

Permittee: Thomas and Brenda Fenwick & Brian, Ernest and Frances Malacko

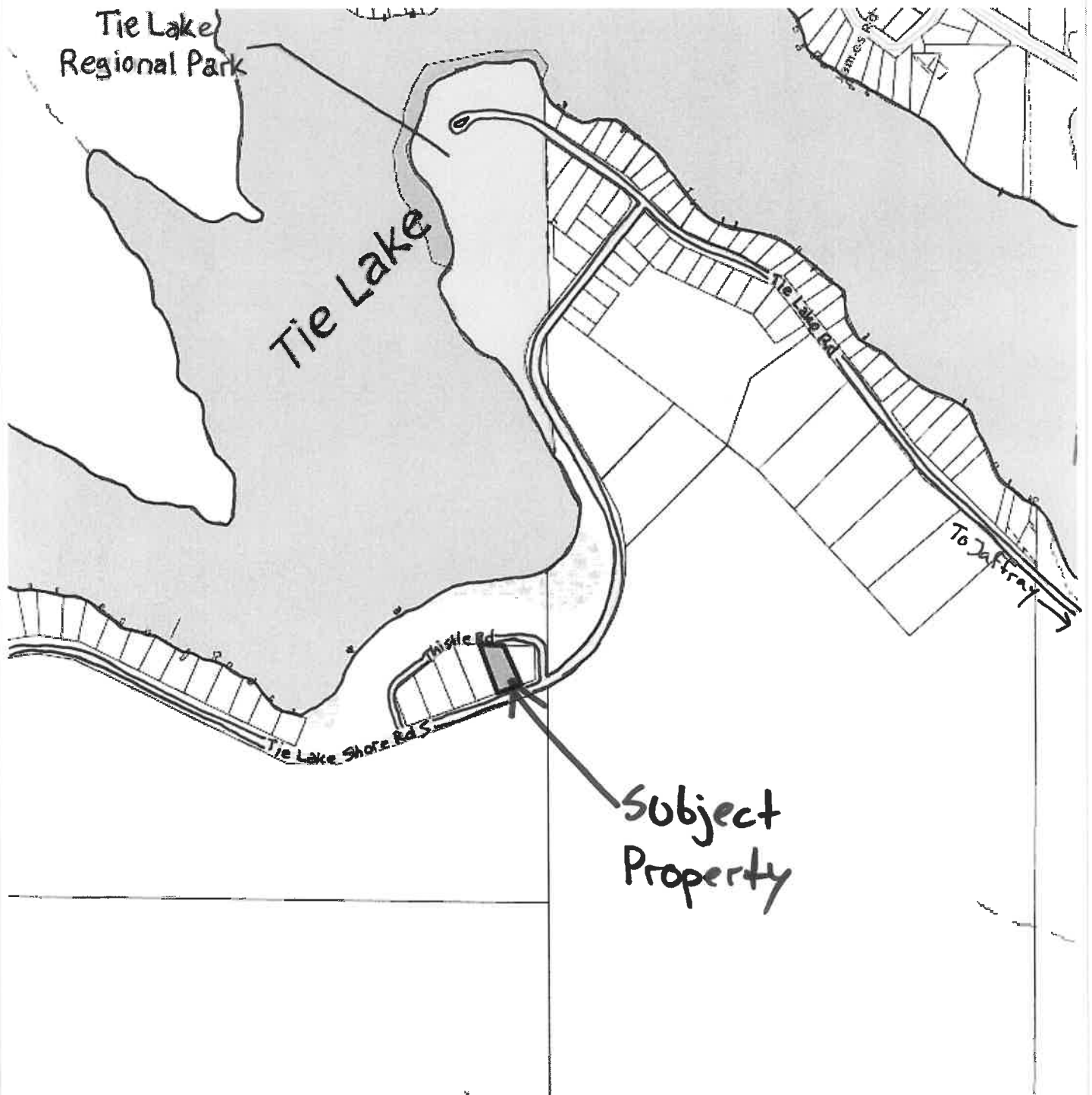
1. This Development Variance Permit is issued subject to compliance with all RDEK bylaws applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands described below:

Lot 27, District Lot 4590, Kootenay District, Plan 4883
[PIDs: 005-378-397]
3. Regional District of East Kootenay – Subdivision Servicing Bylaw No. 1954, 2008, Section 10.01 (1), which requires all new parcels created by subdivision to provide sufficient quantities of potable water, is waived for Proposed Lot 1 to allow the use of an existing cistern in a two lot subdivision of the subject property.
4. Regional District of East Kootenay – Subdivision Servicing Bylaw No. 1954, 2008, Section 10.01 (1), which requires all new parcels created by subdivision to provide sufficient quantities of potable water, and Section 11.01 (1), which requires proof of adequate sewage disposal capability, are waived for Proposed Lot 2 in a two lot subdivision of the subject property.
5. Regional District of East Kootenay – Jaffray, Tie lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 Section 6.01 (2) which regulates the minimum usable site area requirements, is reduced to 1500 m² for the lots in a proposed two lot subdivision.
6. The lands described herein shall be developed strictly in accordance with the terms and conditions of this Permit and in substantial compliance with the development variance permit application received on November 19, 2019.
7. This Permit is only valid if a restrictive covenant is registered on the title of proposed Lot 2 prohibiting renovations, additions or other construction until proof of potable water and proof of sewerage disposal capability is provided to the RDEK.
8. This Permit shall come into force on the date of an authorizing resolution passed by the RDEK.
9. This Permit is not a building permit.
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** _____ **, 2020.**

Shannon Moskal
Corporate Officer

Location Map



Notes:

350 0 175 350 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 12-2-2019 3:17 PM

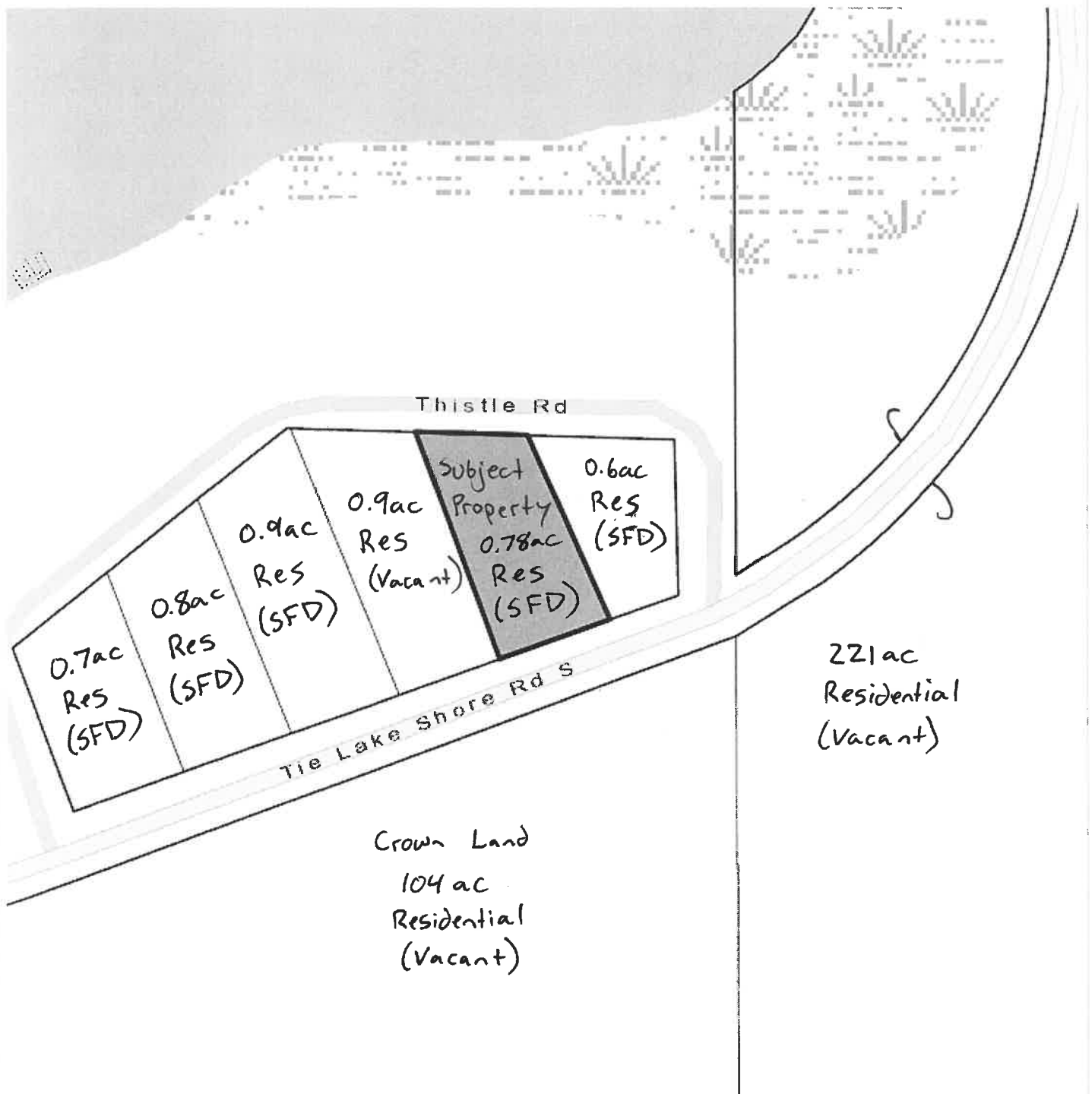
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THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Land Use Map



Notes:

75 0 38 75 Meters

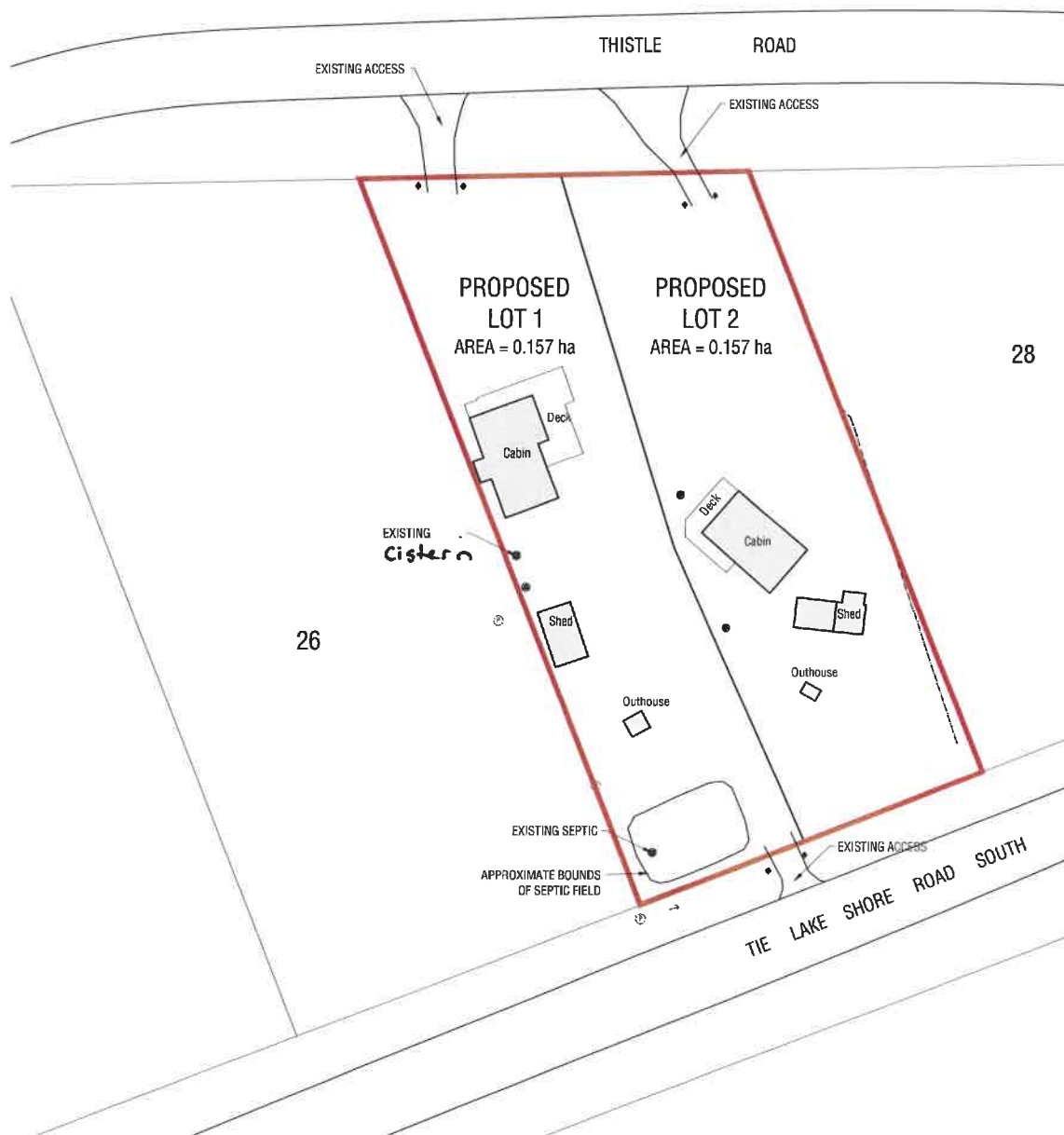
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RDEK GeoViewer - 12-2-2019 3:18 PM

Scale = 1: 3,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

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PROPOSED SUBDIVISION

Legal Description: Proposed Lot 1, District Lot 4590, Kootenay District Plan EPP

Registered Owner: Thomas and Brenda Fenwick
PO Box 655
Turner Valley, AB T0L 2A0

Parcel Area: 0.157 Hectares (0.38 Acres)

Zoning: RS-1(A) Residential Single Family (A)

Legal Description: Proposed Lot 2, District Lot 4590, Kootenay District Plan EPP

Registered Owner: Brian Malacko, Frances Malacko, Ernest Malacko
522 Dieppe Boulevard
Lethbridge, AB T1J 3X5

Parcel Area: 0.157 Hectares (0.38 Acres)

Zoning: RS-1(A) Residential Single Family (A)

HAWORTH
Development Consulting

Box 223, Suite 203, 920 - 7th Avenue,
Vancouver, British Columbia V6A 1H0
T: 250.542.1227

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REVISIONS

| NO. | DATE | DESCRIPTION |
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FENWICK / MALACKO PROPERTY

15th STREET ROAD
TIE LAKE SHORE ROAD

| | |
|-----------------|--------------|
| SCALE: | AS NOTED |
| DATE: | 14 SEPT 2019 |
| ISSUED FOR: | DEVELOPMENT |
| PROJECT NUMBER: | 12126 |
| DESIGN BY: | RH |
| DRAWN BY: | RH |

DRAWING TITLE PROPOSED PLAN OF SUBDIVISION

DRAWING NUMBER