

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

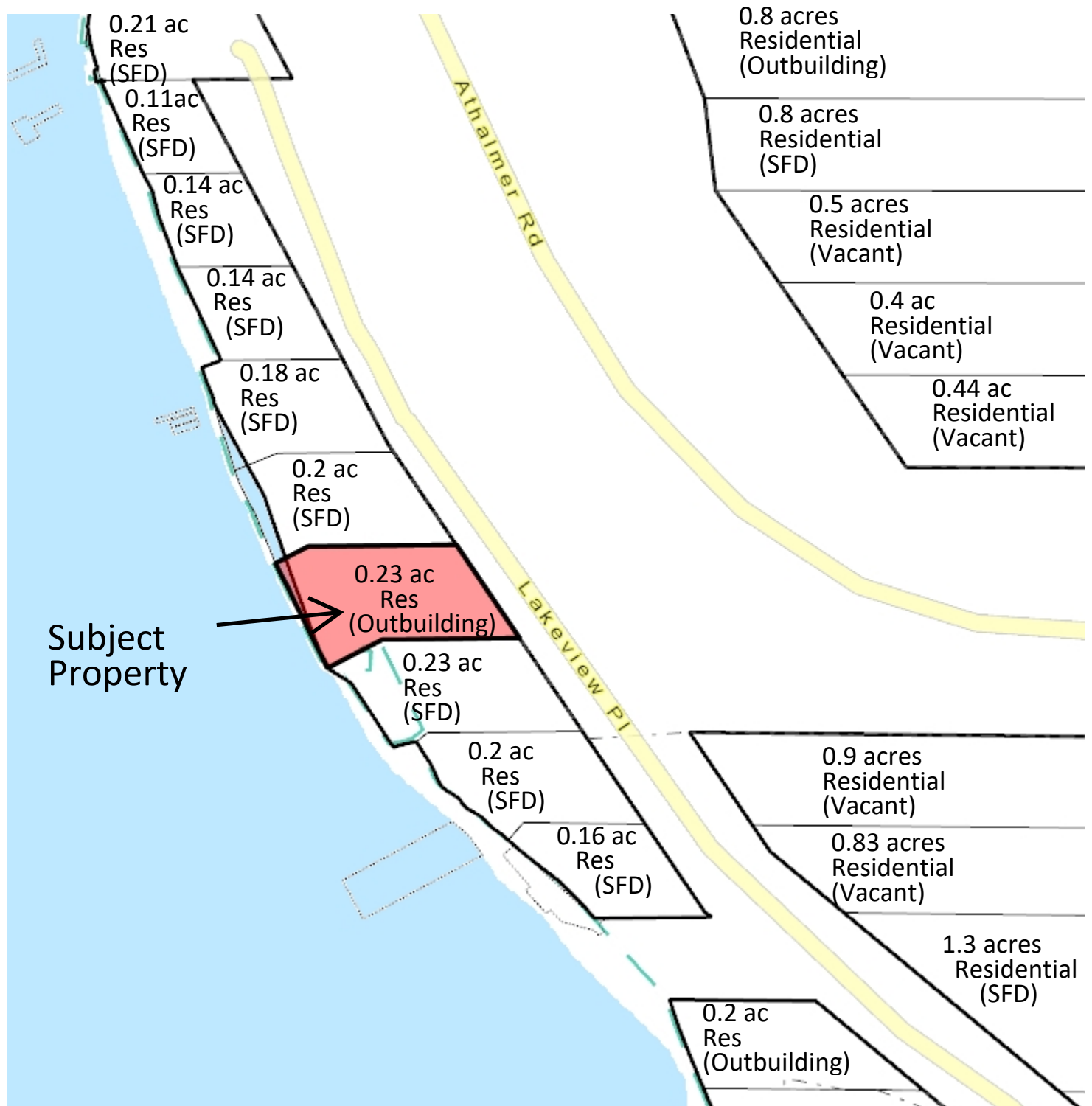
Scale = 1 : 10,000



THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Land Use Map



Notes:

50 0 25 50 Meters

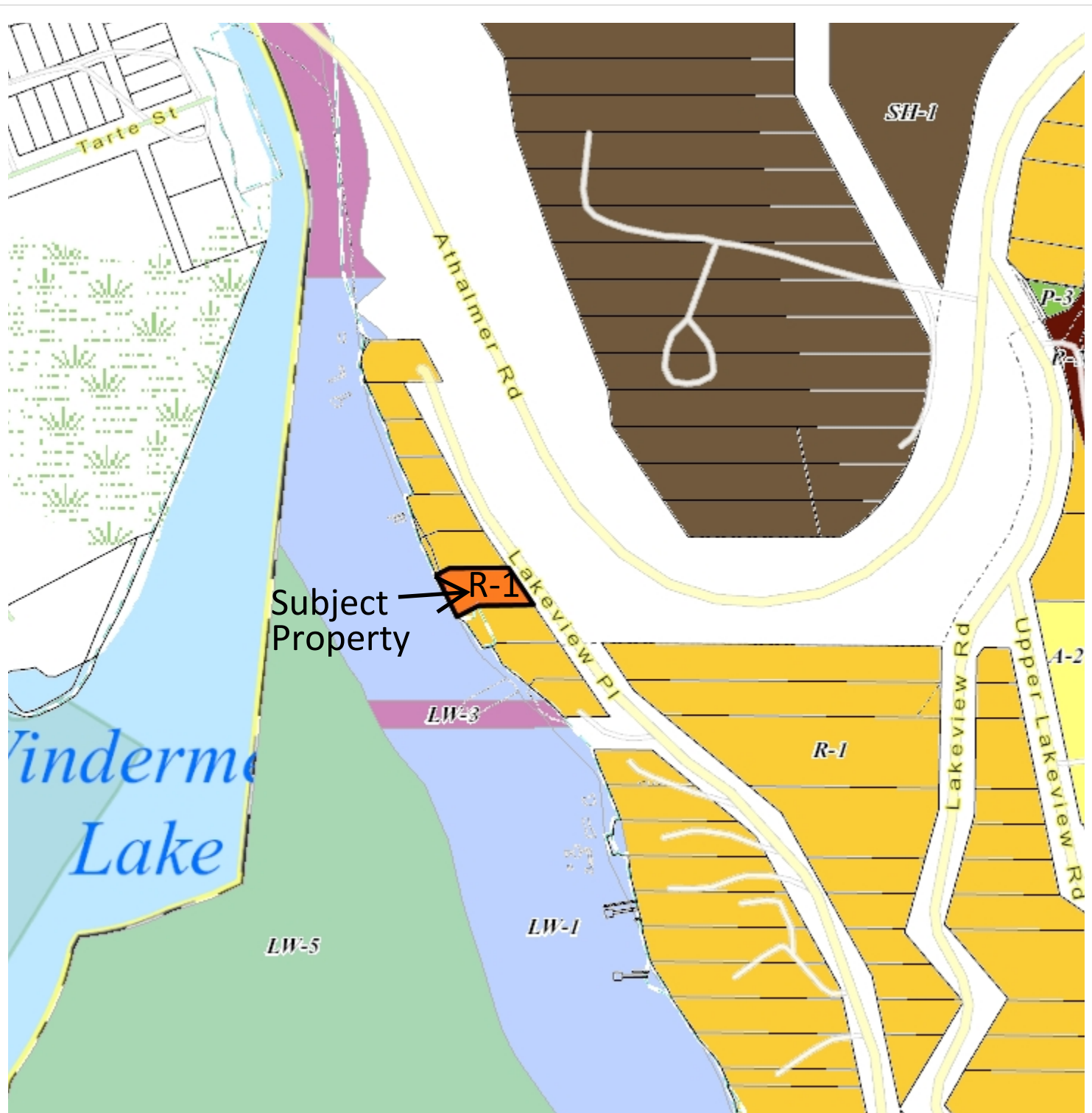
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Zone Designation Map



Notes:

125 0 63 125 Meters

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Aerial Photo





Subject property: 461 Lakeview Place, Windermere BC

August 13th, 2024

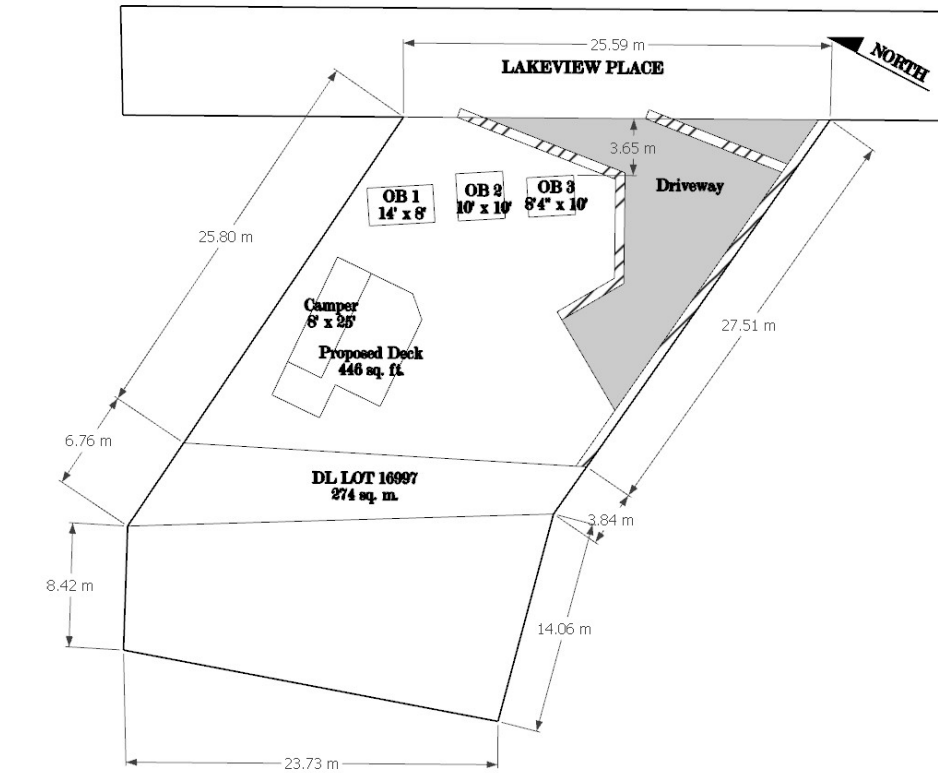
Bylaw Variance Hearing Board,

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.

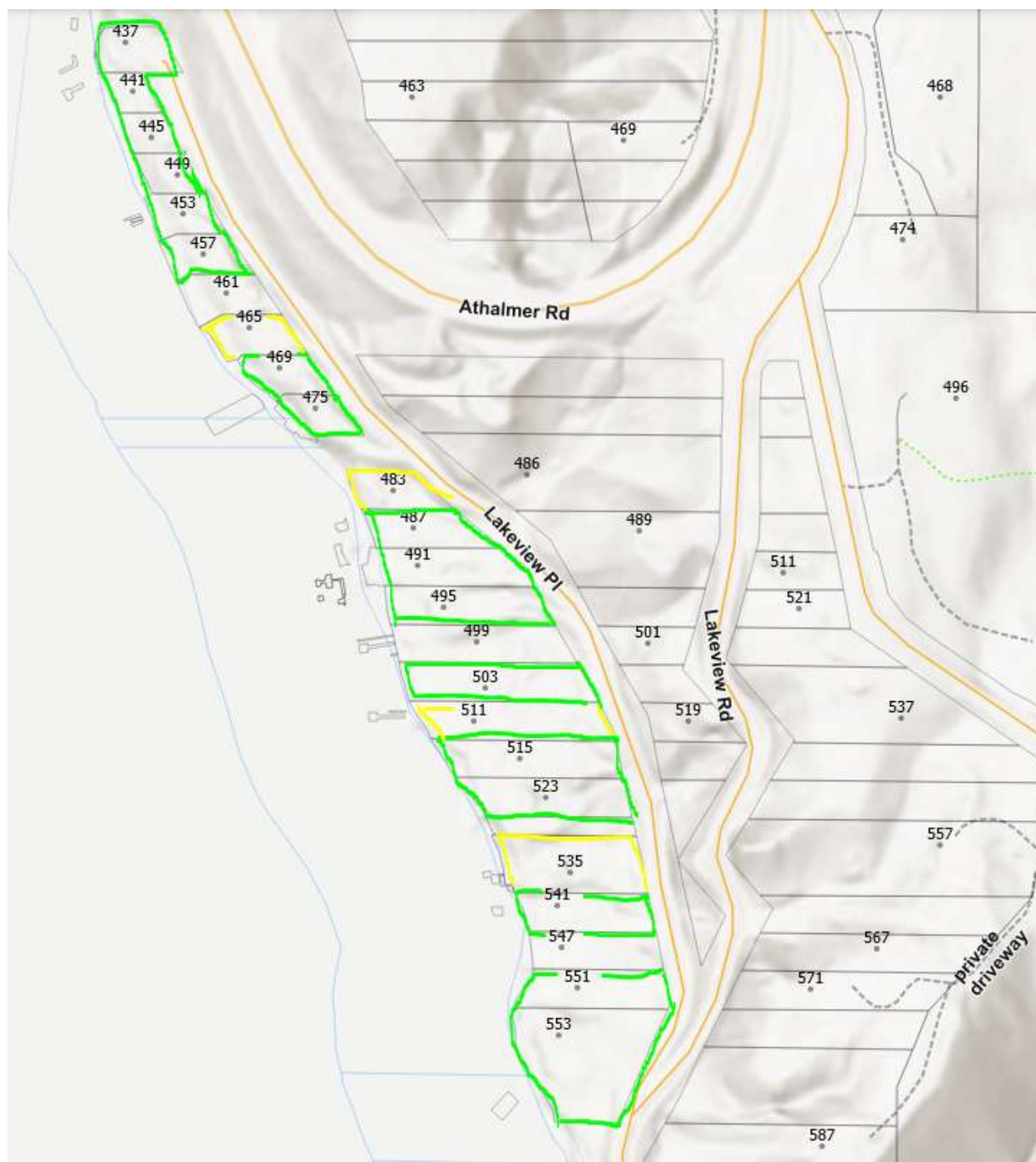
As you can see there is a home on either side of the property that clearly have larger structures and are closer to the lake than the McGregor's Travel Trailer.

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. Hupalo	495 Lakeview PL	Neil G. Hupalo	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 Scarbield	503 Lakeview R	Karla Scarbield	✓	
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:

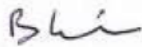
We live at 457 Lakeview Place in Windermere and have been neighbours next door to Lyle and Judy McGregor since we bought our property fourteen years ago. Our house is two-story and our side bedroom window looks down on their lot. They have been good neighbours, kept things tidy, clean and quiet, and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

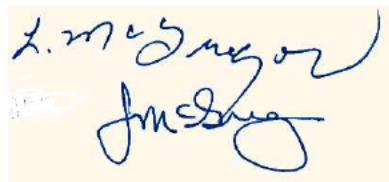


Brian and Brenda Lenzin

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

