



# BYLAW REFERRAL

You are requested to comment on the attached bylaw for potential effect on your agency's interests. We would appreciate your response within **31 days**. The bylaws are expected to be presented to the Board on **November 8, 2024**.

**Contact:**  
Krista Gilbert, Planning Technician  
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**email:** [kgilbert@rdek.bc.ca](mailto:kgilbert@rdek.bc.ca)

Date: September 10, 2024  
Bylaw Nos: 3317 & 3318  
Bylaw Name: Lyttle Lake / Vertz  
File No.: P 724 510

## PURPOSE OF BYLAW:

To amend the official community plan and zoning bylaw designations of portions of the property for future development. The OCP land use designation is proposed to be amended from CR, Commercial Recreation, R-SF, Residential Low Density and R-MF, Residential Multi-family to SH, Small Holdings. The zoning designation is proposed to be amended from RES-2, Community Commercial Zone, R-1, Single Family Residential Zone and R-3, Multiple Family Residential – Medium Density Zone to SH-2, Small Holding Semi-Rural Zone.

## LEGAL DESCRIPTION & GENERAL LOCATION:

Lot 1, District Lot 4596, Kootenay District, Plan 4023 except Plans NEP22509 and NEP69091.  
(PIDs: 014-973-499).  
The subject property is located on 3453 Kootenay #3 Road between Windermere and Fairmont.

### PARCEL SIZE:

117 ha (289 ac)  
Area Under Application:  
approx. 47.7 ha (118 ac)

### ALR STATUS:

Not Within the ALR

### CURRENT ZONING & OCP DESIGNATION:

OCP: Multiple - R-MF, Residential Multi-Family, CR, Commercial Recreation & R-SF, Residential Single-Family  
Zoning: Multiple – RES-2, Resort Recreation, R-3, Multi-Family residential – Medium Density & R-1, Single Family Residential

## OTHER INFORMATION:

**General Information:** The proposal is to assist the property owners with family legacy planning, with the intention of creating parcels for family members. The proposed SH-2 zoned lands would be for residential development and the remaining RES-2 land would be used primarily for recreation activities of the family members. There are no plans to develop community/commercial facilities at this time. The application notes that residential development will likely occur in two phases: four residences in the next ten years for the owner and their children, and the remainder over the next forty years for grandchildren.

**Proposed Density:** The application proposes creation of 24 new 1 ha lots and a large remainder. The proposal could allow for up to 47 1 ha parcels to be created. Currently, the zone designations allow for 890 residences of varying densities.

**Access and Roads:** Access to the proposed lots is from Kootenay #3 Road and use of an existing internal access road

**Servicing:** Individual onsite sewage disposal systems proposed. A combination of individual water wells and an existing water licence for Lyttle Lake is proposed. Servicing must meet RDEK Subdivision Servicing Bylaw requirements.

Please fill out the Response Summary below. If your agency's interests are **unaffected** no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy, which would affect our consideration of this bylaw.

Karen MacLeod, Planning Supervisor  
Development Services

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This referral has been sent to the following Ministries and referral agencies:

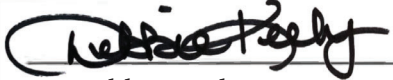
- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Interior Health Authority           | <input type="checkbox"/> Resort Mountain Branch (TACS)                       |
| <input checked="" type="checkbox"/> Transportation & Infrastructure     | <input type="checkbox"/> Housing   |
| <input checked="" type="checkbox"/> MECCS - Parks & Protected Areas     | <input type="checkbox"/> Municipal Affairs                                   |
| <input checked="" type="checkbox"/> MECCS - Recreation & Trails         | <input checked="" type="checkbox"/> Ktunaxa Nation Council (including Aq'am) |
| <input checked="" type="checkbox"/> MWLRS- Water Management             | <input checked="" type="checkbox"/> ?Akisqnuq First Nation                   |
| <input type="checkbox"/> MWLRS – Resource Stewardship (Fish & Wildlife) | <input checked="" type="checkbox"/> Shuswap Band                             |
| <input type="checkbox"/> MWLRS - Land Authorizations                    | <input type="checkbox"/> Yaqit ?a-knuqli'it (YQT)                            |
| <input type="checkbox"/> MoF - Resource Management (Forests & Range)    | <input type="checkbox"/> School District #5                                  |
| <input type="checkbox"/> Energy, Mines & Low Carbon Innovation          | <input checked="" type="checkbox"/> School District #6                       |
| <input type="checkbox"/> Agriculture & Food                             | <input checked="" type="checkbox"/> Other: Telus                             |
| <input type="checkbox"/> Agricultural Land Commission                   | <input type="checkbox"/> Municipality:                                       |

**BYLAW REFERRAL  
RESPONSE SUMMARY**

[ ] Interests unaffected by bylaw

Concerns/Comments:

MOTI has concerns with the highway access off Kootenay No. 3 Rd. This will have to be address during the subdivision process. Road improvements are development driven and will be at the developers expense. Accesses onto Kootenay No 3 Rd and dedicated roads or common lot accesses within the property will also be the responsibility of the developer.

Signed by:	
Print Name:	Debbie Keely
Title:	Development Officer
Agency:	Ministry of Transportation and Infrastructure
Date:	Sept. 24, 2024