

Permittee: Narachard Holdings Ltd., Inc. No. 0984688

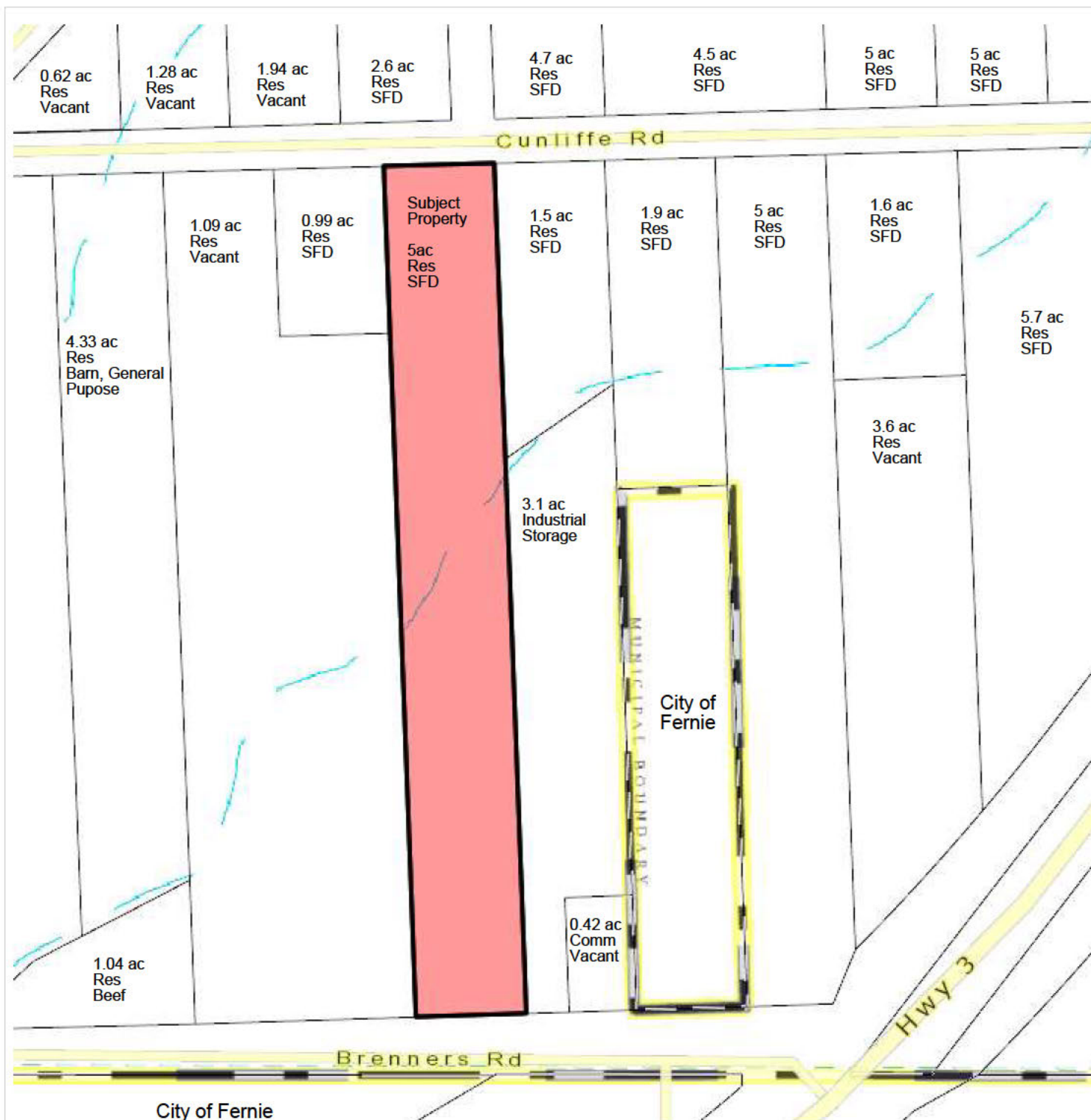
1. This Development Variance Permit is issued subject to compliance with all RDEK bylaws applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Permit applies to and only to those lands described below:

Lot 12 District Lot 4139 Kootenay District Plan 802 (PID: 016-016-891)
3. That Regional District of East Kootenay – Elk Valley Zoning Bylaw No. 829, 1990”, Section 7.09(5)(b)(iii), be varied to reduce the eastern interior side yard setback from 1.5 m to 0.03 m, from the parcel line to the eave, for placement of an accessory structure.
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 on January 27, 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 and Land Use Map



Notes:

100 0 50 100 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 4-3-2025 10:38 AM

Scale = 1:4,000



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.

Aerial Map



Notes:

80 0 40 80 Meters

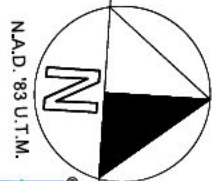
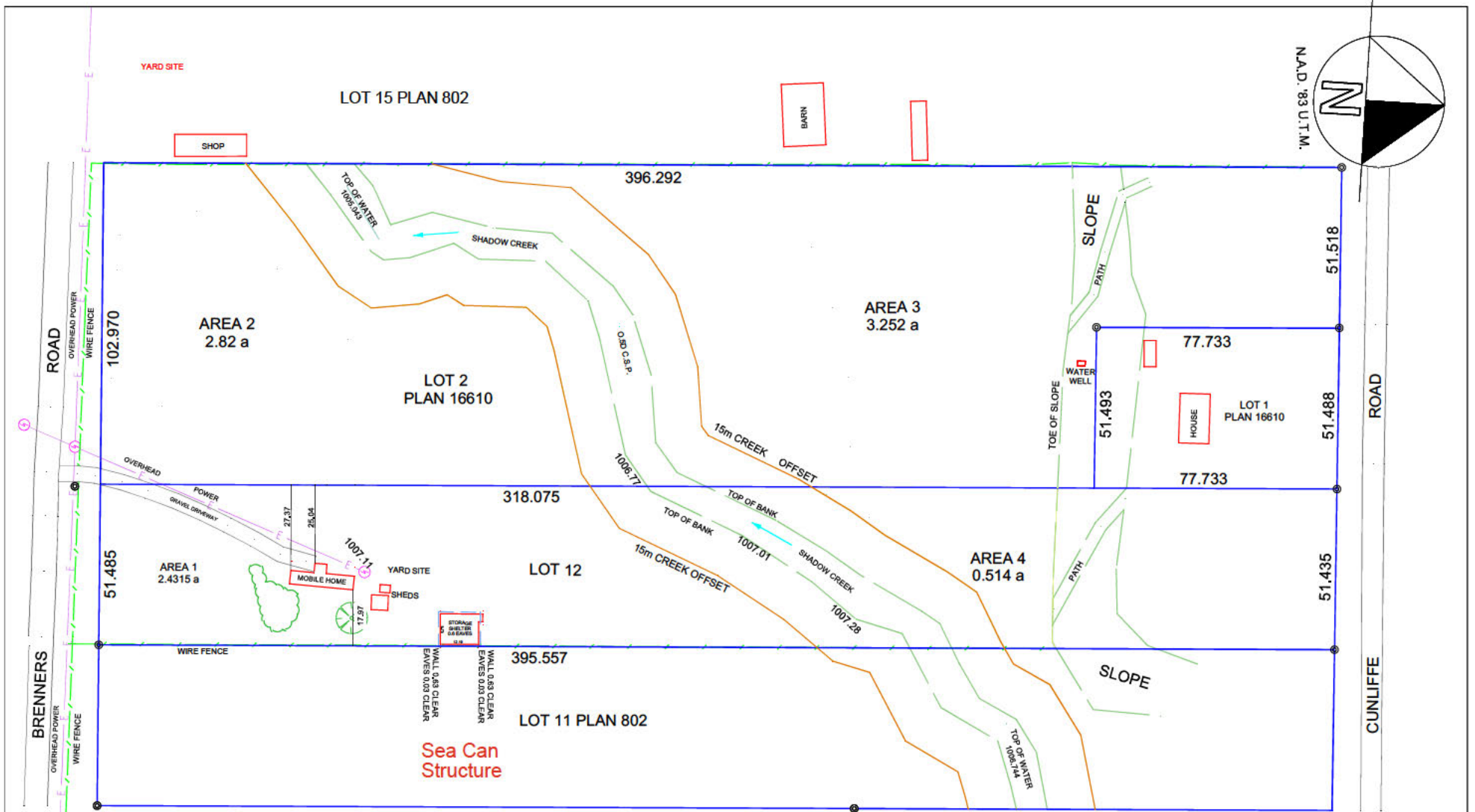
WGS_1984_Web_Mercator_Auxiliary_Sphere
RDEK GeoViewer - 4-3-2025 11:25 AM

Scale = 1:3,200

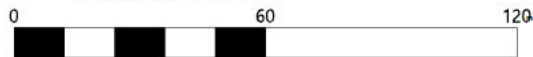


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NOTES: AREAS 1 & 2 ARE CALCULATED USING THE BOUNDARY LINES
AND THE SHADOW CREEK 15m OFFSET LINES
AREAS 3 & 4 ARE CALCULATED USING THE BOUNDARY LINES,
THE TOE OF SLOPE AND THE SHADOW CREEK 15m OFFSET LINES
MAJOR CONTOUR INTERVALS ARE 1m
SPOT ELEVATIONS ARE DERIVED FROM GPS TIES TO G.C.M. 44768
ELEVATION : 1007.338




ALIGN Surveys Ltd.

SHANE STOTHERT

Surveyed By:	A.W.	Project:	6135 BRENNER ROAD, FERNIE, B.C.	Job No.:	15-002
Drawn By:	M.B.	Title:	TOPOGRAPHIC SURVEY OF LOT 12 PLAN 802, DL 4139 K.D. AND LOT 2, PLAN 16610, DL 4139 K.D.	CAD File:	
Checked By:	A.W.			Date:	2025-03-27 15:40:11 6135 BRENNER RD
Approved By:	A.W.			Drawing No.:	03 / MAR / 2025
Scale:	1 : 1500 @ A3			Sheet No.:	004
					1 OF 1

Site Photo



Jennifer MacDonald

Subject: FW: DVP # 13-25

From: [REDACTED]
Sent: Tuesday, April 22, 2025 3:00 PM
To: Jennifer MacDonald <jmacdonald@rdek.bc.ca>
Cc: Michele Bates <mbates@rdek.bc.ca>; [REDACTED]
Subject: FW: DVP # 13-25

To: Jenn MacDonald, Planner, RDEK Board

I am writing to oppose the DVP 13-25, Shane Stothert, Narachard Holdings. My surveyor has sent me a drawing and a letter stating that the structure in question is on my side of the property line. Therefore a Variance is not possible. I have forwarded the email with the attached Autocad drawing file. You can download a free *.dwg viewer if you do not have AutoCad.

[Download Autodesk Viewers | Free Online Viewers | Autodesk Official](#)

I am concerned about a number of things. I am concerned that in the future this will affect my ability to develop my property as I see fit. Could this building present a fire hazard that prevents me from building near it in the future? According to the BC fire code the setback for this area is 8'.

Shane has built a structure without a building permit, what else is not to code? Shane has built 5 structures on his property, all without building permits and 4 structures are in the setback. They range from insulated with interior paneling and heating units in c-cans, a walk-in cooler shed with 240V electricity, Three C-cans connected together with a membrane roof, heat pump, air-conditioning units, water and power. This would set a precedent forcing me to accept these other structures in the setback as well.

One of the biggest problems is snow in my driveway. One of the reasons I filed a complaint was because of the snow sliding off the roof onto my driveway that I have to plow. I had asked Mr. Stothert to put up snow stops, I even brought some for him to use and he refused saying he didn't want to overload the roof. He did put up some snow tabs after the complaint was filed but they do not stop all the snow as they do not extend the full width and do not go all the way to the bottom. I also have higher accumulation in that area due to the wind moving and depositing snow.

Hardship. What is the hardship here for Shane to come into compliance? At one point Mr. Stothert told me he had two estimates to move the structure, one was for \$4,500 and the other was for approximately \$9,000. The structure is resting on railroad ties, it is not fastened to the ground and there is no concrete. I have worked on projects involving moving buildings and this one would be pretty easy. The structure serves no economic purpose for the owner. It is part of his hobby farm. Mr. Stothert has the funding ability to pay for a move, he lives on the a ski run at Fernie Alpine Resort and his company paves hundreds of kilometers of roads in BC every year. As former RDEK director Ange Qualizza put it to me when I was complaining about the cost of screening "you can't afford it, or don't want to?" Why should I face a hardship in perpetuity when the solution is quite simple and affordable.

I am very concerned that in the future when it is time to sell my business and land that I will have to disclose this encroachment and it could lead to a failed sale.

I do not trust Shane Stothert to do the right thing in the future. He has placed structures against the property line up beside our house with motion sensor lights and plastic bags to set off the lights all night long. There are cameras pointed toward our bedroom door and lights on all night long. There are NO trespassing signs with expletives (F you and F off) facing my property. I have never trespassed on his property.

Is not a DVP application site drawing supposed to show ***all*** structures on the property? It does not. To me his site map seems misleading and lacking. I have attached a crudely modified site map. If you go to google maps the aerial view shows the other structures and our driveway.

I am not overly concerned with what Shane does on his property but I am very concerned what he does on my property. I feel that I have valid concerns about this DVP and I am asking for it to be denied.

Thank you
Gary Tomlinson
Ghostrider Storage

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

██████████
6145 Brenner Rd.
Fernie, BC. ██████████
██████████

CUNLIFFE ROAD



BRENNERS ROAD