road authorities before the design commences. Failure to do this will most likely result in rejection of a Design Report, as it will not have adequately addressed the road authorities' concerns.

The developer's transportation engineer completes and signs/seals Form Page 3 (Section A5) on completion of the project report and provides page numbers for all sections. All pages of the completed and agreed upon form must be submitted with the report.

The "BC MoT" and "Municipal" columns on the right of the form (shaded grey) are for use by Ministry and municipal staff to verify that the noted items have been adequately addressed and that the results comply with their requirements as expressed in the Terms of Reference.

Attachment A is a generic form to be used as required to provide added detail or to include project specific issues or criteria that are not covered in the forms. It forms part of the agreed Terms of Reference.

Transportation Design Terms of Reference

Project: _____ BC MoT file: _____ Dist/Region: _____
Major road: _____ Cross street: _____
Municipality/Reg Dist: _____
BC MoT contact: _____ E-mail: _____
Date received: _____ Date completed: _____
Report prepared by : _____ (firm)
Responsible professional: _____ (name)

Municipal Information:

☐ Subdivision ☐ Rezoning ☐ Development Permit ☐ Urgent
Municipal file number: _____ Bylaw number: _____
Municipal staff contact: _____ Tel: _____ E-mail: _____

Applicant Information:

Name: _____
Street address: _____
City: _____ Province: _____ Postal Code: _____
Tel: _____ Fax: _____ E-mail: _____

Project Information:

Legal description: _____

Street address: _____
Topographic description: _____

Current land use: _____ Proposed land use: _____
Current zoning: _____ Proposed zoning: _____
Proposed study ToR prepared and submitted by: _____ Date: _____
Proposed study ToR reviewed for BC MoT by: _____ Municipality: _____
Date: _____ Date: _____

☐ Revisions required – *List on Attachment A.*
☐ ToR/Scope approved for BC MoT by (name) _____ Date: _____

Scope development meeting scheduled for (date and time): _____
Local government notified of meeting date and time by: _____
Scope development meeting attendees: _____

☐ Meeting minutes attached

Simplified application or detailed design?

- ☐ **Detailed design not required** – Complete Section A only (Form Pages 1 to 4)
- ☐ **Detailed design required** – Complete Section A (Form Pages 1 to 3 only), Section B and Section C

Reasons for detailed design review:

- ☐ Site traffic volume > 100 vph in peak hour
- ☐ Signals impacted
- ☐ Roadway geometry problems
- ☐ Safety issues
- ☐ Other: _____

The following issues/criteria/design guidelines must be adequately addressed in the study.

The developer must provide page number references to the report in "Page Ref." column.

BC MoT and Mun. columns are for BC MoT/municipal use only.

Section A – Required for all Applications

	Page Ref.	OK	
		BC MoT	Mun.
A1 Known Roadway Issues			
<input type="checkbox"/> Geometric problems at site – <i>List on Attachment A.</i>			
<input type="checkbox"/> Documented safety concerns at site – <i>See B8</i>			
Other: _____			
A2 Access Restrictions (Additional restrictions may be required by analysis/mitigation.)			
<input type="checkbox"/> No left turns permitted to or from _____			
<input type="checkbox"/> No direct access to major road _____			
<input type="checkbox"/> Access to side-street required _____			
<input type="checkbox"/> Rear access required			
<input type="checkbox"/> Shared access required with _____			
<input type="checkbox"/> Freeway: No access permitted to freeway, ramps or street within 300 m of end of ramp			
<input type="checkbox"/> Protection for interchange, no access permitted within 300 m of proposed freeway ramp			
<input type="checkbox"/> Other: _____			
<i>Identify on Attachment A any restrictions or options to be assessed.</i>			

	Page Ref.	OK	
		BC MoT	Mun.
A3 Environmental Issues			
<input type="checkbox"/> None <input type="checkbox"/> To be identified by developer <input type="checkbox"/> To be reviewed: _____			
A4 Cost Sharing			
<input type="checkbox"/> None <input type="checkbox"/> To be identified by developer <input type="checkbox"/> Municipal agreement			
A5 Results Summary			
<i>Developer must provide report page numbers for key summaries:</i> Trip generation rates used page _____ Parking stalls required/provided page _____ Required road improvements page _____ Sight distances page _____ Site plan drawing nos. _____ Roadway plans drawing nos. _____			
If a detailed review is submitted, complete Sections B and C, and include detailed capacity calculations as an appendix. <input type="checkbox"/> Yes <input type="checkbox"/> No – Reason: _____ _____			
Intersection analysis summary (LoS, delay, V/C ratio) page _____ Signal timing plans page _____ Magazine and turn slot storage lengths/queues page _____			

Submitted by: _____ Date: _____

Signature: _____

P. Eng. Seal and Certificate No: _____

PTOE Certificate No: _____

[illegible]

Simplified Process Criteria (Simplified process only. For detailed review, complete Sections B and C)

A6 Highway Design Speed and Sight Distances for intersections

(Check required design speed – TAC Figures 2.3.3.4 and 2.3.3.6 – for 2 lane roads.)

Design Speed	Approaching Vehicle Sight Distance	Exiting Vehicle Sight Distance
<input type="checkbox"/> 50	200 m	125 m
<input type="checkbox"/> 60	240 m	155 m
<input type="checkbox"/> 70	275 m	200 m
<input type="checkbox"/> 80	310 m	250 m
<input type="checkbox"/> 90	350 m	310 m
<input type="checkbox"/> Other (> 2 lane, or other speed)	_____	_____

	Page Ref.	OK	
		BC MoT	Mun.
A7 Left Turn Lanes (Attach copy of appropriate BC Supplement layout Fig. 710.D.1 to 710.L)			
<input type="checkbox"/> Required on highway, length of storage _____ m <input type="checkbox"/> Required on access, length of storage _____ m <input type="checkbox"/> To be determined by developer			
A8 Acceleration or Deceleration Lanes Required on Highway			
<input type="checkbox"/> No <input type="checkbox"/> Yes (Select values for required design speed from BC Supplement Figs. 710.D.1 to 710.L and attach copy.)			
A9 Parking			
<input type="checkbox"/> Municipal bylaw rate <input type="checkbox"/> ITE parking generation rate			
<input type="checkbox"/> Number of stalls required _____ <input type="checkbox"/> To be determined by developer			
<input type="checkbox"/> Municipal stall dimensions <input type="checkbox"/> BC MoT stall dimensions			
<input type="checkbox"/> Minimum distance between access point and 1 st on-site intersection _____ m <input type="checkbox"/> To be determined by developer			
<input type="checkbox"/> Other conditions: See A11 or use Attachment A.			

A10 Highway Realignment Required

☐ No ☐ Yes (Describe, using Attachment A if required.) _____

A11 Other Requirements (Describe, using Attachment A if required.)



July 5, 2023

Greetings,

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a “stream” [as defined in the [Water Sustainability Act](#) (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation](#) (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act](#) (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are

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adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee](#) (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds - Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Herons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#)

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provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Kind Regards,



Shannon White, RPBio
Ecosystems Section Head - Kootenay-Boundary Region
Ministry of Water, Land & Resource Stewardship
778-520-2683 / Shannon.white@gov.bc.ca

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Request for Decision ALR Non-Farm Use Application

File No: P 725 555
Reference: 101815
Date: June 19, 2025

Subject: ALR Non-Farm Use (Windermere East / Halverson)
Applicant: Myla Halverson
Agent: Kris Nickerson, RDEK
Location: Windermere Loop Road, Windermere East
Legal: Lot 2 District Lot 4596 Kootenay District Plan EPP112076
(PID: 017-406-935)

Proposal: To permit the existing potable water reservoir and proposed expansion project.

Options:

1. THAT the Agricultural Land Commission be advised the RDEK supports the Halverson ALR Non-Farm Use application for property located on Windermere Loop Road in Windermere East.
2. THAT the Agricultural Land Commission be advised that the RDEK recommends that the Halverson ALR Non-Farm Use application for property located on Windermere Road in Windermere East be refused.

Recommendation: Option 1

The proposed works are necessary for the RDEK to continue providing adequate water services and to support the growth projected for the community of Windermere. The expansion project would provide numerous benefits to the community.

**Property
Information:**

OCP Designation: Multiple -SH, Small Holdings which supports low density residential development with minimum parcel sizes in the range of 0.2 ha to 2.0 ha; and 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 Objectives and Policies:

- Ensure high standards for water distribution and sewage disposal are continued.
- Land in the ALR is generally designated and supported for agricultural use.
- ALR applications for non-farm use, subdivision or exclusion should identify opportunities to improve the agricultural capability and provide a net benefit to agriculture for the lands that remain within the ALR.

**Property
Information –
cont'd:**

- There are situations where community or regional development objectives may require a non-farm use of ALR lands. These applications will be considered on a case by case basis.

Zoning Designation: Multiple – SH-3, Small Holdings Rural Zone, which has a minimum parcel area requirement of 2.0 ha; and A-2, Rural Residential (Country) Zone, which has a minimum parcel area requirement of 8 ha.

The area under application has a zone designation of SH-3.

Parcel Size: 11.8 ha (29 ac)

Interface Fire Hazard Rating: Low to high, within the Windermere Fire Protection Area

BC Assessment: Residential (Vacant)

Water / Sewer Services: Within the RDEK East Side Lake Windermere Community Water System service area.

Flood Hazard Rating: The property is not identified as being within a flood hazard rating area.

**Professional
Reports:**

None

**Agricultural
Capability Rating:**

The majority of the subject property, and the location of the proposed works, is 60% Class 6 and 40% Class 5, both with a limiting factors of stoniness and topography. This area is not considered improvable.

The remainder of the parcel, the southernmost part, is 60% Class 5 with limiting factors of low fertility and topography and 40% Class 4 with a limiting factor of low fertility. This is considered improvable to Class 3 with a limiting factor of topography.

**Additional
Information:**

- The RDEK currently has a potable water storage reservoir (962 m³ partially buried concrete, constructed in 2009) on the parcel. The reservoir was constructed and operated by PARR Utilities Ltd prior to RDEK assuming ownership of the system in 2018. The reservoir provides potable water storage for a portion of the East Side Water System (ESWS).
- The 2022 East Side Water System Master Plan determined that the existing reservoir is inadequate to provide current and projected demands as well as fire protection storage needs. To address this issue, the RDEK is proceeding with steps to expand the reservoir. The projected capacity of the new reservoir is 1800 m³ which will satisfy current and future growth of the system.
- The proposed expansion of the reservoir is essential for ensuring adequate water supply, improving infrastructure, and supporting sustainable growth. This project will help secure water resources for the future, enhance disaster resilience, and encourage economic

development while also ensuring that water quality is maintained and operational costs are minimized.

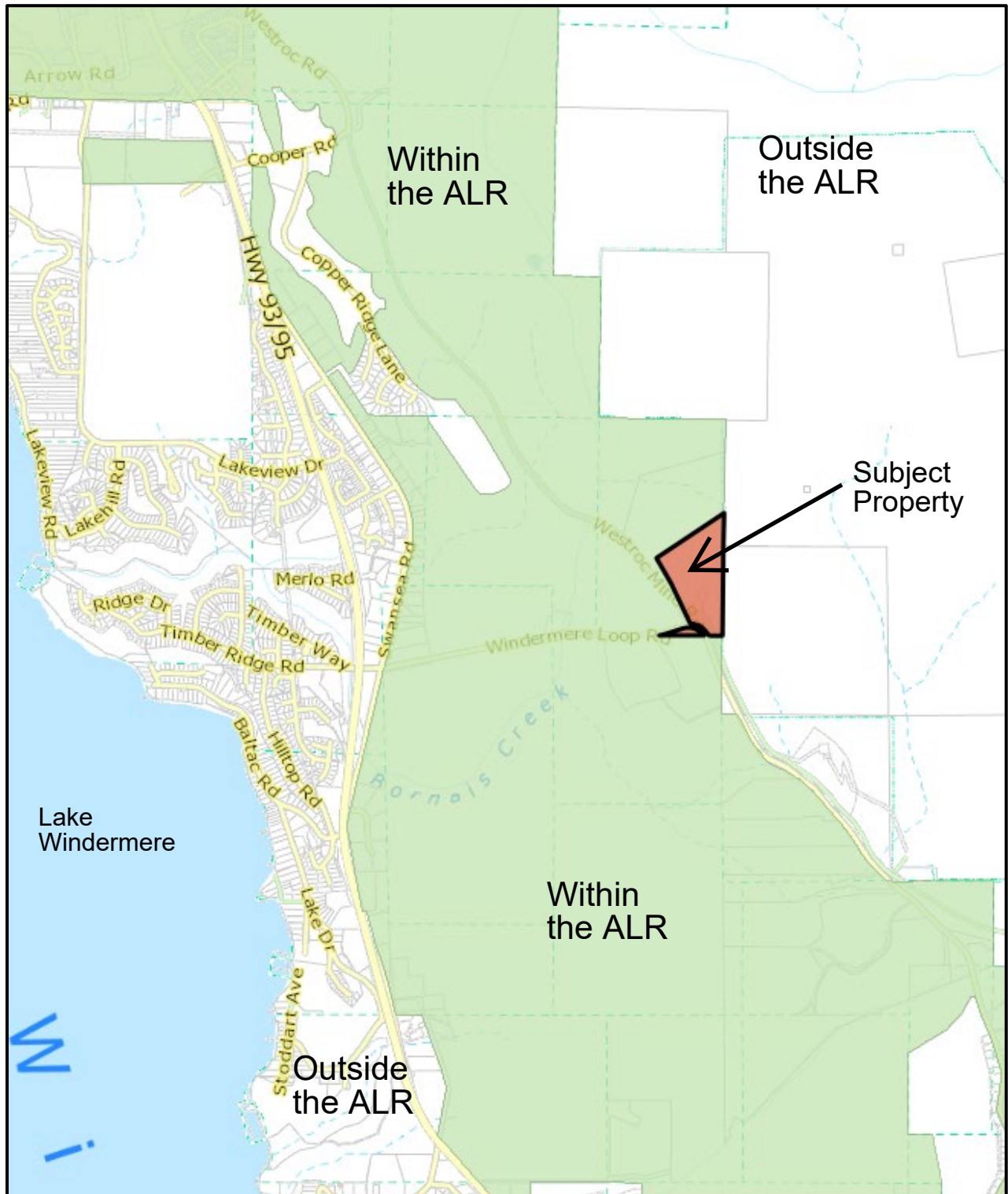
Consultation: **APC Area F:** Support recommended

Documents Attached:

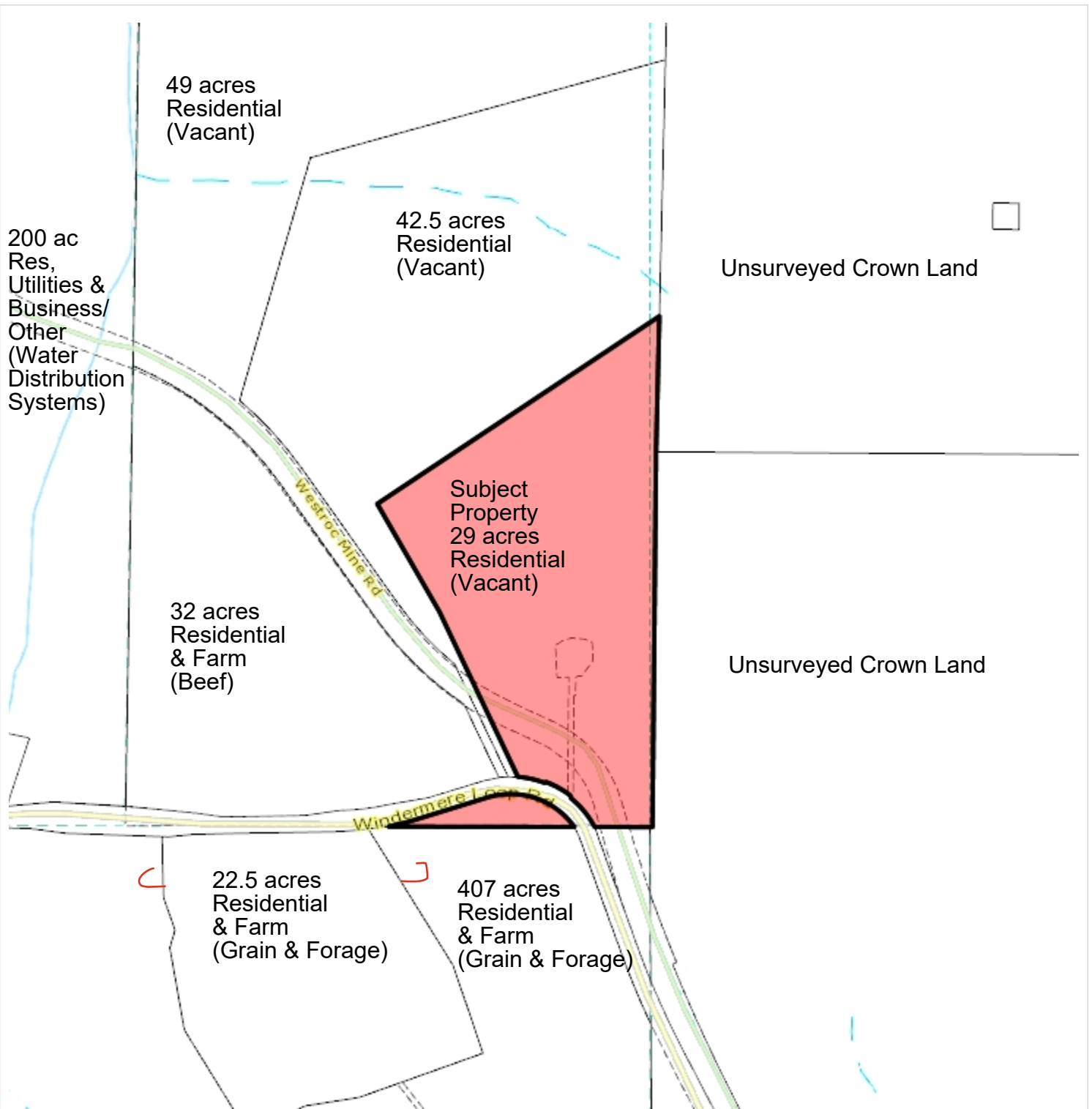
- ALR Boundary Map
- Land Use Map
- Agricultural Capability Map and Key
- Zone Designation Map
- Proposal
- Aerial Photo

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

ALR Boundary Map



Land Use Map



Notes:

250 0 125 250 Meters

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RDEK GeoViewer - 5-26-2025 11:58 AM

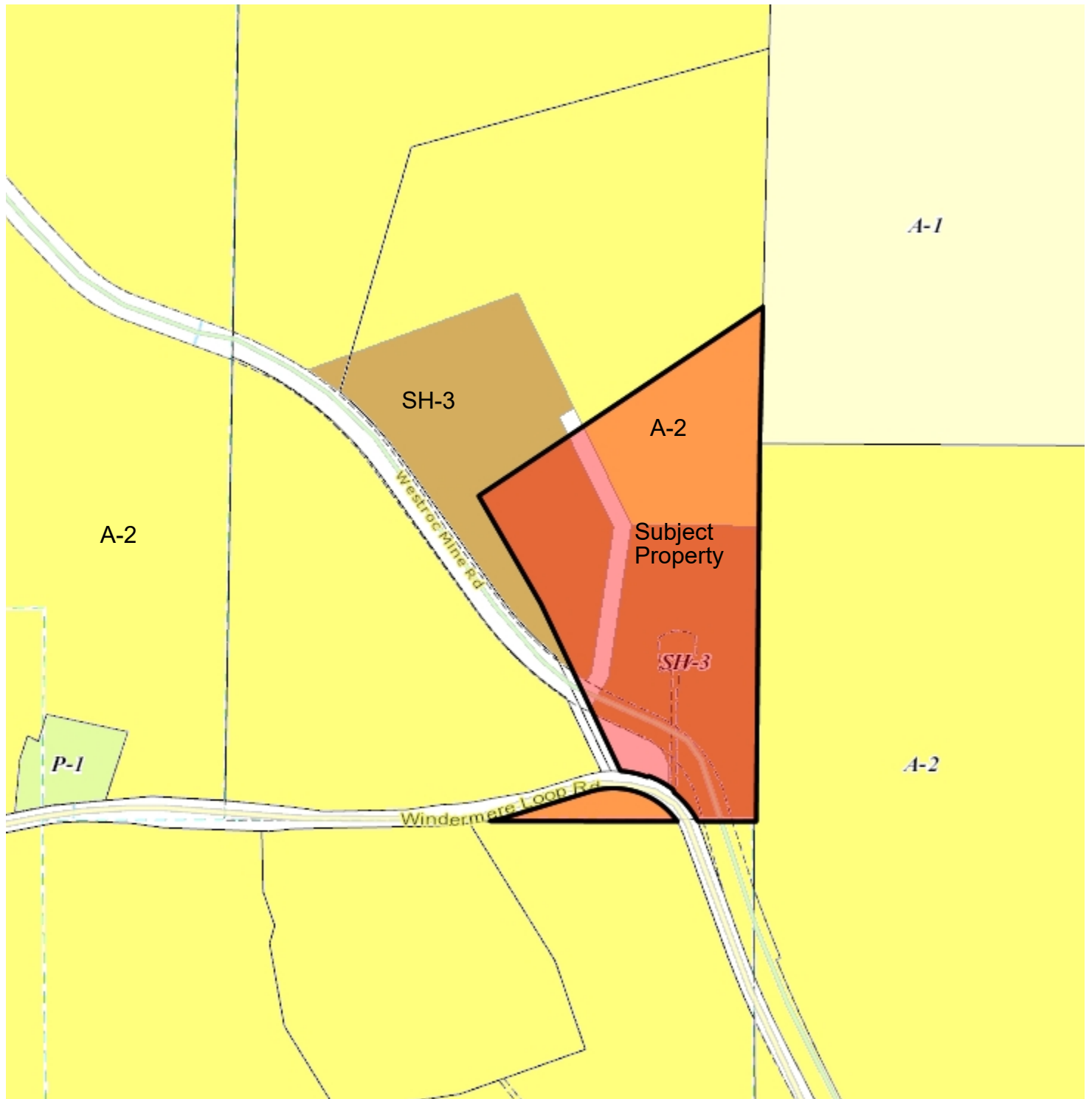
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Zone Designation Map



Notes:

250 0 125 250 Meters

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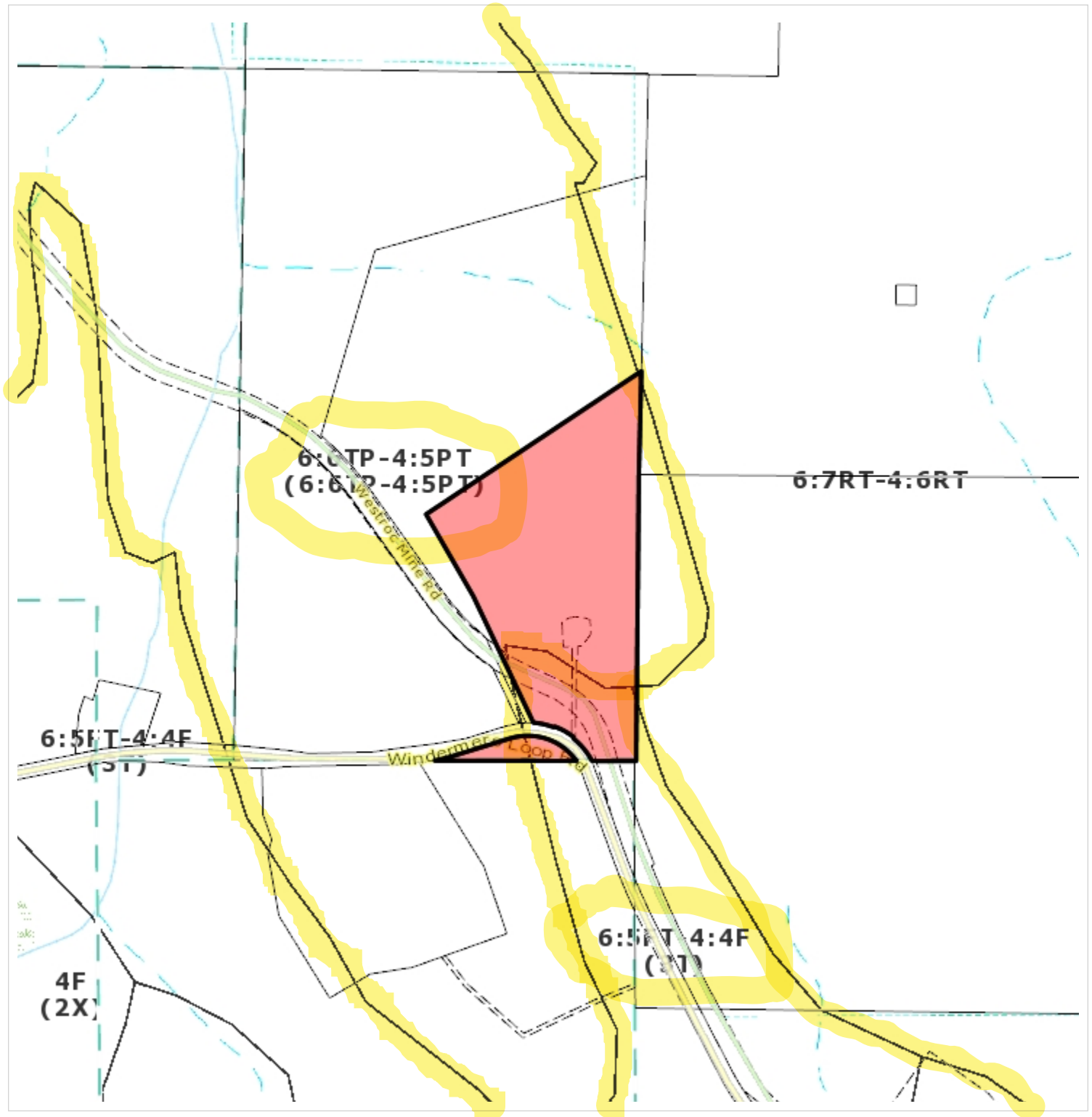
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Agricultural Capability Map



Notes:

325 0 163 325 Meters

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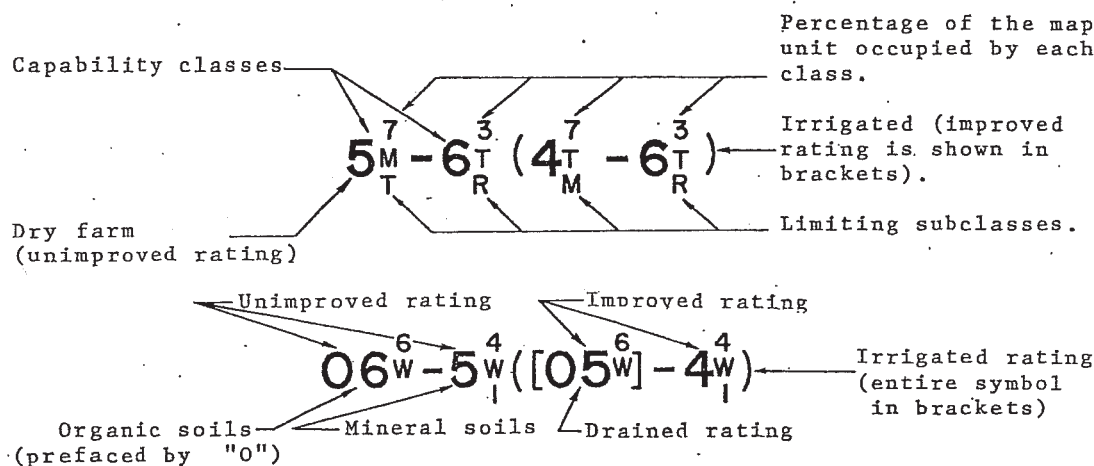
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KEY FOR INTERPRETATION OF AGRICULTURE CAPABILITY MANUSCRIPT MAPS (B.C.)

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

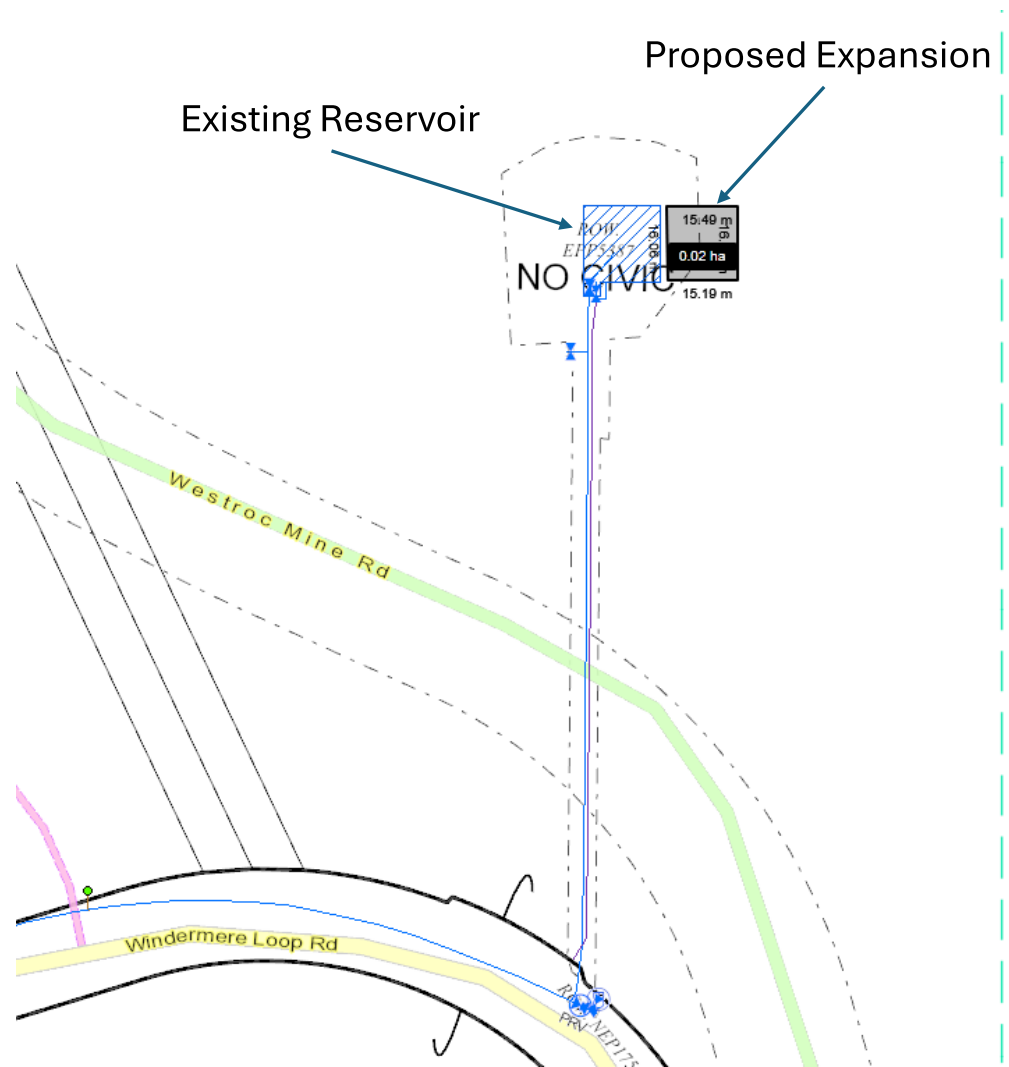
- Class 1 - widest range of crops
- Class 2
- Class 3 } reduced range of crops caused by a number of limiting
- Class 4 } factors (subclasses)
- Class 5 - only permanent pasture or forage
- Class 6 - natural grazing
- Class 7 - no productivity

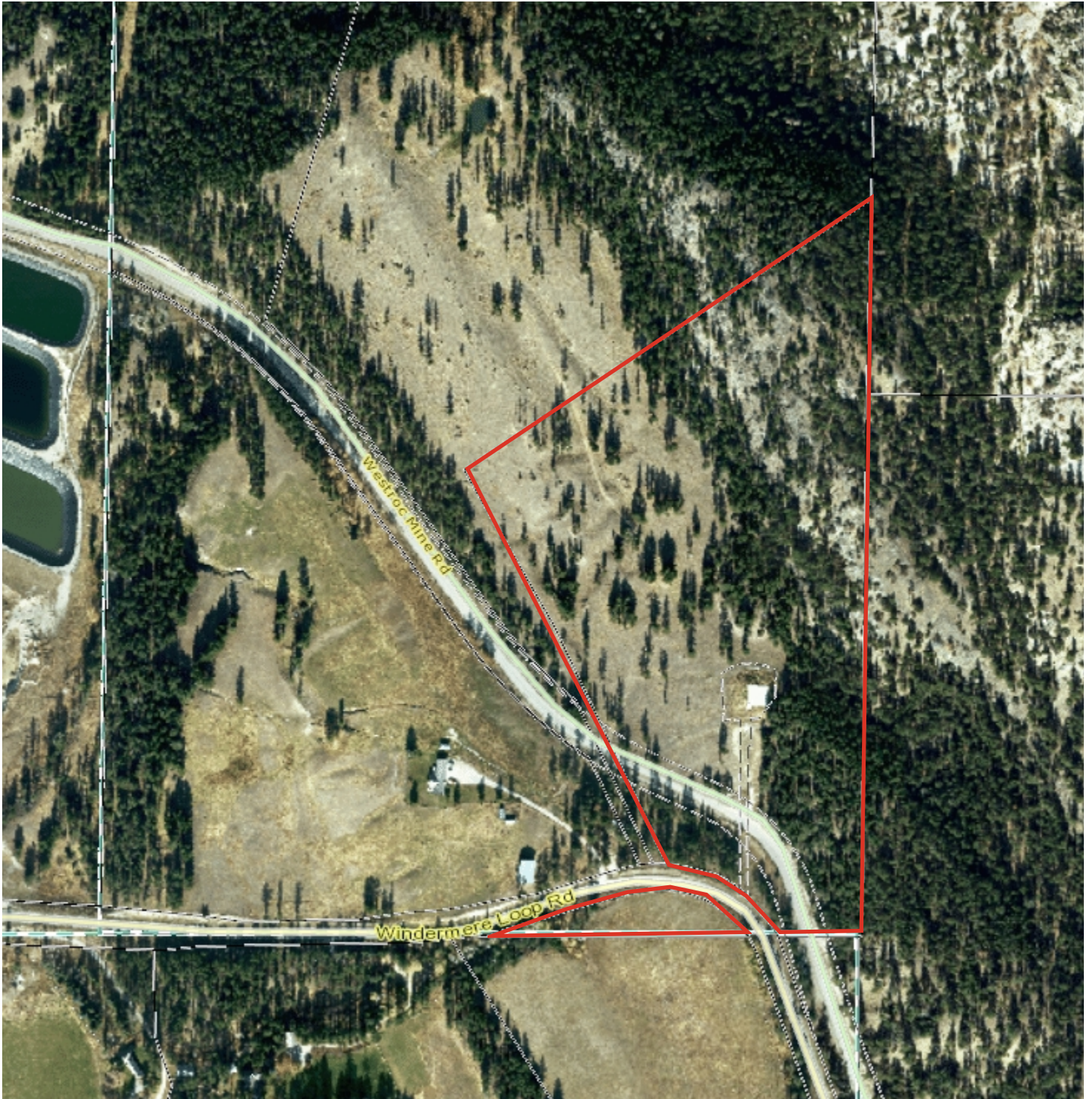
b) Limiting Subclasses

- 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.





Notes:

175 0 88 175 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 5-26-2025 12:07 PM

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Scale = 1:7,000



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Request for Decision Development Variance Permit Application

File No: P 725 545
Reference: DVP 19-25
Date: June 24, 2025

Subject: DVP No. 19-25 (Panorama / Martin)
Applicant: Craig and Logan Martin
Location: 2178 Trappers Way, Panorama
Legal: Lot 5 District Lot 17108 Kootenay District Plan EPP19561
(PID: 029-208-882)

Proposal: Application to reduce the exterior side yard setback from 4.5 m to 1.15 m for an existing deck and to increase the maximum parcel coverage from 35 to 37.7% for construction of an addition to the existing single family dwelling.

Options:

1. THAT Development Variance Permit No. 19-25 (Panorama / Martin) be granted.
2. THAT Development Variance Permit No. 19-25 (Panorama / Martin) be refused.
3. THAT Development Variance Permit No. 19-25 (Panorama / Martin) to reduce the exterior side yard setback for the existing deck be granted and the increase in maximum parcel coverage for construction of an addition be refused.

Recommendation: Option #3

The adjacent portion of the road right of way is unlikely to be developed and the Ministry of Transportation & Transit (MOTT) has issued a relaxation permit for the existing deck. The proposed addition is larger than the existing dwelling and being constructed to the 35% parcel coverage. This could be reduced which would allow the covered patio addition and still meet the parcel coverage requirement outlined in the zoning bylaw.

Property Information: **OCP Designation:** R-SF, Residential Low Density which supports single family residential subdivisions, duplexes and zoning that supports secondary suites.

OCP Objectives and Policies:

- Identify development nodes for residential accommodation and limit development to these areas.
- Support a range of housing types and densities within the plan area to reflect both resident and non-resident property owners.
- New residential development is directed to the development nodes within land use designations that support residential development and employee housing as designated on Schedules C, C1 and C2.

	Zone Designation: R-1(D), Single Family Residential (Resort) Zone
Property Information - cont'd:	Parcel Size: 0.07 ha (0.18 ac) Density: One single family dwelling and one secondary suite within the single family dwelling is permitted per parcel ALR Status: Not within the ALR Interface Fire Hazard Rating: Moderate, within the Panorama Fire Protection Area BC Assessment: Residential (SFD) Water and Sewer Services: Corix Community Water and Sewer Systems. Flood Hazard Rating: RDEK mapping indicates a seasonal drainage or unnamed creek may run through the subject property. Floodplain management provisions apply to the development if applicable.
Professional Studies:	None.
Additional Information:	<ul style="list-style-type: none">▪ A Minor Development Variance Permit application has also been applied for and approved. The Minor DVP is to reduce the exterior side yard setback from 4.5m to 2.8m for construction of the proposed addition to the existing dwelling.▪ The Minor DVP did not include the covered hot tub patio addition. The location of the patio addition is not adjacent to an MOTT right of way, unlike the dwelling addition, therefore the side yard setback does not need a variance.▪ The application states that the existing house and deck were constructed inside the MOTT setback by the original owner. At the time the original building permit was reviewed, RDEK staff did not identify that part of the side parcel line as adjacent to a road right of way and therefore a smaller exterior side yard setback requirement was applied.▪ The applicant is proposing to build a 138 m² addition to the existing 123 m² dwelling. The applicant identifies that the 2.7% parcel coverage over the permitted 35% is for a roof to cover the hot tub patio to keep snow off. If the patio was not covered, the deck would not be considered in the parcel coverage calculations.▪ A restrictive covenant is registered on the property that requires a site-specific geotechnical investigation prior to construction. The investigation is required to confirm the soil and groundwater conditions of the building site.
Consultation:	APC Area F: Support, subject to registration of a covenant stating that the patio area cannot become a liveable indoor space.

Ministry of Transportation & Transit: A relaxation permit has been issued by the MOTT for the existing deck.

Response(s) to Notice: 21 notices were mailed on May 26, 2025 to all property owners within 100 m. No notices were returned as undeliverable and two responses have been received expressing support for the setback variance for the existing deck but opposition for the variance to increase the parcel coverage for the addition. The responses also expressed concern about the mailing process and a drainage issue on the property.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Zone Designation Map
- Site Plan
- Building Elevations
- Aerial Photo
- Google Street View
- Notice Responses

**RDEK
Contact:**

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

Permittee: Craig and Logan Martin

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 5 District Lot 17108 Kootenay District Plan EPP19561 (PID 029-208-882)
3. Regional District of East Kootenay – Columbia Valley Zoning Bylaw 3255, 2023, Section 4.7(4)(b)(i), is varied to reduce the side parcel line setback adjacent to a highway from 4.5 m to 1.15 m for an existing deck.
4. Regional District of East Kootenay – Columbia Valley Zoning Bylaw 3255, 2023, Section 4.7(4)(d), is varied to increase the maximum parcel coverage from 35% to 37.7% for construction of an addition to an existing single family dwelling.
5. The lands described herein shall be developed strictly in accordance with the terms and conditions of this Permit and in substantial compliance with the information submitted in the Development Variance Permit application received April 1, 2025.
6. This permit is subject to the proposal complying with all other bylaw requirements.
7. This Permit shall come into force on the date of an authorizing resolution passed by the RDEK.
8. This Permit is not a building permit.
9. This Permit is only valid if the appropriate approvals from the Ministry of Transportation and Transit have been obtained for construction within 4.5 m of a road right of way.
10. If development authorized by this Permit does not commence within two years of the issue date of this Permit, the Permit shall lapse.
11. 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.
12. 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.
13. 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 , 2025.

Tina Hlushak
Corporate Officer

Location Map



Notes:

200 0 100 200 Meters

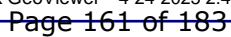
WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 4-24-2025 2:36 PM

Scale = 1: 8,000

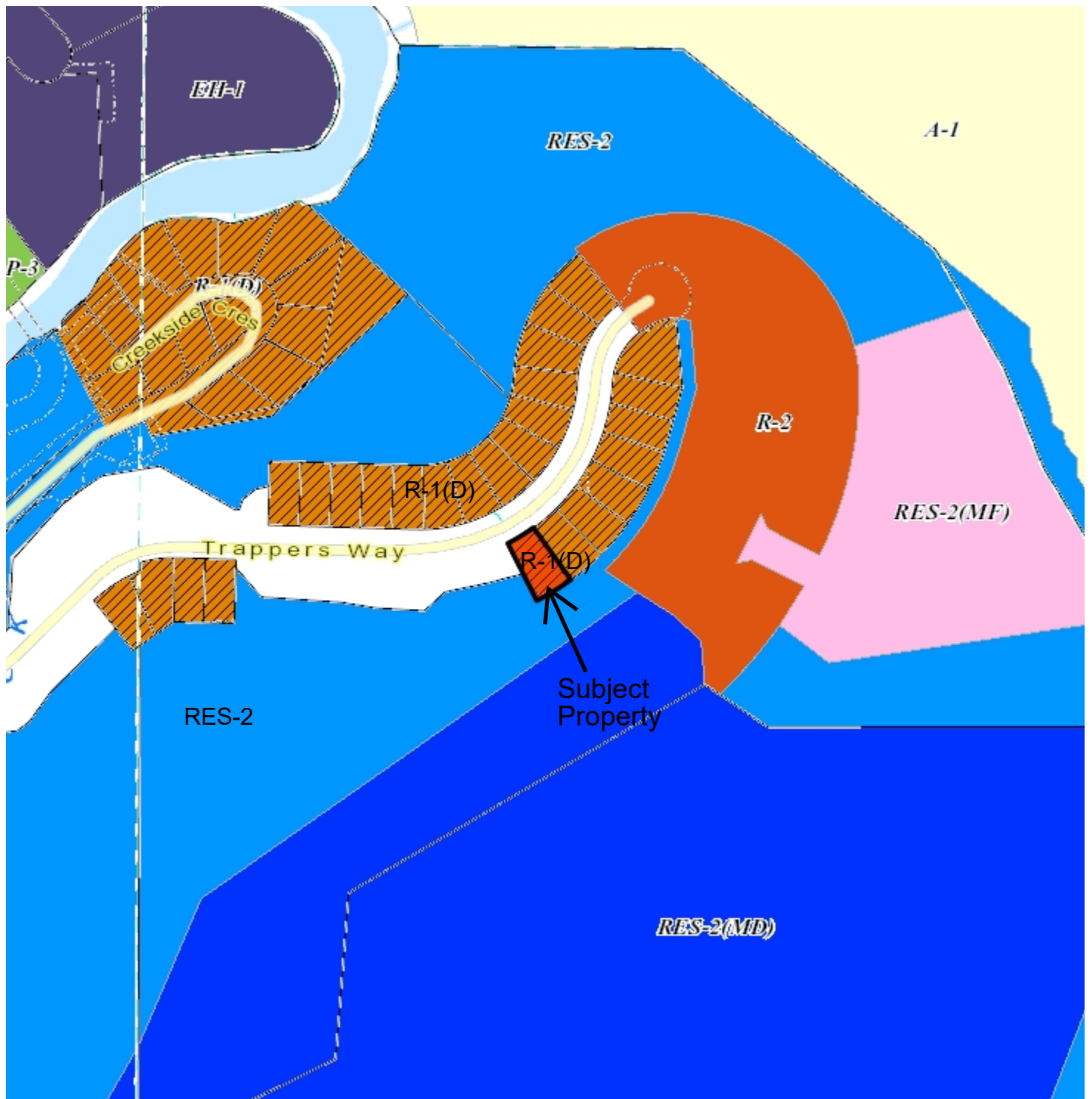


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Zone Designation Map



Notes:

125 0 63 125 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 4-24-2025 2:44 PM

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Scale = 1: 5,000

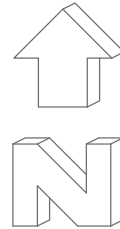


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PROPOSED SITE PLAN

ISSUED FOR:
CONSTRUCTION



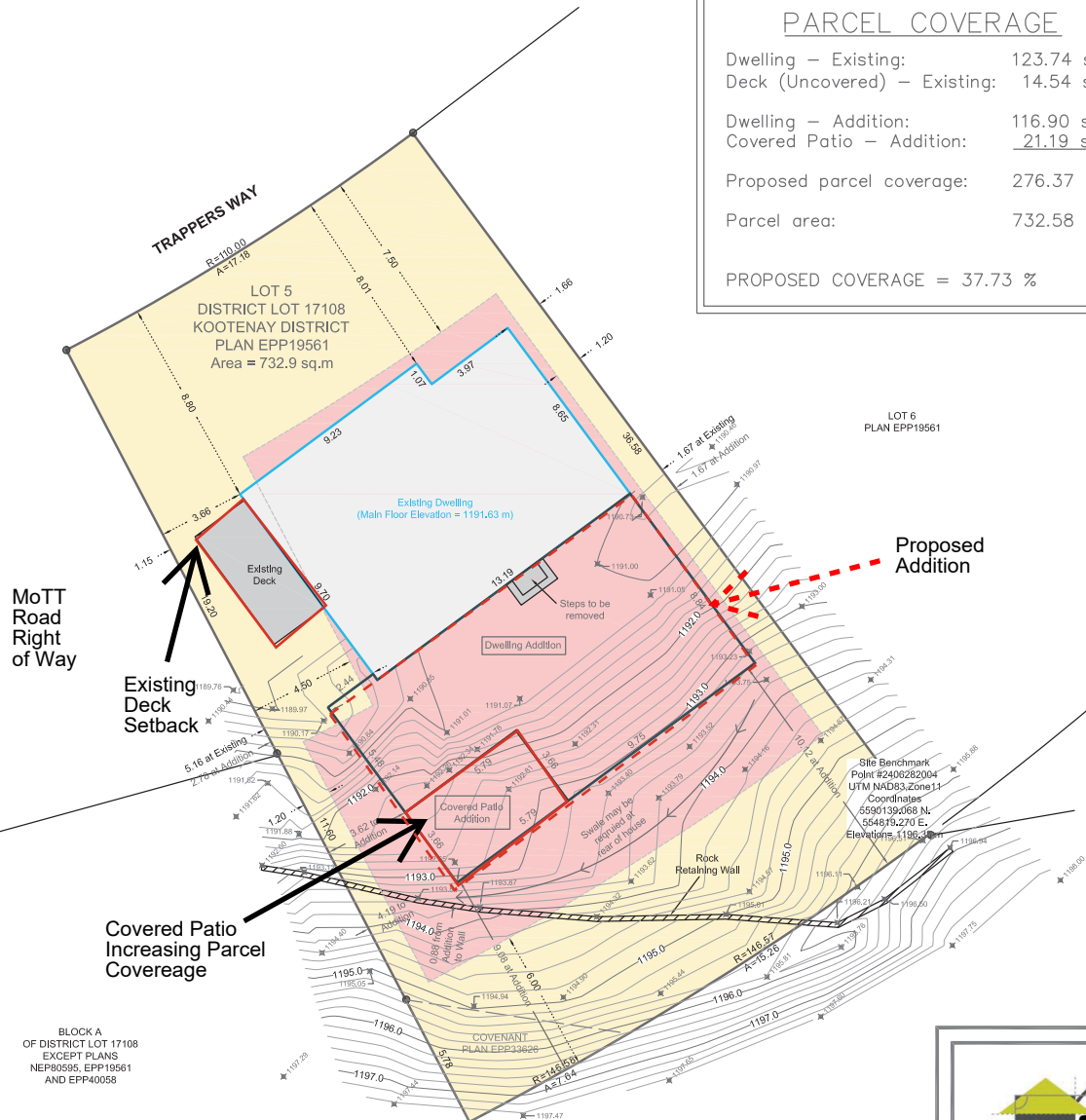
PARCEL COVERAGE

Dwelling – Existing: 123.74 sq m
Deck (Uncovered) – Existing: 14.54 sq m

Dwelling – Addition: 116.90 sq m
Covered Patio – Addition: 21.19 sq m

Proposed parcel coverage: 276.37 sq m
Parcel area: 732.58 sq m

PROPOSED COVERAGE = 37.73 %



(250) 270-0745
stwbuilders.com

Project:
Martin Residence
Addition to Dwelling

Location:
2178 Trappers Way
Panorama, BC

DRAWN: JCM
DATE: Feb 1, 2023
SCALE: 1:200
FILE NAME: Martin
PROJECT #: CD24-017

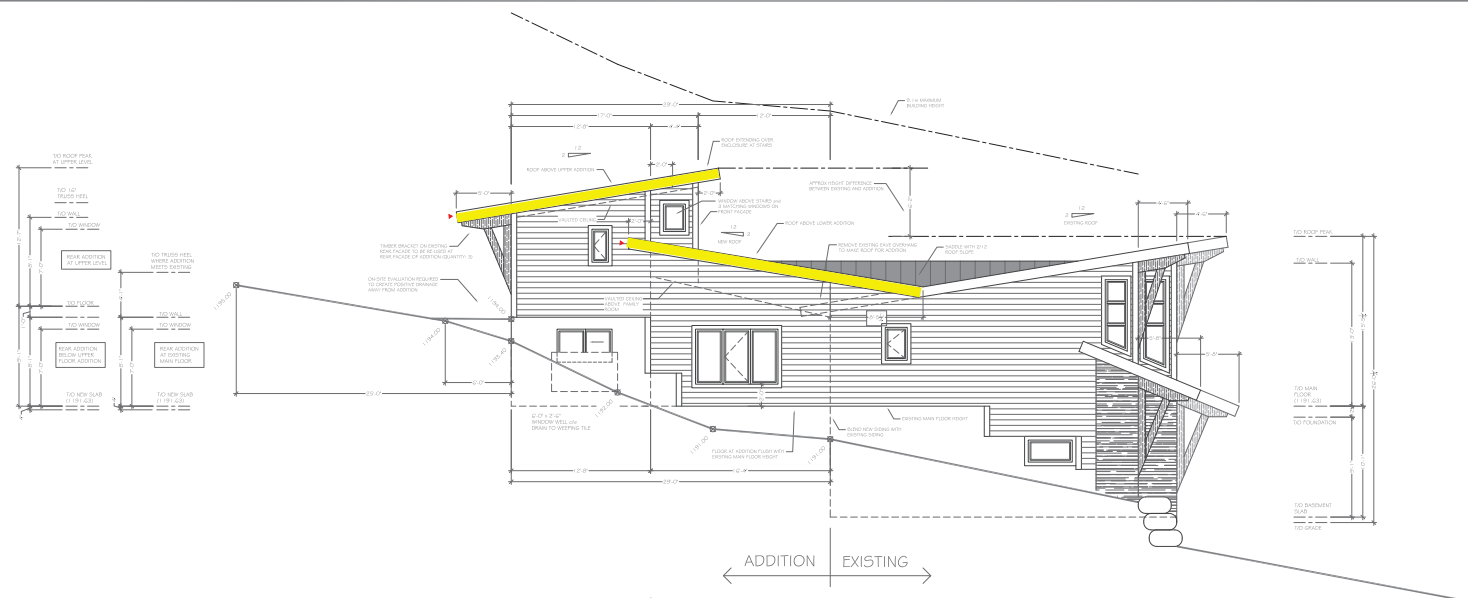
REVISION NOTE **DATE**

COPYRIGHT NOTICE

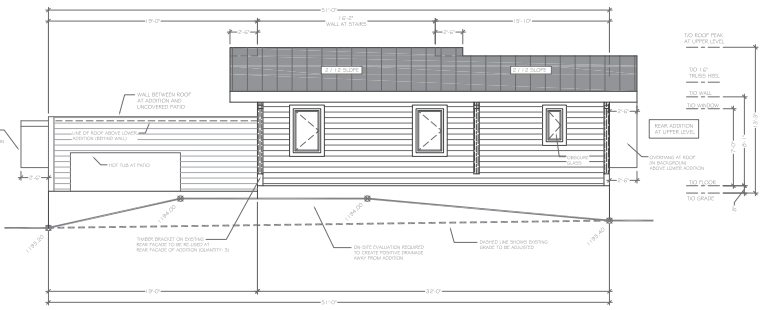
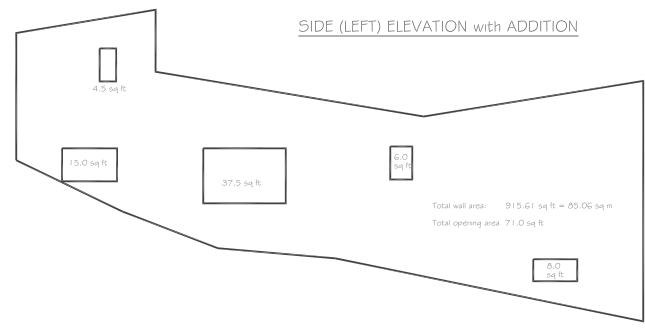
All construction details & dimensions must conform to currently approved building codes, any engineering in the responsibility of the builder. Builder must check & verify all details, dimensions and report any discrepancies to the designer prior to any site construction.
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CORNERSTONE
DRAFTING
cornerstonedraftingservices.com

Site 1 / 1



TOTAL UNPROTECTED OPENINGS	
Net Wall Area	915.61 sq ft (85.06 sq m)
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m
Net Wall Area	1.92 m



250-270-0749
shahid@stw.com

Project Scope:
Martin Residence
Addition to Dwelling

Project Location:
2175 Trappers Way
Panorama, BC

DRAWN: JCM
DATE: Feb 1, 2025
SCALE: 3/16" = 1'-0"
FILE NAME: Martin
PROJECT #: 0224-01

REVIEW/NO: DWE
Marked sheet Feb 29, 2025
Publication Mar 1, 2025

NOTES:
1. All work shall be in accordance with the BC Building Code and the National Building Code of Canada.
2. The client is responsible for obtaining all necessary permits and approvals from the local authority.
3. The contractor is responsible for obtaining all necessary permits and approvals from the local authority.
4. The client is responsible for obtaining all necessary permits and approvals from the local authority.
5. The contractor is responsible for obtaining all necessary permits and approvals from the local authority.

CORNERSTONE DRAFTING
Contact: 403-297-5224
cornerstonedrafting@gmail.com

Arch D sheet (36" x 24")
Scaled at 3/16" = 1'-0"



Notes:

60 0 30 60 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 4-24-2025 2:45 PM

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Scale = 1:2,400



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Google Street View



Krista Gilbert

From: Callum <[REDACTED]>
Sent: Monday, June 9, 2025 4:19 PM
To: Krista Gilbert
Subject: Development Variance Permit No. 19-25

Hi Krista:

We have the following comment on the proposed variance:

"We have no problem with the variance of the existing deck but the extent of the addition seems excessive, given a variance would be needed to build it. My experience with variances in other communities is that they are very difficult to get and used only for circumstances such as the deck or inches or less than a few feet of encroachment over building envelopes. Given that construction has not begun, it is our opinion that the attachment should be held within the building envelope so as not to set a precedence. It still would give them a significant increase in their living space. Having read the proposed permit it appears that RDEK is aware of the periodic creek and will require floodplain management. Of course there is the concern that this is being done to attract customers for a Short Term Rental, which is already an annoyance on the street."

Thank you.

Grant Gillies

Krista Gilbert

From: Robert Flewwelling <[REDACTED]>
Sent: Monday, June 9, 2025 3:56 PM
To: Krista Gilbert
Subject: Development Variance Permit No. 19-25

Good Day Krista:

I am the owner of 2177 Trappers Way, Panorama, BC - (across the street from the subject property)

Unfortunately, as we are not full time residents of Panorama, but rather live full time in Kelowna BC., we did not receive the notification of the request for a variance for the subject property. I have just recently received and reviewed the comments made by Dr. Grant (Cal) Gillies

Previously, for other planning issues, we had asked that our email be added as a method of contact. Though I am not sure Rdek is capable of this form of additional notifications.

I would also suggest that most of the owners of the immediate properties surrounding the subject property are also not full time residents of Panorama, and as such may not have received any notifications. Therefore they would not have had an opportunity to make comments.

At this point, I would like to voice support for Dr. Gillies comments with respect to the request to exceed the building envelope, as well as his other general comments.

I would again draw to attention of Rdek the issue of the overland drainage around this property. When originally built in 2015 – 2016 the drainage coming from behind and down the side of the subject property, flooded every spring into the BC Hydro electrical transformer box. With the overloading of the transformer from the spring runoff, water continued through the conduits to both 2177 Trappers Way and 2075 Trappers Way. In both cases water ending up in the basements of the homes causing damage.

As a result of the flooding, a regrading of the backyard of the subject property was undertaken by the previous owners, as well both 2177 Trappers Way and 2075 Trappers Way required remedial work done on the hydro conduit connections to try to prevent any further flooding. This resulted in a significant expenditure by at least myself.

I would also point out that BC hydro also had to attend to the transformer box on a number of occasions and I would refer Rdek to BC Hydro for further information.

I would like to request if not already a requirement that Rdek make sure that the proposed addition at the subject property, does not detrimentally affect in any way the surface runoff that could result in damage to the other properties on Trappers way or the hydro transformer.

I would also point out to Rdek that presently there is a tie into the street storm sewer that captures water from underneath the subject property. Again, I would request that Rdek make sure that nothing from the construction of the addition detrimentally affects the ability to capture the underground water and direct it into the storm sewer. Causing the water / stream to be allowed to flow freely will more than likely cause damage to the road bed, current infrastructure as well as foundations downstream of the subject property.

Thank – you for your consideration.

Sincerely

Personal information has been withheld in accordance with section 22(1) of the *Freedom of Information and Protection of Privacy Act*.

Rob Flewwelling, PEng.(Civil - retired)

email:

Kelowna BC Landline:

Panorama BC Landline:

Mobile:

Panorama Address

2177 Trappers Way.

Panorama, BC

Kelowna Address

From: Callum

Sent: June 9, 2025 12:34 PM

To: Robert Flewwelling

Subject: Fw: Development Variance Permit No. 19-25

FYI Rob.

Cal

----- Forwarded Message -----

From: Callum

To: Krista Gilbert <kgilbert@rdek.bc.ca>

Sent: Monday, June 9, 2025 at 01:32:40 PM MDT

Subject: Re: Development Variance Permit No. 19-25

Thank you Krista. If the nearest neighbours are not concerned, then my comments should not be formalized and moreso treated as an opinion.

Take care,

Grant

On Monday, June 9, 2025 at 01:23:47 PM MDT, Krista Gilbert <kgilbert@rdek.bc.ca> wrote:

Hello Grant,

Krista Gilbert

From: Robert Flewwelling <[REDACTED]>
Sent: Monday, June 9, 2025 8:18 PM
To: Krista Gilbert
Subject: Development Variance Permit No. 19-25
Attachments: IMG_2779.jpg; IMG_2778.jpg

Good Day Krista

Just thought I would follow up with my previous email.

Attached to this email you will find photos showing the water flowing from the hydro meters at 2177 and 2175 Trappers Way. This occurred as a result of the spring run-off coming from the subject property in the Spring of 2018. The flow of water that came from the subject property flooded the hydro transformer box and then through the hydro conduits to the 2177 and 2175 Trappers way and up through the foundations of the 2 homes.

The flow was actually strong enough to physically blow the hydro meter off the wall of the home at 2175 Trappers way.

As you can appreciate I am very concerned that we do not see a reoccurrence of this issue.

You are welcome to share the attached with the committee.

Sincerely

Rob Flewwelling, PEng.(retired)

email: [REDACTED]

Kelowna BC Landline: [REDACTED]

Panorama BC Landline: [REDACTED]

Mobile: [REDACTED]

Photos Submitted with Email:





Request for Decision Development Variance Permit Application

File No: P 725 556
Reference: DVP 23-25
Date: June 19, 2025

Subject: DVP No. 23-25 (Windermere / McIver)
Applicant: Christine and Richard McIver
Agent: Natasha Wilson, Global Raymac Surveys
Location: 1847 Victoria Avenue, Windermere
Legal: Lot A District Lot 8 Kootenay District Plan EPP54602
(PID: 029-647-461)

Proposal: Application to reduce the minimum parcel area based on the level of servicing from 1390 m² to 464 m² to facilitate a two lot subdivision with each parcel being serviced by a community water system and individual onsite sewage disposal.

Options:

1. THAT Development Variance Permit No. 23-25 (Windermere / McIver) be granted.
2. THAT Development Variance Permit No. 23-25 (Windermere / McIver) be refused.

Recommendation: Option #1

The proposed parcels have been assessed by a Registered Onsite Wastewater Practitioner (ROWP) and suitable primary and backup dispersal areas have been identified for each parcel. The backup dispersal areas have been suitably protected from development to ensure long term viability of onsite sewage disposal on both proposed parcels. This satisfies the RDEK Subdivision Servicing Bylaw and Interior Health Authority.

**Property
Information:**

OCP Designation: R-SF, Residential Low Density which supports single family residential subdivisions, duplexes and zoning that supports secondary suites.

OCP Policies:

- New multi-parcel subdivisions of single family or greater density should be serviced by community water and sewer systems.
- A mix of residential densities is supported within the plan area.
- Where onsite sewage disposal is utilized for new or redesigned septic systems, the use of Type 1 septic systems as defined by the Sewerage System Regulation under the Public Health Act is preferred where site conditions permit their installation. Type 1 systems are generally preferred as they are more reliable over time if the maintenance program is followed.

**Property
Information -
cont'd:**

Zone Designation: R-1(D), Single Family Residential (Resort) Zone
(minimum parcel size: 400 m²)

Parcel Size:

Existing - 0.09 ha (0.23 ac / 926 m²)
Proposed – 464 m² per parcel

Density: One single family dwelling and one secondary suite within the
single family dwelling is permitted per parcel

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Low, within the Windermere Fire Protection
Area

BC Assessment: Residential (SFD)

Water and Sewer Services: The application proposes to connect to the
RDEK East Side Lake Windermere Community Water System and have
individual onsite sewage disposal systems. A report from a Registered
Onsite Wastewater Practitioner was submitted with the rezoning
application, which confirms that each lot has adequate area for two suitable
dispersal areas for a Type 1 system. There is an existing onsite sewage
disposal system on the property servicing the existing house.

Flood Hazard Rating: The subject property is not identified as being within
a flood hazard rating area.

**Professional
Studies:**

None.

**Additional
Information:**

- The property was historically two lots until they were amalgamated in 2015.
- In April 2025, Bylaw No. 3375 was adopted rezoning the parcel from R-1 to R-1(D) to facilitate the proposed subdivision.
- As part of the bylaw amendment process the owners offered to register a covenant on title restricting construction of buildings, structures or hardscape on the area identified in the submitted ROWP report to ensure the backup sewage disposal area is preserved for future use, if needed.
- A subdivision referral from the Ministry of Transportation and Transit has not been received by the RDEK at this time.

Consultation:

APC Area F: Support recommended

Response(s) to Notice: 58 notices were mailed on June 4, 2025 to all
property owners within 100 m. One notice was returned as undeliverable
and one response has been received expressing opposition for the
application.

**Documents
Attached:**

- Permit
- Location Map
- Land Use Map
- Zone Designation Map
- Proposed Subdivision
- Aerial Photo
- Notice Response

**RDEK
Contact:**

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

Permittee: Christine and Richard McIver

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 A District Lot 8 Kootenay District Plan EPP54602 (PID 029-647-461)
3. Regional District of East Kootenay – Columbia Valley Zoning Bylaw 3255, 2023, Section 2.2, is varied to reduce minimum parcel area based on the level of servicing from 1390 m² to 464 m² to facilitate a two lot subdivision with each parcel being serviced by a community water system and individual onsite sewage disposal.
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 information submitted in the Development Variance Permit application received March 24, 2025.
5. This permit is subject to the proposal complying with all other bylaw requirements.
6. This Permit shall come into force on the date of an authorizing resolution passed by the RDEK.
7. This Permit is not a building permit.
8. If development authorized by this Permit does not commence within two years of the issue date of this Permit, the Permit shall lapse.
9. 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.
10. 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.
11. 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** _____ **, 2025.**

Tina Hlushak
Corporate Officer

Location Map



Notes:

375 0 188 375 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 1-8-2025 2:50 PM

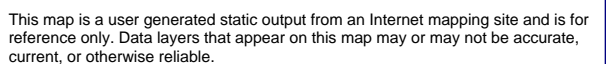
Page 178 of 183

Scale = 1: 15,000



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Zone Designation Map



Notes:

63 0 31 63 Meters

Scale = 1:2,500



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SITE SURVEY AND PROPOSED SUBDIVISION OF LOT A
SHOWING
LOT A DISTRICT LOT 8
KOOTENAY DISTRICT
PLAN EPP54602



The intended plot size of this plan is
560 mm in width by 432 mm in height (C size)
when plotted at a scale of 1:200.

NOTES:

Distances are in metres and decimals thereof
Distances shown are horizontal and at ground level.
Drawing and associated coordinates are Grid (UTM NAD 83, Zone 11 CM 117°W)
Combined Scale factor is 0.999540.
Elevations are based on geodetic datum (CGVD28 HT2_0) derived from GNSS
Observations to British Columbia Active Control Point 164418, Elevation = 843.962
Contours derived from field survey data.
Parcel boundary dimensions are derived from Kootenay District Plan EPP54602.

This plan was prepared for design purposes and is for the exclusive use of our client.
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LEGEND:

ABBREVIATIONS AND SYMBOLS THAT MAY APPEAR ON THIS PLAN.

Spot elevation shown thus.....	Fire Hydrant shown thus.....	
Power Line shown thus.....	Standard Iron Post shown thus.....	
Major Contour shown thus.....	Power Pole shown thus.....	
Minor Contour shown thus.....	Pole Anchor shown thus.....	
Building Envelope Area shown thus.....	Building Foundation Line shown thus.....	
Lot Setback Area shown thus.....	Fence Line shown thus.....	
Major Contour spacing is 0.5m	Gravel Road shown thus.....	
Minor Contour spacing is 0.1m		

Civic Address: 1847 Victoria Avenue, Windermere, BC

PID: 029-647-461

Title No: CA9010877

Title Search: 21st February 2024

Zoned: R-1

Lot A is subject to the following non financial charges and interests which
may affect the positioning of structures on the property:
None

*** This plan represents the best information available at the time of survey. GLOBAL RAYMAC SURVEYS INC.
and its employees take no responsibility for the location of any underground conduits, pipes or other facilities whether shown on or omitted
from this plan. All underground installations should be located by the respective authorities prior to construction. ***

CALL BC ONE CALL: 1-800-474-6886 bc1c.ca

REVISIONS

REV.	DESCRIPTION	DATE
0	ORIGINAL PLAN ISSUED	04 Mar 2024

global raymac

GLOBAL RAYMAC LAND SURVEYING
& ENGINEERING LTD

10228 7th Avenue, Invermere, BC V0A 1K0
Ph: 250.409.5157 www.globalraymac.ca

Client: Richard McIver

Client File No.: XXXXXXXX

Date: July 5th, 2024

Job No.: 221X

Surveyed: JDR

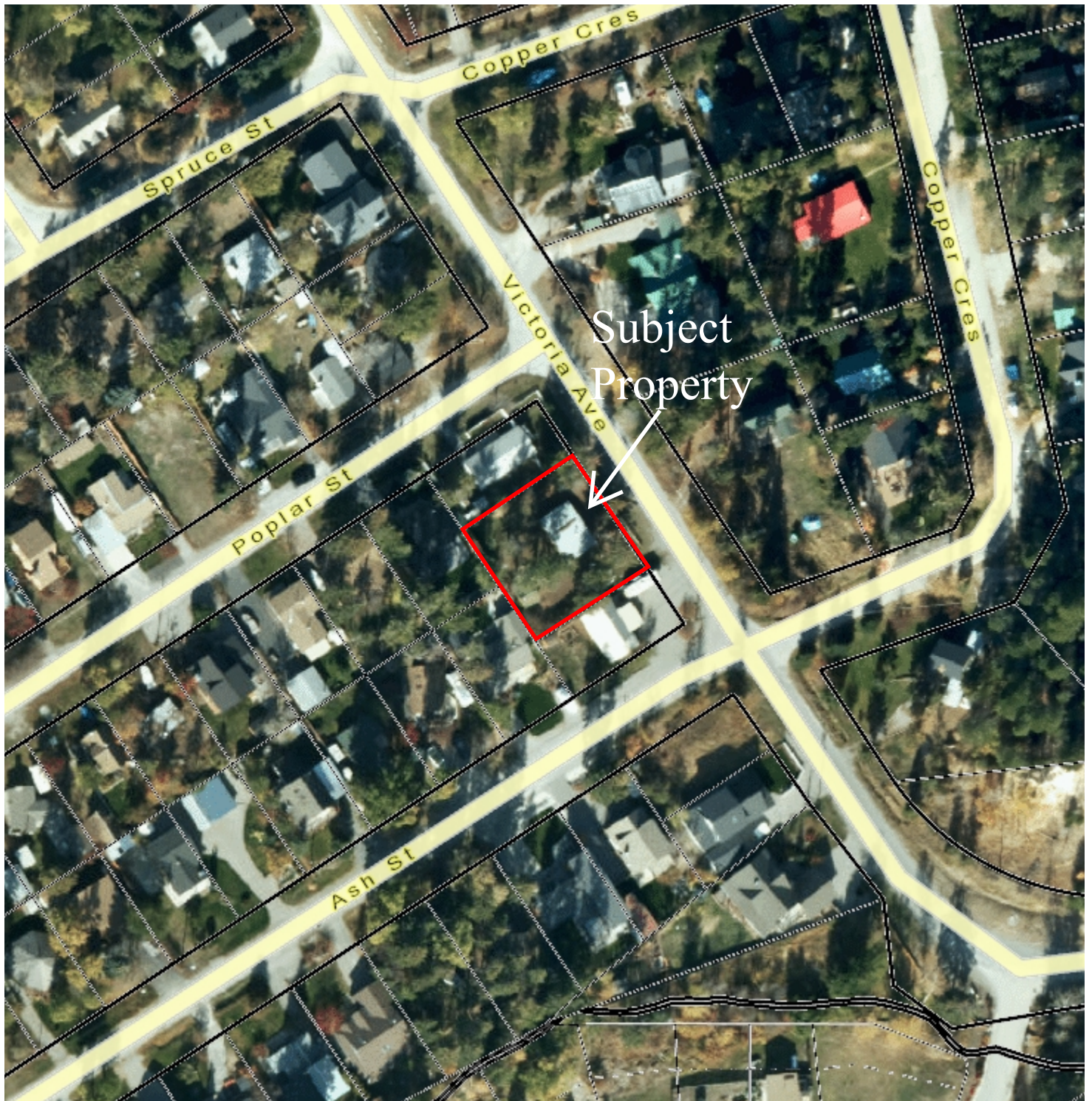
Checked: AB/DRS

Drawn: VK/NOW

GRS File No.: 24IX0003.dwg



Aerial Photo



Notes:

50 0 25 50 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 1-8-2025 3:56 PM

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Scale = 1:2,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

Krista Gilbert

From: Lucy Boulton-Mills [REDACTED]
Sent: Tuesday, June 10, 2025 3:00 PM
To: Krista Gilbert
Subject: Notice of Intent Development permit No. 23-25

Hi, we are owners at 4684 Poplar St. Windermere BC . We received the notice of intent to subdivide the property at 1847 Victoria Avenue.

Should said property is subdivided, our property would be directly bordered by 5 different properties, which we feel would adversely effect both our property value and privacy.

We are opposed to this subdivision and would like to know what process we need to follow to submit our opposition.

Thank you

Lucy Boulton-Mills