



## ELECTORAL AREA E/ WEST BOUNDARY – BIG WHITE ADVISORY PLANNING COMMISSION

Monday, March 4, 2024 – 5:00 pm

### AGENDA

Big White Fire Hall, 7555 Porcupine Road

and via Teams:

[Click here to join the meeting](#)

Meeting ID: 290 074 173 750

Passcode: ohNYSk

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1. **Call to Order**

2. **Land Acknowledgement**

In the spirit of respect, truth and reconciliation, we honour and thank the Indigenous Peoples on whose traditional and unceded lands we operate.

3. **Consideration of the Agenda (additions/deletions)**

**March 4, 2024**

**Recommendation:** That the March 4, 2024 Electoral Area E/ West Boundary-Big White Advisory Planning Commission agenda be approved.

4. **Draft Minutes**

**January 2, 2024**

Recommendation: That the minutes of the January 2, 2024 Electoral Area E/ West Boundary – Big White Advisory Planning Commission meeting be adopted.

5. **Delegations**

6. **Updates to Applications and Referrals**

7. **New Business**

**A. Black Forest Developments Ltd. / 1312822 B.C. Ltd.  
(Jordan Hettinga, Agent)**

RE: Zoning Bylaw Amendment (Rezoning)

RDKB File: BW-4256 / BW-4257

**B. Big White Ski Resort Ltd.  
(Jordan Hettinga, Agent)**

RE: Temporary Use Permit Renewal Application  
RDKB File: BW-4246

8. **For Information**

9. **For Discussion**

10. **Adjournment**



**Electoral Area E/ West Boundary – Big White  
Advisory Planning Commission  
MINUTES**

Tuesday, January 2, 2024  
Big White Community School  
In person and via tele-conference

**Present:**

Rachelle Marcinkoski, Chair  
Mike Figurski, Vice-Chair (arrived 1747)  
John LeBrun, Secretary  
Paul Sulyma  
Carla Berrie

Director Sharen Gibbs

**Absent:** Anna Byrne

**RDKB Staff Present:** Donna Dean  
JoAnn Peachy

**Guest(s) Present:** David and Lisa McFarlane owners  
Lot1, Bullet Creek Cabins.  
Conrad Wiker, Agent for Lot 1, Bullet Creek Cabins.  
Ross Derrik owner Globe Restaurant.

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**1. Call to Order**

The meeting was called to order at 1709.

**2. Land Acknowledgement**

In the spirit of respect, truth and reconciliation, we honour and thank the Indigenous Peoples on whose traditional and unceded lands we operate.

3. **Consideration of the Agenda**

**Recommendation:** That the January 2, 2024, Electoral Area E/ West Boundary – Big White Advisory Planning Commission agenda be adopted as presented. **CARRIED**

4. **Adoption of Draft Minutes**

**Recommendation:** That the October 3, 2023, Electoral E/ West Boundary – Big White Advisory Planning Commission Minutes be adopted as presented. **CARRIED**

5. **Delegations** See guests above.

6. **Old Business and Updates to Applications & Referrals**

7. **New Business**

- A. **0882453 BC LTD. (Conrad Wilker-Agent)**  
RE: Development Variance Permit  
RDKB File: BW-4202-07909.188/2023-078

**Discussion/Observations:**

1. The discussion was started with a presentation from the agent with input from the owners. They outlined that they had followed all requirements from the RDKB and were well on the way to complete the project when a stop work order was put on the property on or about May of 2023. The owners stated they have been working on the project since the project was approved in 2009. They stated they have spent a lot of money on lawyers, engineers and building costs and for the variance not to be approved a lot of money and time would be wasted.
2. The discussion from the APC started with the question of why the APC was asked to review this application. The application presented to the APC has many unanswered questions that some of the committee felt would require the input from lawyers, engineers and research from the RDKB Planning Department. The RDKB sent it back to the APC for comment because they had supported the request in the past. With that said the application was considered.
3. It was stated from the RDKB that the application was not in accordance with the approved site plan, was in a different location and built not in accordance with the approved building plan as

submitted in 2021.

4. There were letters of support from Fortis and Big White Utilities with conditions. There was no indication in the paperwork that those conditions would be met.
5. There was a letter of support from the Strata as there were a couple of letters of non-support from owners within the strata. Their concern was that there were liability issues with the build if it was approved. The Strata council did not indicate that they were aware of liability issues before recommending their support.
6. The report would indicate that no inspection of the property was conducted until the project was issued a stop work order.
7. The committee then discussed a number of issues concerning dates and what was done when. Without factual data from the RDKB about when or if inspections were done it was hard to determine exactly what happened when.

The Chair called for a vote on the application for a variance.

The vote was: 2 voted in favor of the variance.

3 voted against approval.

The chair then asked each member for their reason for vote.

After each member responded the Chair asked for another vote.

The vote was: 2 voted in favor of the variance

1 voted in favor with comment.

1 abstained.

1 voted against.

### **Recommendation:**

It was moved, seconded, and resolved that the APC recommends to the Regional District that the Development Variance Permit

Be supported with comment.

**CARRIED**

- B. Big White Ski Resort-Globe Restaurant**  
RE: LCRB Referral  
RDKB File: BW-4109s-07444.450/2023-106

**Discussion/Observations:** Ross Dereck provided comments about the need for this application. The committee had no questions about the application.

**Recommendations:**

Be supported without comment

**CARRIED**

- C. Happy Valley Day Lodge-Altitunes**  
RE: Special Events License  
RDKB File: BW-4220-10293.275/2023-111

**Discussion/Observations:** The application was similar to the request last year with increase in drink costs. The committee thought the event last year was well received and well run.

**Recommendations:**

Be supported with comment

**CARRIED**

- D. Big White Ski Resort**  
Re: Crown Grant Application  
RDKB File: BW-2713-Ridge Base/2023-114

**Discussion/Observation:** None

**Recommendation:**

Be supported without comment

**CARRIED**

**8. For Information**

A. 2024 Planning and Development Application Process and Meeting Schedule.

1. Sharen will discuss with the RDKB to change the location and day of the meeting back to the Firehall on Monday with next month's meeting. The

meeting will be held on the following Tuesday if the Monday is a holiday.  
Zoom would be available for all meetings.

2. APC Guide attached. No input.
3. A new alternate director has been appointed for Area E and he is Grant Harfman who will be taking his oath of office this month.

**9. Election of Chair, Vice-Chair and Secretary.**

Chair: Cala Berrie

Vice-Chair: Mike Figurski

Secretary: John LeBrun

There were no other nominations all 3 nominations were elected by acclamation to respective positions.

**10. For Discussion**

Rachelle Marcinkoski announced that she would have to resign from the committee effective immediately. Sharen and the committee members thanked her for her time on the committee.

**11. Adjournment**

**MOVED AND SECONDED** that the meeting be adjourned at 1826.

# Electoral Area E/ West Boundary-Big White Advisory Planning Commission (APC) Staff Report

<b>RE:</b>	Zoning Bylaw Amendment (Rezoning) – Black Forest Developments Ltd. / 1312822 B.C. Ltd.		
<b>Date:</b>	March 5, 2024	<b>File #:</b>	2024-003 BW-4256 / BW-4257
<b>To:</b>	Members of the Electoral Area E/ West Boundary - Big White APC		
<b>From:</b>	JoAnn Peachey, Current Planning Supervisor		

## Issue Introduction

We received a Zoning Bylaw Amendment application from Jordan Hettinga on behalf of 1312822 B.C. Ltd. and Black Forest Developments Ltd. for two properties on Black Forest Road at Big White, District Lot 4256 and District Lot 4257 (*see Attachments*). The applicant is proposing to add a site specific use for the subject properties in the R3 zone to allow for secondary suites.

Property Information	
<b>Owner(s):</b>	DL4256: 1312822 B.C. Ltd. DL4257: Black Forest Developments Ltd.
<b>Agent:</b>	Jordan Hettinga
<b>Location:</b>	No Addresses (Black Forest Road)
<b>Electoral Area:</b>	Electoral Area E/ West Boundary
<b>Legal Description(s):</b>	District Lot 4256, SDYD / District Lot 4257, SDYD As Shown On Plan EPP72662
<b>Area:</b>	DL 4256: 0.35ha (0.87ac) DL 4257: 1.02ha (2.55ac)
<b>Current Use(s):</b>	Vacant
Land Use Bylaws	
<b>OCP No. 1125:</b>	Medium Density Residential
<b>DP Area:</b>	Commercial & Multiple Family / Alpine Environmentally Sensitive Landscape Reclamation
<b>Zoning No. 1166:</b>	Chalet Residential 3 (R3)
Other	
<b>ALR:</b>	Outside ALR
<b>Waterfront/Floodplain:</b>	Not Mapped
<b>Water Service Area:</b>	Big White Utilities



<b>Sewer Service Area:</b>	Big White Utilities
<b>Planning Agreement Areas:</b>	N/A

## History / Background Information

District Lot 4256 is located south of Black Forest Road approximately 250m from the intersection of Black Forest Road and Big White Road, in the Black Forest neighbourhood at Big White in Electoral Area E/ West Boundary. District Lot 4257 is located west of Black Forest Road, approximately 100m north/northwest of District Lot 4256.

Both subject properties are designated as Medium Density Residential in Big White Official Community Plan Bylaw No. 1125 and are zoned Chalet Residential 3 (R3) in Big White Zoning Bylaw No. 1166, 2001. Both properties are currently vacant and located within the Commercial & Multiple Family Development Permit Area and Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area (*See Attachment #2-Subject Property Map*).

District Lot 4256 is surrounded by Crown land to the west, east and south. Immediately to the south includes an area leased by Big White Ski Resort containing the Tube Park. Immediately to the north lies Black Forest Road.

District Lot 4257 is also surrounded by Crown land, with a ski run to the west. To the east lies Black Forest Road (*See Attachment #1-Site Location Map*).

The subject properties are located in the Black Forest Neighbourhood, where the current designation/zoning was changed after completion of a secondary plan by Brent Harley and Associates Ltd. dated April 2018.

For District Lot 4256, Ministry of Transportation and Infrastructure (MOTI) issued preliminary layout review on December 14, 2021 for a 4-lot conventional subdivision. For District Lot 4257, Ministry of Transportation and Infrastructure (MOTI) issued preliminary layout review on January 19, 2024 for an 8-lot conventional subdivision. For both subdivisions, the Board of Directors directed staff to require payment of 5% of land value as cash-in-lieu of parkland prior to final subdivision (*See Attachment #3-Applicant's Submission Package for subdivision layout*).

Prior to building permit issuance for each single family or two family dwelling, an Alpine Environmentally Sensitive Landscape Reclamation Development Permit application for each property is required.

## Proposal

The applicant is requesting a text amendment to the Chalet Residential 3 (R3) zone. This text amendment would allow for "secondary suite" as a

permitted use on the subject properties (*Attachment #3-Applicant's Submission Package*).

Secondary suites are already defined in the Big White Zoning Bylaw and subject to specific use regulations to limit the size, among other requirements.

## Implications

It is noted that Big White's OCP is currently under review. However, there are no new policies specific to secondary suites drafted at this time. While OCP Steering Committee has not yet reviewed the topic of affordable housing options, it is a discussion item as part of the review process.

Big White's current OCP is silent on secondary suites but includes more general policies regarding residential uses that are applicable to this rezoning application, as shown below:

- **Residential Objective-Section 3.11**– *"To encourage various residential alternatives and affordable housing for employees".*
- **Residential Policy–Section 3.11.2**– *"The Regional District shall ensure that the community offers a range of dwelling types and residential densities, including low, medium, intermediate and high densities"*
- **Residential Policy–Section 3.11.4**– *"Medium Density Residential uses are appropriate throughout Big White and are generally shown on the Land Use Map. The implementing zoning bylaw should offer densities in the vicinity of about 60 units per hectare with Floor Area Ratios around 0.8".*

The addition of secondary suites as a permitted use would increase the number of units allowed on the proposed single family dwelling parcels. Although this would double the number of units, the density proposed under the current subdivision plans is much lower than what is anticipated under the Medium Density Residential designation. Based on the subdivision plans submitted, the density range is 11.42 units per ha for District Lot 4256, and 7.8 units per ha for District Lot 4257, far below 60 units per ha.

There have been recent changes to Provincial legislation (Bill 44) regarding allowing secondary suites throughout the Province in "restricted zones", which are zones where only a single detached dwelling is currently permitted. While the Provincial legislation does not mandate changes to Big White's Zoning Bylaw (as there are no zones that only allow for single detached dwellings), the Province has been taking measures to either mandate or encourage local government's to change zoning bylaws to allow for more housing to be built.

Secondary suites are well established as mechanism in other areas to help diversify housing options and to help property owners by providing additional rental income as a “mortgage helper”.

A site-specific amendment was recently made to the Zoning Bylaw to allow secondary suites at District Lot 4258, located across Black Forest Road from one of the subject properties of this application. As part of this amendment, a parking requirement of one parking space per secondary suite was added, along with site specific regulations and definition.

As such, secondary suites are limited in size to the lesser of 90m<sup>2</sup> and 40% of the floor area of the main dwelling unit. It is also noted that secondary suites can be within a single detached dwelling or within a two family dwelling (duplex).

## **Attachments**

- 1-Site Location Map
- 2-Subject Property Map
- 3-Applicant’s Submission Package



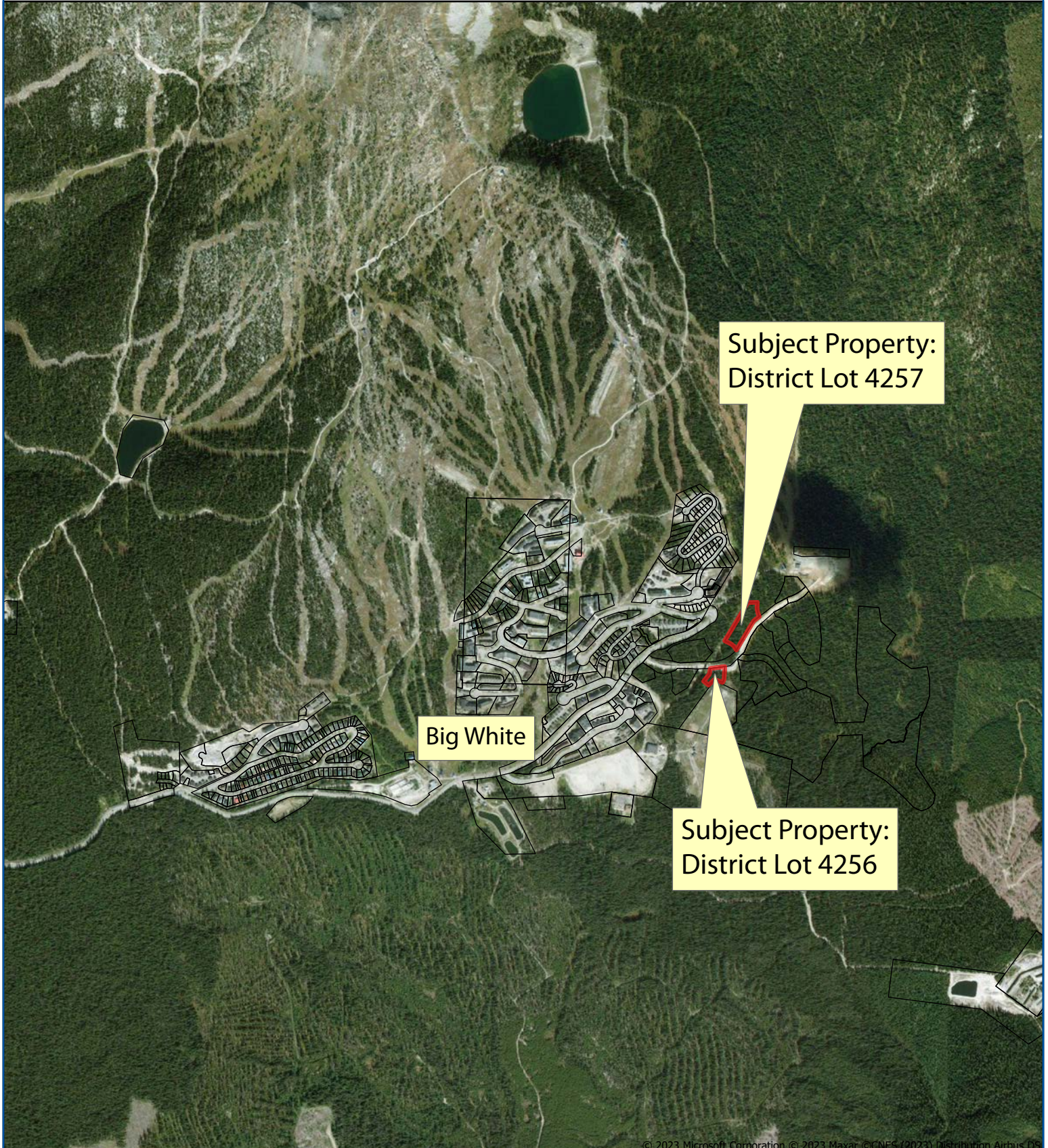
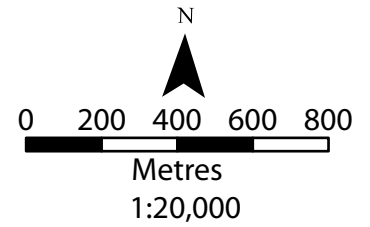


Regional District of  
Kootenay Boundary

Map Date: 2024-01-10

# Site Location Map

DL 4256, SDYD  
and  
Plan EPP72662, DL 4257, SDYD



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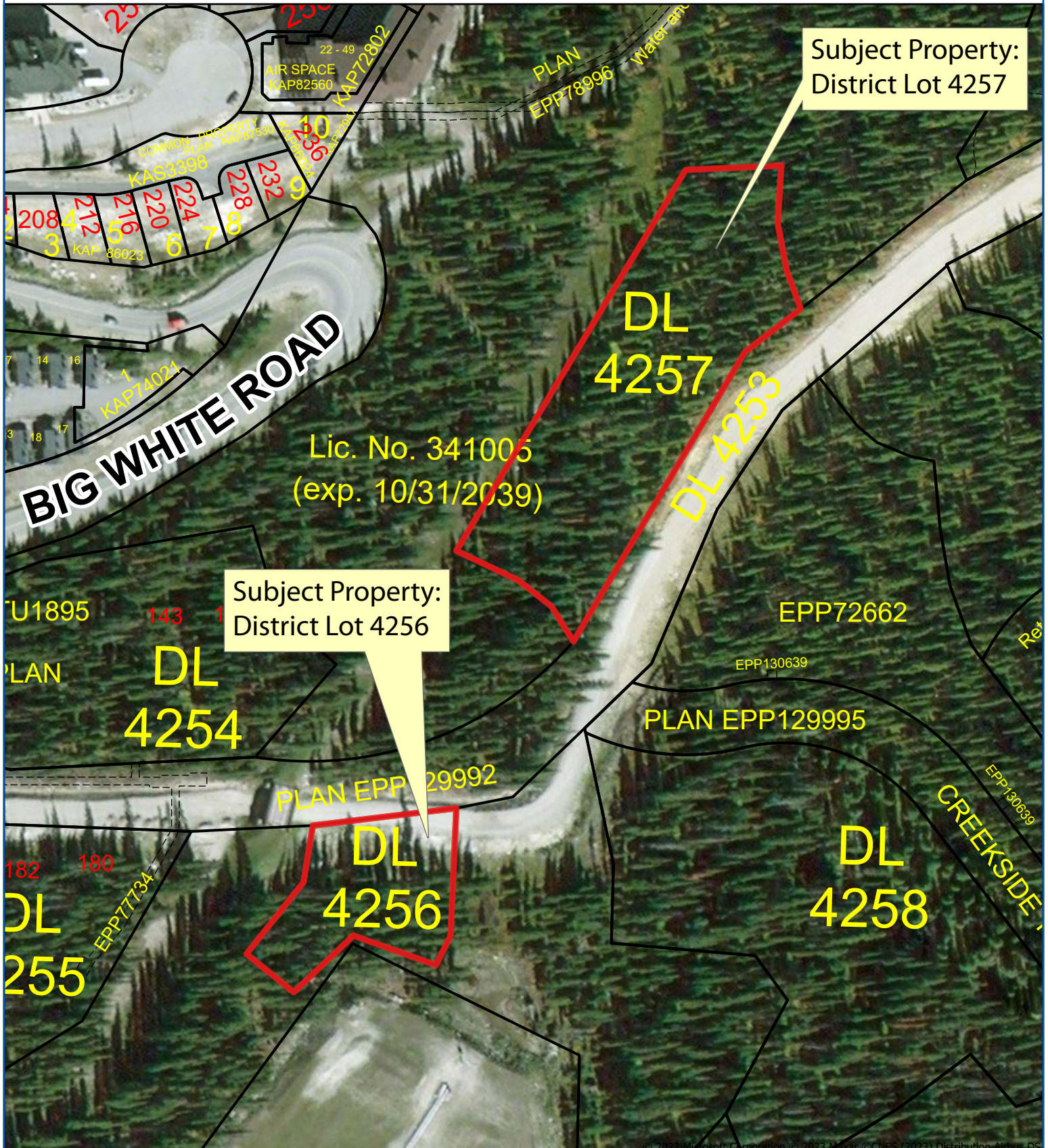
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## Subject Property Map

and







January 30, 2024

Regional District of Kootenay Boundary  
843 Rossland Ave, Suite 201  
Trail BC, V1R 4S8

**Attention: JoAnn Peachy**

**Re: Site Specific Text Amendment to Permit Secondary Suites – DL 4256 and DL 4257, Black Forest Road, Big White**

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I am writing to formally request a site-specific text amendment to the R3 zone for DL 4256 and DL 4257, located on Black Forest Road at Big White, to permit secondary suites on these properties.

The inclusion of secondary suites on DL 4256 and DL 4257 is a positive step towards addressing key community needs at Big White. Below are some reasons why we believe this proposal is a "good idea" and aligns with the goals of Big White's OCP:

Enhanced Affordability:

Secondary suites contribute to more affordable housing options, fostering a diverse community by accommodating individuals with varying financial capacities. Increasing rental affordability promotes a more inclusive community, attracting a wider range of residents to Big White.

Attainable Home Ownership:

The permission of secondary suites aligns with the goal of making home ownership more attainable for residents by providing additional income sources through rental opportunities. Enabling homeowners to offset their mortgage costs through secondary suite rentals contributes to a more sustainable and stable housing market.

Staff Accommodation:

The proposed secondary suites will help the critical need for staff accommodation at Big White, supporting the resort's operations and the numerous private businesses by adding additional units well suited to employees.



Providing on-site housing options for staff members contributes to a vibrant and engaged community, fostering a sense of belonging among those working at Big White.

The positive reception of the secondary suite addition to The Glades (DL 4258) underscores the potential success and positive impact of similar amendments to DL 4256 and DL 4257. By allowing for more flexible housing options, we can contribute to the overall well-being and sustainability of the Big White community.

I am confident that this amendment will have a positive impact on the affordability of housing, promote attainable home ownership, and address the critical need for staff accommodation.

Thank you for your consideration of this request.

Sincerely,

Jordan Hettinga  
Manager of Real Estate and Development

## PLAN EPP130859

( All distances are in metres )

☒ Denotes Standard Capped post (Type 4) found  
 ☒ Denotes Standard Capped post (Type 4) placed  
 ○ Denotes Standard Iron post (Type 5) found  
 ○ Denotes Standard Iron post (Type 5) placed  
 ▲ Denotes Traverse Hub found  
 ▲ Denotes Bearing Tree  
 BT Bearings are magnetic  
 Reset IP/CP set at previously tied location pre-construction activities (September 2022)

BLACK FOREST ROAD  
GRAN EPP129992

PLAN EPP129992

DL 4255

1.5TU1895

PLAN EPP72652

SRW PLAN  
EPP77734

Grid bearings are derived from dual frequency static GNSS observations and are referred to the central meridian of UTM Zone 11.

The UTM coordinates and estimated horizontal positional accuracy are derived from GNSS dual frequency observations using the Precise Point Positioning service of Natural Resources Canada.

This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the combined factor of 0.9995634. The combined factor has been derived from an ellipsoidal elevation of 1708.0m.

RUNNALLS DENBY

british columbia land surveyors

259A Lawrence Avenue  
Kelowna, B.C.  
V1Y 6L2  
Phone: (250) 763-7322  
Email: [jen@runnallidenby.com](mailto:jen@runnallidenby.com)

DWG. No.: 16190 SUBDIVISION

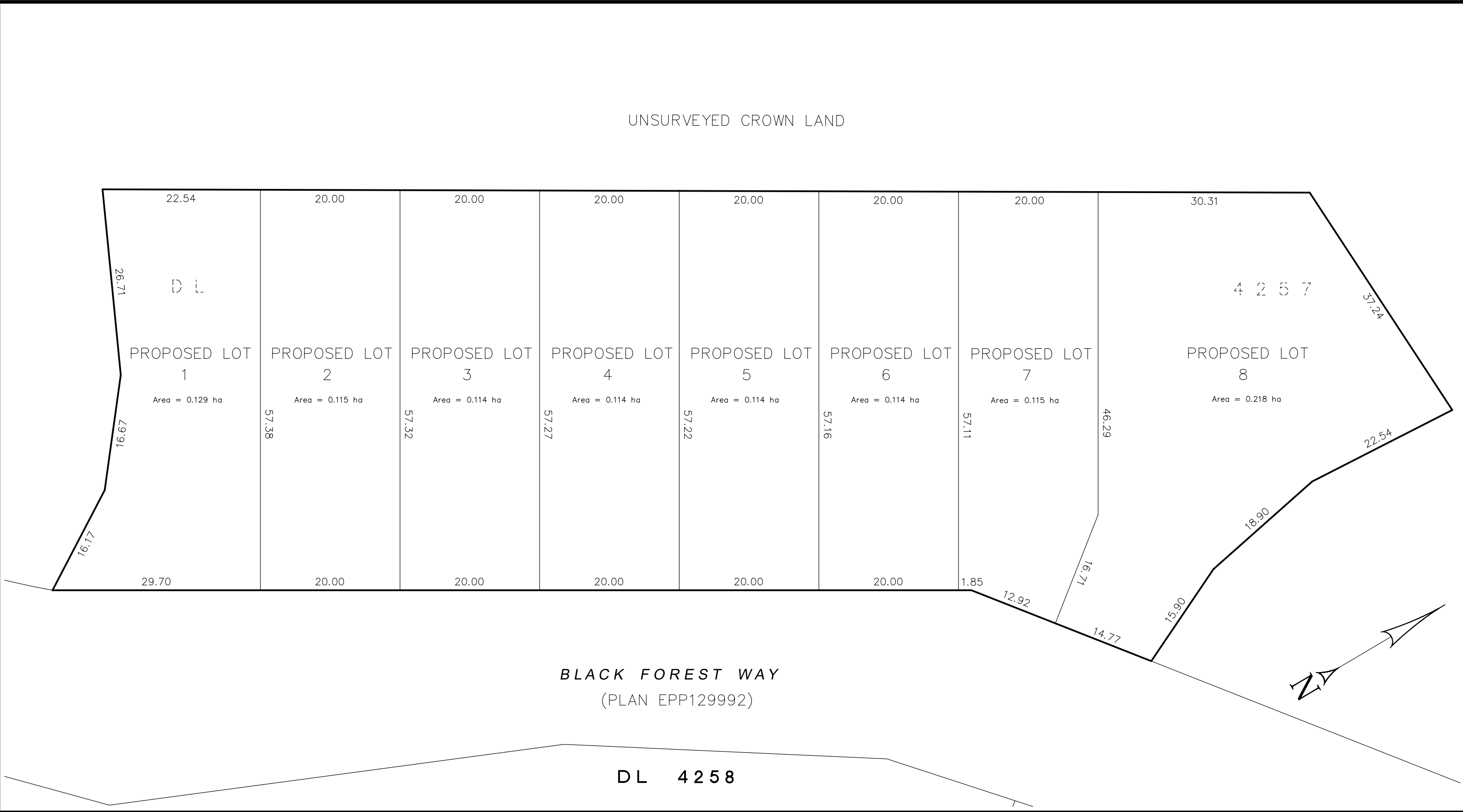
*This plan lies within the Regional District of Kootenay Boundary.*

*This plan lies within the jurisdiction of the Approving Officer for the Ministry of Transportation and Infrastructure*

MOTION FILE # 2021-04645

The field survey represented by this plan was completed on the 28th day of June, 2023.





TITLE:	PROPOSED SUBDIVISION PLAN OF DISTRICT LOT 4257, S.D.Y.D., AS SHOWN ON PLAN EPP72662		DRAWN BY:		RUNNALLS DENBY british columbia land surveyors		SCALE:		1:500 (11" x 17")	
							DATE:		January 4, 2023	
							DWG:		16704 PSUB 2	
			CLIENT:		BLACK FOREST DEVELOPMENTS LTD.		FILE No.:		16704	REV. 0

# Electoral Area E/ West Boundary-Big White Advisory Planning Commission (APC) Staff Report

<b>RE:</b>	Temporary Use Permit Renewal Application – Big White Ski Resort Ltd.		
<b>Date:</b>	March 5, 2024	<b>File #:</b>	BW-4246 2024-011
<b>To:</b>	Members of the Electoral Area E/ West Boundary - Big White APC		
<b>From:</b>	JoAnn Peachey, Current Planning Supervisor		

## Issue Introduction

We received a Temporary Use Permit renewal application from Big White Ski Resort Ltd. for a leased area of 805 Black Forest Way, Big White to continue to allow a concrete batch plant on a seasonal basis, for a three-year period (*see Attachments*). The current Temporary Use Permit was granted for one year last June and expires on June 27, 2024.

Property Information	
<b>Owner(s):</b>	Crown land
<b>Agent:</b>	Big White Ski Resort Ltd. (Jordan Hettinga)
<b>Location:</b>	805 Black Forest Way, Big White
<b>Electoral Area:</b>	Electoral Area E/ West Boundary
<b>Legal Description(s):</b>	District Lot 4246, SDYD
<b>Area:</b>	0.4ha (1.0ac) of 2.78ha (6.86ac) lease area
<b>Current Use(s):</b>	Black Forest Parking Lot
Land Use Bylaws	
<b>OCP No. 1125:</b>	Recreational Resource/ Black Forest Future Growth Area
<b>DP Area:</b>	Commercial & Multiple Family / Alpine Environmentally Sensitive Landscape Reclamation
<b>Zoning No. 1166:</b>	Recreational Resource (REC1)
Other	
<b>ALR:</b>	Outside ALR
<b>Waterfront/Floodplain:</b>	Not Mapped
<b>Water Service Area:</b>	Big White Utilities
<b>Sewer Service Area:</b>	Big White Utilities
<b>Planning Agreement Areas:</b>	N/A

## History / Background Information

The subject Crown lease area is located east of the Black Forest Quad Express and at the end of Black Forest Way, approximately 1km from the Village Core of Big White, in Electoral Area E/ West Boundary. It is split designated as Recreational Resource and Black Forest Future Growth Area in the Big White Official Community Plan Bylaw No. 1125 and is zoned Recreational Resource (REC1) in the Big White Zoning Bylaw No. 1166, 2001. The subject area is leased from the Crown for the purpose of a parking lot for Big White Ski Resort (*See Attachment #2-Subject Property Map*).

The subject property is mostly surrounded by forested Crown land, with the Black Forest Day Lodge and base of the Black Forest Quad Express to the west and ski runs to the northwest. To the south, is Black Forest Way and lands designated for medium to high density residential development, and undeveloped Crown land (*See Attachment #1-Site Location Map*).

The Crown land lease is for a parking lot, and the Mountain Resorts Branch has confirmed authorization to use the lease area for summer operation of the proposed concrete batch plant.

## Proposal

The applicant is requesting a renewal of their current temporary use permit to allow for concrete batch plant to operate seasonally from June 1-October 31, for a 3-year period, within a 0.4ha (1.0ac) area of the Black Forest parking lot (*Attachment #3-Applicant's Submission Package*).

This proposal includes fully portable patch plant equipment and two 6m(20ft) sea can containers. No permanent buildings or structures are proposed.

## Implications

The entire Plan Area of Big White is designated to allow temporary use permits by application. "Such temporary use permits will be subject to site-specific operational conditions to ensure that the temporary land use will be compatible with the surrounding area and may include conditions requiring undertaking or provision of financial security" (Big White OCP Section 5.3.5).

The current Big White OCP is silent on concrete batch plants specifically.

Typical considerations for land use compatibility for industrial uses within the surrounding area include the level of impact of associated noise, vibration, traffic, and dust of an industrial activity, as well as visual impacts of the industrial buildings to the streetscape.

No complaints were made about the concrete batch plant during its operations last year.

The current temporary use permit (*See Attachment #4- Temporary Use Permit No. 783-23T*) includes the following conditions:

- Limit operation of the concrete batch plant to seasonal operations, to occur between June 1st-October 31st.
- Remove all buildings, structures and equipment upon completion of the operation season and return the area for parking use for winter season.
- Cease operation of machinery between the hours of 11:00p.m. and 7:00a.m.
- Only provide temporary buildings and structures (no permanent foundations).

In terms of more permanent locations, the Industrial 2 (I2) zone is the only zone at Big White that allows for concrete batch plants. The five parcels zoned I2 are clustered together in a secluded industrial area, which is separated by forested Crown land from other residential and resort lands.

The proposed concrete batch plant is for seasonal use to support specific construction projects. It allows for one concrete batch plant in one centralized location, instead of several batch plants utilized on individual worksites each construction project (which would be allowed under the Zoning Bylaw to support construction work on a parcel).

## **Attachments**

- 1-Site Location Map
- 2-Subject Property Map
- 3-Applicant's Submission Package
- 4-Temporary Use Permit No. 783-23T



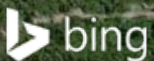
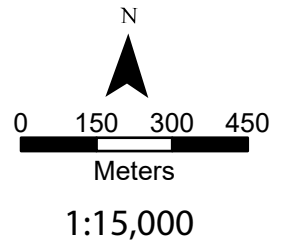


Regional District of  
Kootenay Boundary

Date: 2024-02-21

# Site Location Map

Plan EPC1108,  
DL 4246,  
SDYD



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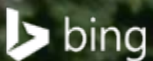
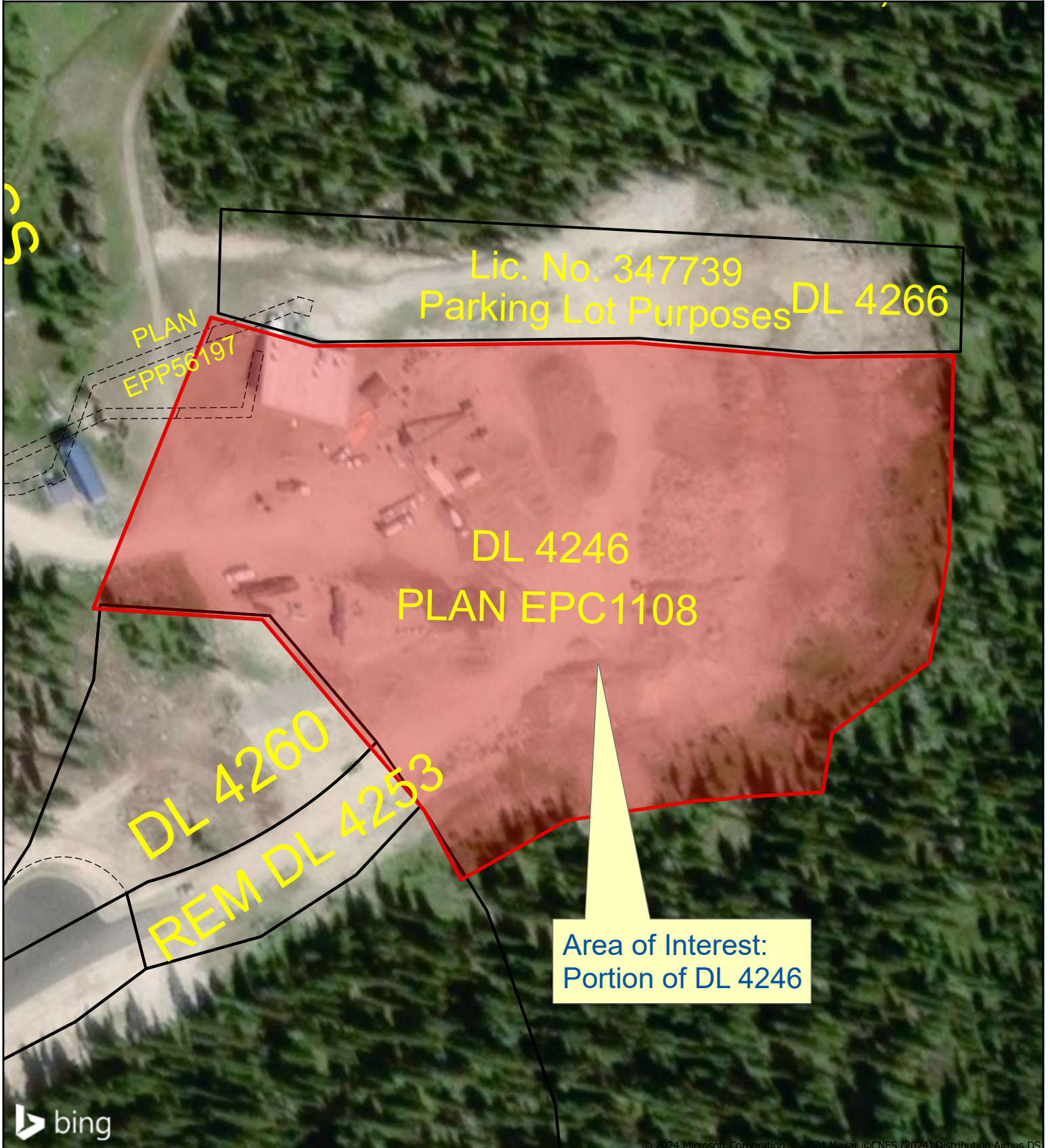
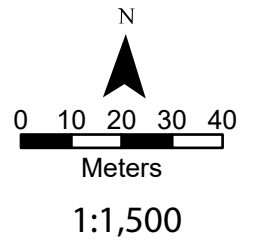


Regional District of  
Kootenay Boundary

Date: 2024-02-21

# Subject Area Map

Plan EPC1108,  
DL 4246,  
SDYD



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**February 7, 2024**

**Regional District of Kootenay Boundary  
843 Rossland Ave, Suite 201  
Trail BC, V1R 4S8**

**Attention: JoAnn Peachy**

**Re: Temporary Use Permit Renewal – 805 Black Forest Road, Big White**

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I am writing to formally request an extension of the existing temporary use permit (TUP) for the operation of a concrete batch plant in the parking lot of the Black Forest Day Lodge. Big White was initially granted a single-year TUP on June 28, 2023, set to expire on June 27, 2024, under RDKB File No: 2023-058, Temporary Use Permit No. 783-23T.

Our original application sought a 3-year TUP; however, staff granted a 1-year TUP with the understanding that it could be renewed based on the appropriateness of the use at this location and/or to address unforeseen impacts. Following discussions with the operator and RDKB staff, we have not become aware of any concerns or complaints arising from the operation of the plant during the summer of 2023.

The concrete batch plant will be situated in the same location as in 2023, located in the northerly portion of the parking lot, with all necessary equipment and materials contained within the designated area. We are committed to complying with all applicable regulations and requirements, including noise and emissions standards, and will take all necessary measures to minimize potential impacts on neighboring properties and the environment.

The proposed duration of the temporary use permit is up to 3 additional years, with the batch plant operating between the months of June and October each year. At the end of each operating season, the batch plant will be removed and stored within an appropriately zoned parcel of land, and the parking lot will be restored to its original condition.



We recognize the importance of adhering to all applicable regulations and requirements and are dedicated to collaborating with your office to ensure that all necessary permits and approvals are obtained. If you require any additional information or have any questions regarding this request, please feel free to reach out to us.

Thank you for your consideration of this request.

Sincerely,

Jordan Hettinga  
Manager of Real Estate and Development





## REGIONAL DISTRICT OF KOOTENAY BOUNDARY

202-843 Rossland Avenue  
Trail, BC V1R 4S8

Phone: 250-368-9148  
1-800-355-7352  
Permit No.: 783-23T  
File No.: 2023-058  
BW-4246  
Address: 805 Black Forest Way  
Electoral Area E/ West  
Boundary  
Issued to: Crown Provincial\*

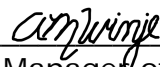
\* (Owner as defined in the *Community Charter*, hereinafter referred to as the Permittee)

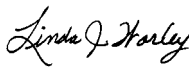
### TEMPORARY USE PERMIT

1. This Temporary Use Permit is issued subject to compliance with all of the bylaws of the Regional District of Kootenay Boundary (Regional District), also referred to as "the Regional District," applicable thereto, except as specifically varied by this permit.
2. No variances to any Regional District Bylaw may be construed to be granted as a result of the Temporary Use Permit approval process unless specifically identified in the text of this Permit.
3. This Permit applies to and only to those lands within the Regional District legally described as **Plan EPC1108, District Lot 4246, SDYD** and any and all buildings, structures and other development thereon as shown outlined in red on the attached **Schedule 1**, forming part of this Permit, referred to hereafter as the "lands".
4. Pursuant to Section 492 through 497 of the Local Government Act, and Section 5.3 of the Big White Official Community Plan Bylaw No. 1125, 2001, the following temporary use shall be permitted on the property: **concrete batch plant**.
5. This permit is granted for a period beginning June 28, 2023 and expires on June 27, 2024.
6. The approval in Section 4 in no way relieves the owner or occupier of the responsibility of adhering to all other legislation that may apply to the lands.
7. The land shall be developed strictly in accordance with the following terms and conditions and provisions of this permit and any plans and specifications attached hereto which shall form a part hereof.

8. The concrete batch plant use shall be limited to a 0.4ha area containing fully portable batch plant equipment, and two accessory sea can containers, as identified in '**Schedule 2**'.
9. As a condition of the approval granted in Section 8 above, the Permittee is required to:
  - a. Limit operation of the concrete batch plant to seasonal operations, to occur between June 1<sup>st</sup>-October 31<sup>st</sup>.
  - b. Remove all buildings, structures and equipment upon completion of the operation season and return the area for parking use for winter season.
  - c. Cease operation of machinery between the hours of 11:00p.m. and 7:00a.m.
  - d. Only provide temporary buildings and structures (no permanent foundations).
10. The approval in **Section 8** in no way relieves the Permittee of the responsibility of adhering to all other legislation that may apply to the lands.
11. This Permit prevails over the provisions of the Bylaw in the event of conflict.
12. This Permit is NOT A BUILDING PERMIT.

**APPLICATION APPROVED** by the Regional District of Kootenay Boundary Board of Directors this 28 day of June, 2023 by **Resolution No.** 272-23.

  
\_\_\_\_\_  
Manager of Corporate Administration

  
\_\_\_\_\_  
Chairperson

**TEMPORARY USE PERMIT No. 783-23T** issued this 28 day of June, 2023.  
**APPLICATION APPROVED** by a designated officer of the Regional District of Kootenay Boundary this 28 day of June, 2023.

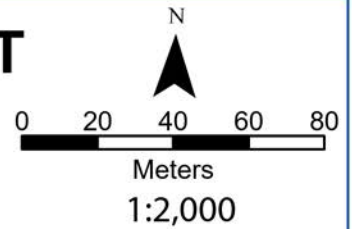


Regional District of  
Kootenay Boundary

Date: 2023-06-08

# Schedule 1 - Permit No. 783-23T

Plan EPC1108,  
DL 4246,  
SDYD



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## Schedule 2

Proposed Location of Batch Plant:





Batch Plant info:

- Vince- Hagen plant model HT-12400C-56/4.
- Fully portable plant
- In addition to the plant, there is a feed conveyor, 20' admix container, and 20' office container.



## Schedule '2'



They are 2 - 20' sea cans that would be used. Attached is a picture of one.