



## **Electoral Area Services Committee**

**Thursday, April 15, 2021 - 10:30 pm**

**The Regional District of Kootenay Boundary  
Board Room, Trail, BC**

### **A G E N D A**

**1. CALL TO ORDER**

**2. LAND ACKNOWLEDGEMENT**

- a) We acknowledge and appreciate that the land on which we gather is the converging, traditional and unceded territory of the Syilx, Secwepemc, Sinixt and Ktunaxa Peoples as well as the Metis Peoples whose footsteps have also marked these lands.

**3. ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)**

- a) April 15, 2021

**Recommendation:** That the April 15, 2021 Electoral Area Services Agenda be adopted as presented.

**4. MINUTES**

- a) March 11, 2021  
[Electoral Area Services Committee - 11 Mar 2021 - Minutes - Pdf](#)

**Recommendation:** That the March 11, 2021 Electoral Area Services Minutes be adopted as presented.

**5. CONSENT AGENDA**

- a) The items appearing on the Consent Agenda, which may present a conflict of interest for Directors and/or items which the Committee wishes to discuss must be removed from the Consent Agenda and considered separately.

**6. DELEGATIONS**

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

**a) Michael and Chrissy Peterson**

**RE: Development Variance Permit**

185 Caitlin Road, Electoral Area C/Christina Lake

RDKB File: C-93-04239.370

[2021-04-15 Peterson DVP EAS](#)

**Recommendation:** That the Development Variance Permit application submitted by Chrissy Peterson and Michael Peterson, to vary Section 404.8(b) of the Electoral Area C/Christina Lake Zoning Bylaw No. 1300, 2007 to increase the permitted height of an accessory building from 4.6 m to 5.2 m – a variance of 0.6 m, for the construction of a combined carport and enclosed storage accessory building on the property legally described as Lot 18, Plan KAP82119, District Lot 963, Similkameen Division of Yale Land District, Electoral Area C/ Christina Lake be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation to approve.

**b) Daniel & Holly Anne Benson**

**RE: Development Permit**

1887 & 1889 Ritchie Road, Electoral Area C/Christina Lake

RDKB File: C-970-04361.000

[2021-04-15 Benson DP EAS](#)

**Recommendation:** That the staff report regarding the Environmentally Sensitive Waterfront Development Permit application submitted by Daniel Benson and Holly Benson for the parcel legally described as Lot 1, Plan KAP7123, District Lot 970, Similkameen Division of Yale Land District, Except Plan KAP9129, Electoral Area 'C'/Christina Lake, be received.

**c) Coreen Tara Bobocel**

**RE: Development Permit**

1658 Highway 3, Electoral Area C/Christina Lake

RDKB File: C-498-02995.020

[2021-04-15 Bobocel DP EAS](#)

**Recommendation:** That the staff report regarding the General

Commercial Development Permit application submitted by Jason McMullin on behalf of the owner Coreen Bobocel for the parcel legally described as Lots 1 and 3, Plan KAP12628, District Lot 498, SDYD, Electoral Area C/Christina Lake, be received.

**d) Rudolph & Christina Elischer**

**RE: Development Permit**

Strata Lot 62 Whiskey Jack Rd., Big White

RDKB File: MB-100s-01400.305

[2021-04-15 Elischer DP EAS](#)

**Recommendation:** That the staff report regarding the Eagle Residential Development Permit application submitted by Christine Elischer and Rudolph Elischer for the parcel legally described as Strata Lot 62, Plan KAS1840, District Lot 100S, Similkameen Division of Yale Land District, Mount Baldy, Electoral Area 'E'/West Boundary, be received.

**e) Adyna Investments Ltd.**

**RE: Development Permit**

Strata Lot 24, Feathertop Way, Big White

RDKB File: BW-4222-07500.720

[2021-04-06 Adyna DP EAS](#)

**Recommendation:** That the staff report regarding the Development Permit application submitted by Shauna Wizinsky, Weninger Construction & Design, on behalf of owner Adyna Investments Ltd, to construct a single family dwelling in Big White on the parcel legally described as Strata Lot 24, DL 4222, SDYD, Plan KAS3134, Big White, Electoral Area E/West Boundary, be received.

**f) Pfenning/Kinnear/Szabadi**

**RE: Development Permit**

400 Feathertop Way, Big White

RDKB File: BW-4222-07500.835

[2021-04-15 PfenningKinnearSzabadi DP EAS](#)

**Recommendation:** That the staff report regarding the Alpine Environmentally Sensitive Landscape Reclamation Development Permit application submitted by Brad Pfenning, on behalf of the owners Lorilee Kinnear, Matthew Kinnear, Brad Pfenning, Cindee Pfenning, Thomas Szabadi, and Kimberley Szabadi for the parcel legally described as Strata Lot 47, Plan KAs3134, District Lot 4222,

Similkameen Division of Yale Land District, Big White, Electoral Area 'E'/West Boundary, be received.

**g) Dave Kotler & Trisha Mackle**

**RE: Development Permit**

Strata Lot 48, Feathertop Way, Big White

RDKB File: BW-4222-07500.840

[2021-04-06 Kotler-Mackle DP EAS](#)

**Recommendation:** That the staff report regarding the Development Permit application

submitted by Shauna Wizinsky, Weninger Construction & Design, on behalf

of owners David Kotler and Trisha Mackle, to construct a single family

dwelling in Big White on the parcel legally described as Strata Lot 48, DL

4222, SDYD, Plan KAS3134, Big White, Electoral Area E/West Boundary, be received.

**h) Protech Consulting**

**RE: MOTI Subdivision**

5535 Highway 33, Electoral Area E/West boundary

RDKB File: E-1322-04733.040

[2021-04-15 ProTech MOTI EAS](#)

**Recommendation:** That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed two lot conventional subdivision, for the parcel legally described as District Lot 3307, Similkameen Division of Yale Land District, Except Plan H9293, & Exc Plan EPP34890, located in Electoral Area 'E'/West Boundary be received.

**i) Electoral Area Services Committee Terms of Reference**

[2021 EAS Committee TOR Review](#)

**Recommendation:** That the Electoral Area Services Committee review and provide staff with direction on the Electoral Area Services Committee Terms of Reference as presented on April 15, 2021.

**j) Bylaw Enforcement Summary**

Will be presented at the meeting.



- k) **Grant in Aid Report**  
[2021 Grant in Aid](#)

**Recommendation:** That the Grant in Aid report be received.

- l) **ALR Exclusion Application Policy Development**  
[2021-04-15 ALR Exclusion policy EAS](#)

**Recommendation:** That Electoral Area Services Committee review the above recommended approach and alternatives to a policy on applications to exclude land from the ALR and provide direction.

**9. LATE (EMERGENT) ITEMS**

- a) **Timely payments to Electoral Area Services**

**10. DISCUSSION OF ITEMS FOR FUTURE AGENDAS**

- a) **Board of Variance Member Recruitment**
- b) **Program Funding - Strengthening Communities Services program and Local Government Development Approvals**  
[Safe Restart Funding Programs](#)

**11. CLOSED (IN CAMERA) SESSION**

**12. ADJOURNMENT**



## **Electoral Area Services Committee**

Minutes  
Thursday, March 11, 2021  
Via ZOOM video conference

### **Committee members present:**

Director A. Grieve, Chair - Area A  
Director L. Worley, Area B/Columbia-Old Glory  
Director G. McGregor, Vice-Chair - Area C/Christina Lake  
Director D. O'Donnell, Area D/Rural Grand Forks  
Director V. Gee, Area E/West Boundary-Big White

### **Staff present:**

M. Andison, Chief Administrative Officer  
B. Ihlen, General Manager of Finance  
D. Dean, Manager of Planning and Development  
A. Winje, Manager of Corporate Administration  
B. Rafuse, Bylaw Enforcement Officer  
M. Forster, Executive Assistant  
M. Ciardullo, Recording Secretary

### **Public present:**

D. Goodfellow  
G. Retterath  
G. Fawley

### **CALL TO ORDER**

Chair Grieve called the meeting to order at 10:31 a.m.

### **LAND ACKNOWLEDGEMENT**

We acknowledge and appreciate that the land on which we gather is the converging, traditional and unceded territory of the Syilx, Secwepemc, Sinixt and Ktunaxa Peoples as well as the Metis Peoples whose footsteps have also marked these lands.

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**ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)**

March 11, 2021

Moved / Seconded

That the March 11, 2021 Electoral Area Services Agenda be adopted as amended.

Carried.

Item 8B moved ahead on the agenda after Item 4 Minutes  
Item 11 'Closed Meeting' will be moved ahead after Item 8B

**MINUTES**

**February 11, 2021**

Moved / Seconded

That the February 11, 2021 Electoral Area Services meeting minutes be adopted as presented.

Carried.

**ITEMS MOVED AHEAD ON THE AGENDA**

**Greg and Gail Fawley**

**RE: Development Variance Permit**

1537 McIntyre Road, Electoral Area C/Christina Lake

RDKB File: C-317-02595.340

Moved / Seconded

That the Development Variance Permit application submitted by Gail Fawley and Gregory Fawley, for the property legally described as Lot 34, Plan KAP33117, District Lot 317, Similkameen Division of Yale Land District, Electoral Area C/Christina Lake be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with the following recommendations:

1. That the Regional Board deny the requested variance to Section 402.6 – Exterior Side Parcel Line Setback, to reduce the minimum accessory building exterior side parcel line setback from 4.5 m to 2.65 m – a variance of 1.85 m, in order allow the proposed siting of the accessory building containing the garage/storage area; and

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2. That the Regional Board approve the requested variance to Section 402.6 – Front Parcel Line Setback, to reduce the minimum accessory building exterior side parcel line setback from 4.5 m to 2.75 m – a variance of 1.75 m, to allow for the electrical shed/storage space, with the following condition:
  - 2.1. The applicants submit an approved Highway Use Permit for the setback from the Ministry of Transportation and Infrastructure.

Carried.

**CLOSED (IN CAMERA) SESSION**

*Commenced at 10:50 a.m.*  
Meeting Closed to the Public

In the opinion of the Board - and in accordance with Section 90 of the *Community Charter* - the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting; AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis identified in the following subsections:

- i. the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Moved / Seconded

That the Electoral Area Services Committee proceed to a closed meeting pursuant to Sec. 90 (1)(i) of the *Community Charter*.

Carried.

*The EAS regular meeting reconvened at 11:20 a.m.*

**DELEGATIONS**

No delegations were in attendance.

## **UNFINISHED BUSINESS**

### **Vehicle Removal Assistance**

An update was provided by Brandy Rafuse, Bylaw Enforcement Officer, regarding her research on how we could encourage land owners to remove derelict vehicles from their property.

### **Bylaw Enforcement Potential for Municipal Partnerships**

Donna Dean, Manager of Planning and Development, gave an update on potential partnerships.

### **Bylaw Enforcement File Summary**

There were 110 active files up to February 28, 2021 which were broken down to complaint type and area.  
The Committee requested monthly summaries.

Moved / Seconded

That the Bylaw Enforcement Summary be received.

Carried.

### **Draft New Board of Variance Bylaw**

There was discussion regarding the difference between Board of Variance (BOV) applications and development variance permit applications and the challenges of recruiting members for the Boards of Variance.

Moved / Seconded

That the Board of Variance Bylaw No. 1750, 2021 be forwarded to the Regional District of Kootenay Boundary Board of Directors for consideration.

Carried.

**NEW BUSINESS**

**Erin Lukkar**

**RE: Development Variance Permit**

1115 King George Park Road, Electoral Area B/Lower Columbia-Old Glory  
RDKB File: B-Twp9A-10926.100

Moved / Seconded

That the Development Variance Permit application submitted by Erin Lukkar, to vary Section 609.8 – Agricultural Resource 1 Zone Setbacks of the Electoral Area B/Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2015 to decrease the required front parcel line setback for buildings and structures principal from 7.5 m to 4.5 m – a variance of 3 m, for the construction of a single family dwelling on the property legally described as Lot 1, Plan NEP6491, Township 9A, Kootenay Land District, Except Plan 18520, Electoral Area B/ Lower Columbia-Old Glory be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation to approved, with the following conditions:

1. The applicant provide a certificate of location for the existing buildings and structures; and
2. The applicant provide a site plan that is to scale for the proposed setback variance.

Carried.

**Waneta Expansion Power Corp**

**RE: Development Permit Amendment**

Hwy 22, Electoral Area A  
RDKB File: A-205A-00944.000

Moved / Seconded

That the staff report regarding the Industrial and Columbia Gardens Aquifer Development Permit application submitted by Matthew Tonner of Columbia Power Corporation, on behalf of Waneta Expansion Power Corporation for the parcels legally described as Lot 6A and Lot 7A, District Lot 205A, Kootenay Land District, Plan 800, Except Part included in Statutory Right of Way Plans 15510 and EPP60444, Electoral Area A, be received.

Carried.

**Darren and Clare West**

**RE: Development Permit**

Strata Lot 61, Electoral Area E/West Boundary-Big White  
RDKB File: BW-4222-07500.905

Moved / Seconded

That the staff report regarding the Alpine Environmentally Sensitive Landscape Reclamation Development Permit application submitted by Shauna Wizinsky of Weninger Construction & Design, on behalf of Clare West and Darren West for the parcel legally described as Strata Lot 61, Plan KAS3134, District Lot 4222, Similkameen Division of Yale Land District, Big White, Electoral Area E/West Boundary, be received.

Carried.

**Ronald and Tara Manson**

**RE: MOTI Subdivision**

3041 East Lake Drive, Electoral Area C/Christina Lake  
RDKB File: C-963-043610.000

Moved / Seconded

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed seven lot conventional subdivision, for the parcels legally described as Lot 1, Plan KAP6813, District Lot 963, Similkameen Division of Yale Land District, Except Plan 29141, located in Electoral Area C/Christina Lake be received;

And that staff communicate with the property owner that park dedication in the form of land or cash must be secured, to be determined by the Regional District, for this proposed subdivision to move forward.

Carried.

**Grant in Aid Report**

Moved / Seconded

That the Grant in Aid report be received.

Carried.

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**LATE (EMERGENT) ITEMS**

Director Gee would like staff to ask the province to send rail trail work permit referrals to RDKB. Staff will reach out to the lands branch and follow up with letter.

Director Gee expressed a desire to rename some parks and other public spaces using Indigenous names.

**DISCUSSION OF ITEMS FOR FUTURE AGENDAS**

There was no discussion.

**ADJOURNMENT**

There being no further business to discuss, Chair Grieve adjourned the meeting at 11:56 a.m.





## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Variance Permit – Peterson (679-21V)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	C-963-04239.370
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Danielle Patterson, Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received a Development Variance Permit application to reduce increase the height of an accessory building from 4.6 m to 5.1 m, for a property located at Christina Lake (see Attachment 1 - Site Location Map).

Property Information	
<b>Owners:</b>	Chrissy Peterson and Michael Peterson
<b>Location:</b>	185 Caitlin Road
<b>Electoral Area:</b>	Electoral Area C/Christina Lake
<b>Legal Description:</b>	Lot 18, Plan KAP82119, District Lot 963, Similkameen Division of Yale Land District
<b>Area:</b>	1.0 ha (2.5 ac)
<b>Current Use:</b>	Residential
Land Use Bylaws	
<b>OCP Bylaw: 1250</b>	Rural Residential
<b>DP Area:</b>	Environmentally Sensitive Waterfront Development Permit Area
<b>Zoning Bylaw: 1300</b>	Rural Residential 3 (R3)
Other	
<b>ALR:</b>	NA
<b>Service Area:</b>	NA

### History / Background Information

The subject property is located at 185 Caitlin Road (see Attachment 2 – Subject Property Map) in a strata development named English Ridge Estates. The subject property has a single detached dwelling with an attached single vehicle garage, built in 2007. There are a few small accessory buildings for storage. The dwelling is sited to the south of the property, with a viewscape of Christina Lake. It is accessed via a long driveway that bisects the property north-south. The lot to the east of the subject property is privately owned but vacant.

The properties immediately to the east and west of the subject property are part of the same strata development. The east lot is vacant land. To the south is Crown land identified in the Christina Lake Official Community Plan (OCP) as a potential sand or gravel pit.

### **Proposal**

The applicants are proposing to build a 98 m<sup>2</sup> (1,056 ft<sup>2</sup>) combined carport and enclosed storage building for the purposes of storing boats, vehicles, and trailers (see Attachment 3 – Applicants Submission). In order to accommodate the boat and trailers, the applicants want their accessory building to have 3 m (10 ft) high walls and a 2.4 m (8 ft) high door.

Section 404.8(b) of Zoning Bylaw 1300 limits the height of accessory buildings to 4.6 m; therefore, the applicants are requesting a variance to this section to increase the permitted height of their proposed carport/storage building from 4.6 m to 5.2 m – a variance of 0.6 m<sup>1</sup>.

### **Advisory Planning Commission (APC)**

At their April 6, 2021 meeting, the Electoral Area C/Christina Lake APC reviewed the application and recommended it be supported.

### **Implications**

The RDKB application requests a clear rationale for development variance permit requests. Each Development Variance Permit application is to be reviewed based on its own merit. The applicants have provided the following rationale for their variance request:

- As their property is located in English Ridge Estates, the strata requires all roofs to have a minimum pitch of 6:12 (50% slope). Due to this, the applicants stated they are not able to accommodate their plans to have 3 m high walls and 2.4 m high door with a structure less than 5.2 m high and still meet the strata pitch requirements;
- They stated that accessory buildings in English Ridge Estates require the strata's approval before building and that their strata has approved their proposed design and height. Staff notes that the strata requires all boats, trailers, and other recreational vehicles to be located as far out of public view as possible and to ensure such structures do not obscure the view of the other strata properties;
- Their single detached dwelling has 3 m (10 ft) high walls and the same roof design as their proposed accessory building. The applicants want their accessory building to match their dwelling. Staff note that the strata building scheme places some requirements on properties to ensure their accessory building(s) match their dwellings; and
- They believe the location of their proposed accessory building does not effect the views of any other properties in the subdivision.

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<sup>1</sup> While the applicants state in their application they are requesting a variance of 5.1 m, this was a conversion error from imperial to metric. The actual requested height converts to 5.2 m.

When considering the proposed Development Variance Permit, staff note the following:

1. Other than the requested height variance, the proposal and existing development on the subject property, based on the information provided by the applicant, meet Zoning Bylaw requirements, including parcel coverage, building setbacks, parking, density, and land use.
2. Section 2.13.13, Policy 5 of the Area C OCP states, *"implementing bylaws will contain regulations which encourage buildings which are in scale with existing neighbourhoods and don't crowd the lot"*. Some of the properties in the subdivision, including the property immediately to the east of the subject property, have not yet been developed. Those that are developed are large parcels (1 ha or larger) with large single detached dwellings. While a 98 m<sup>2</sup> (1,056 ft<sup>2</sup>) accessory building is quite large, it is to scale with other dwellings in the neighbourhood and the large parcel size of 1.0 ha (2.5 ac).
3. The strata's building scheme places restrictions on the number of accessory buildings permitted, making it unlikely that this property will be crowded with additional outbuildings in the future.
4. The proposed carport/storage building would be accessed via a long driveway and would not be easily visible from the road.
5. While the majority of the RDKB's zoning bylaws define the height of a building to mean *"the vertical distance measured from the average grade at the perimeter of the building or structure to the highest point thereof,"* this is not the case with all local governments. Many local governments in British Columbia measure building height as the average grade combined with the midpoint of the roof (the average between the eaves and the highest roof peak), particularly for roofs with pitches as steep as that proposed by the applicant. Using this method of height calculation, the proposed accessory building would be under 4.1 m high. As such, the requested building height is not outside of the norm.

### **Recommendation**

That the Development Variance Permit application submitted by Chrissy Peterson and Michael Peterson, to vary Section 404.8(b) of the Electoral Area C/Christina Lake Zoning Bylaw No. 1300, 2007 to increase the permitted height of an accessory building from 4.6 m to 5.2 m – a variance of 0.6 m, for the construction of a combined carport and enclosed storage accessory building on the property legally described as Lot 18, Plan KAP82119, District Lot 963, Similkameen Division of Yale Land District, Electoral Area C/ Christina Lake be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation to approve.

### **Attachments**

1. Site Location Map
2. Subject Property Map
3. Applicant Submission

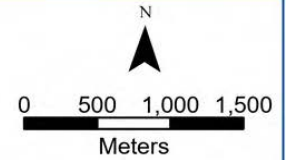


Regional District of  
**Kootenay Boundary**

Date: 2021-03-22

## Site Location Map

Lot 18, Plan KAP82119,  
District Lot 963,  
Similkameen Div of Yale Land District



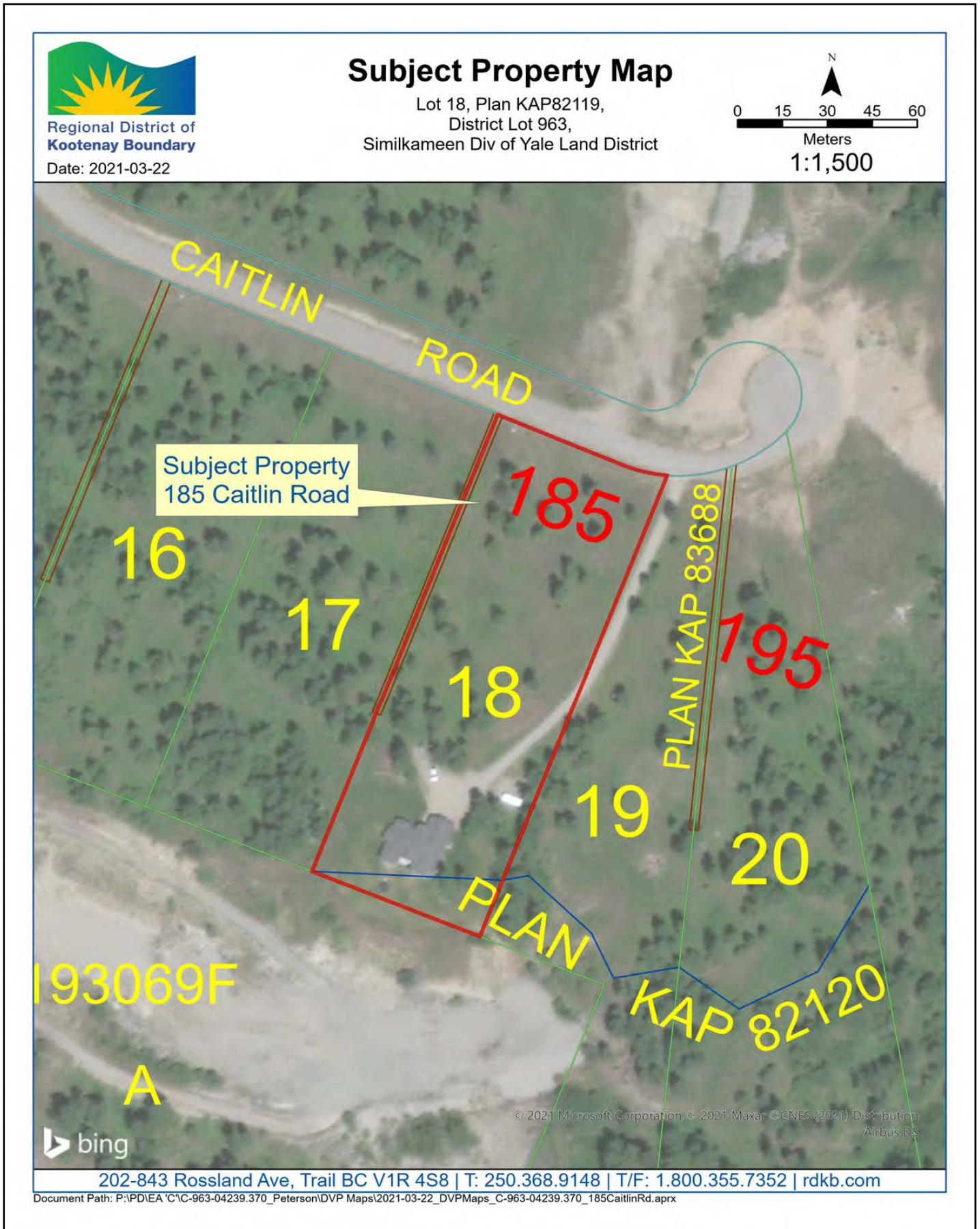
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To whom it may concern,

I'm applying for a development variance permit for an accessory building on my property. I have submitted a building permit and would like to apply for a variance on the Height Maximum. Section 404: rural residential 3 zone Zoning bylaw 1300 8 B). 4.6M for accessory buildings and structures.

I have attached copies of my plans for my accessory building to this application and the height is 5.1M 16"-11". I would like 10' walls to accommodate an 8' high door and carport opening for storage of boats, trucks and trailers etc. I have went with a 6-12 roof pitch as in the building scheme for the development I am building in has a building scheme (English Ridge estates). The minimum allowable roof pitch by the developers is a 6-12 pitch. I have got my plans signed off by the developer that I have submitted to the RDKB.

I have also attached some pictures of my house plans. I have 10' walls both up-stairs and down and also in my attached garage. I want to keep the 10' walls for my accessory building to match the build of my house. The roof line will also match my attached garage on my house.

My plot plan shows the area on my property where I would like to build. It does not restrict the views for any of my neighbors, or any other lots in the subdivision. I have attached a copy of the development disclosure statement that shows the building scheme. Below is a snippet of section 2.5 roof designs.

## **2.5 ROOF DESIGNS AND MATERIALS AND DECKS**

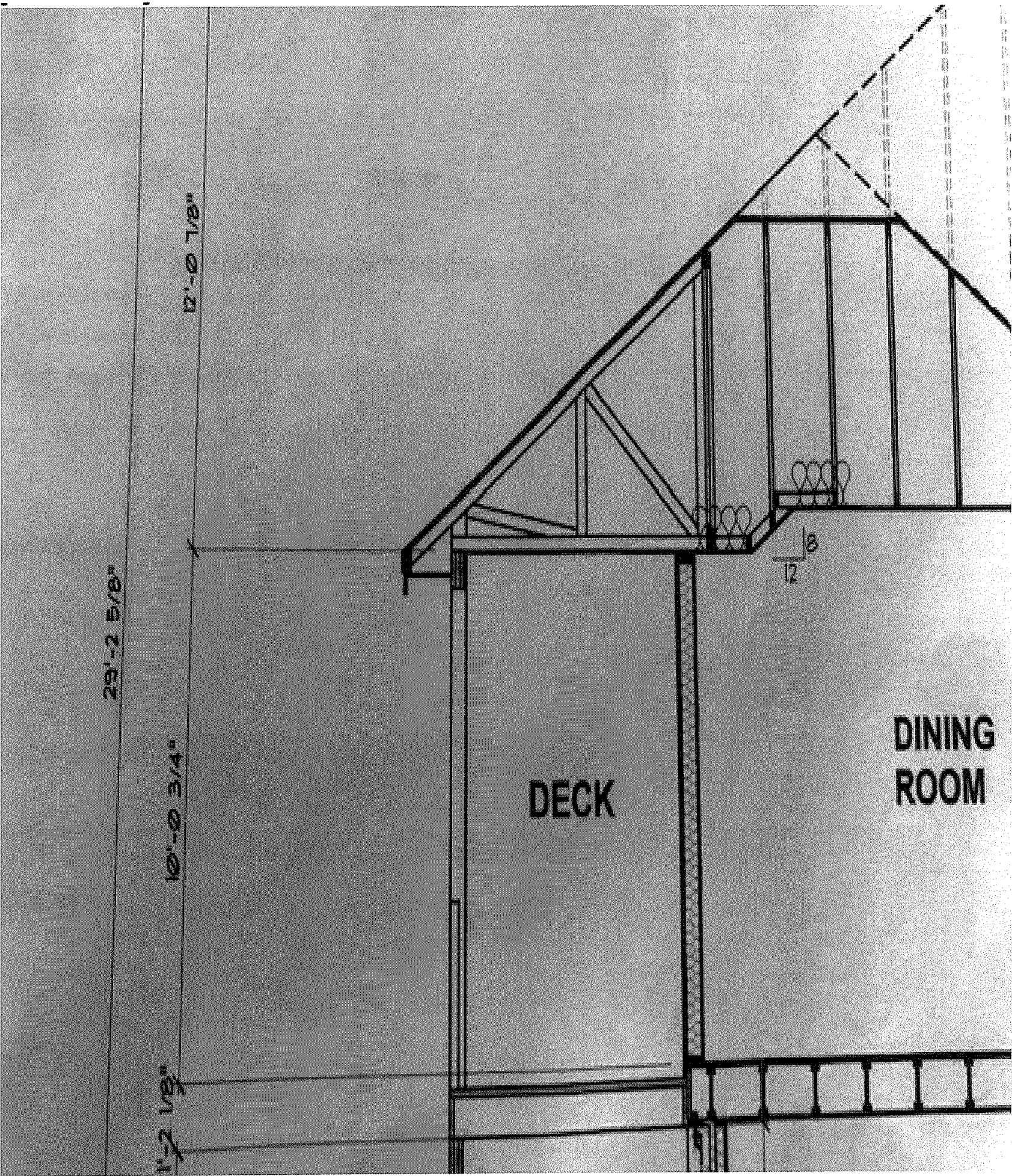
- (a) Roof styles may not be simple gable. Cottage or other approved designs with bold forms and a minimum roof pitch of 6:12 slope are required . Intersecting roof lines are encouraged.
- (b) Cedar shakes and shingles and pine shingles and metal roof sheathing are not acceptable roofing materials and are not permitted. Duroid or asphalt or sheet metal shingles are permitted to help reduce fire hazards.
- (c) All vents and roof stacks are to be painted in a dull finish to match the roof colour and be situated in areas that are least exposed to the fronting roadway.
- (d) All gutters or downspouts are to empty into a drainage rock pit .

Thanks for taking the time to review my application.

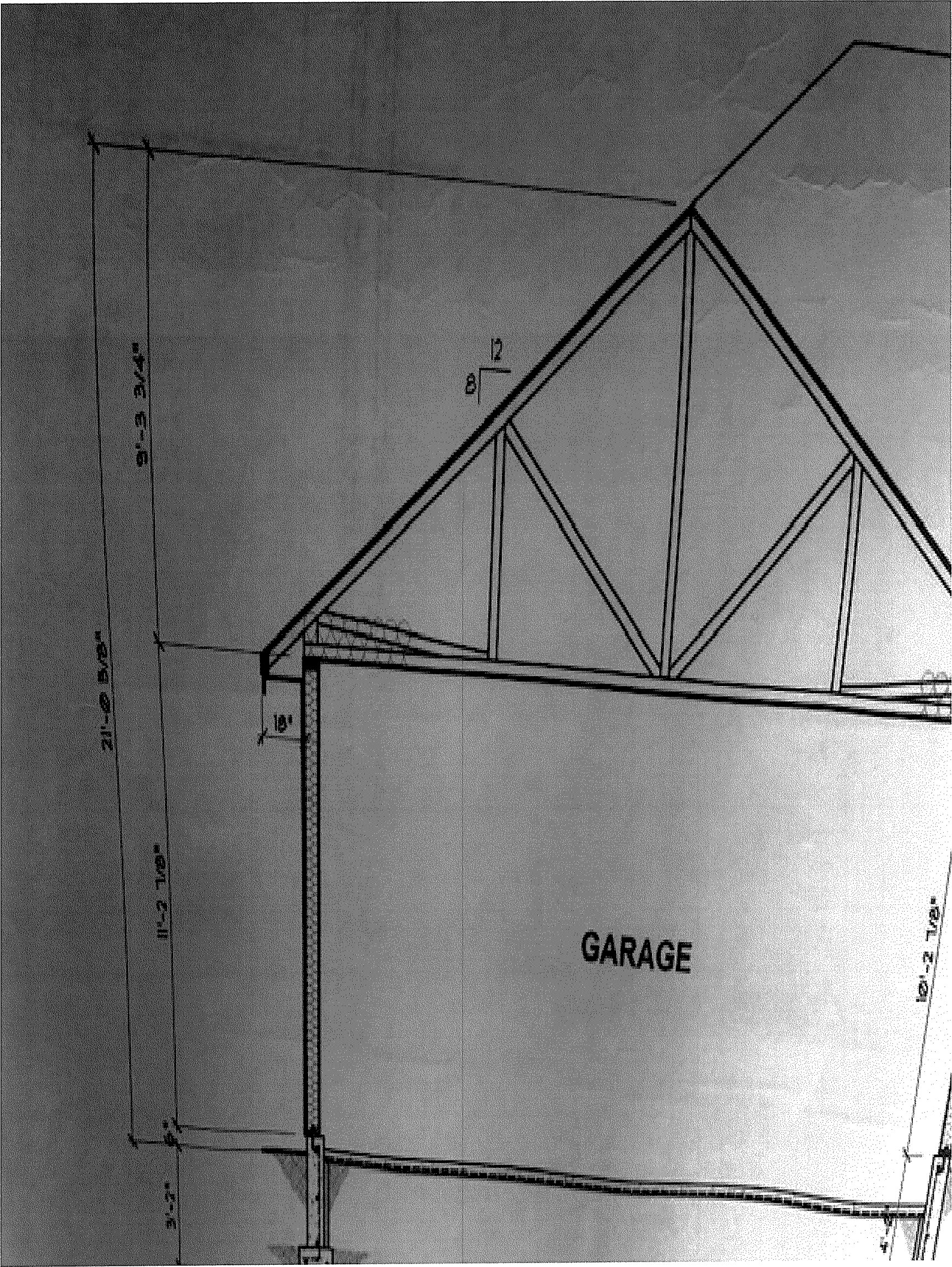
Sincerely

Michael and Chrissy Peterson





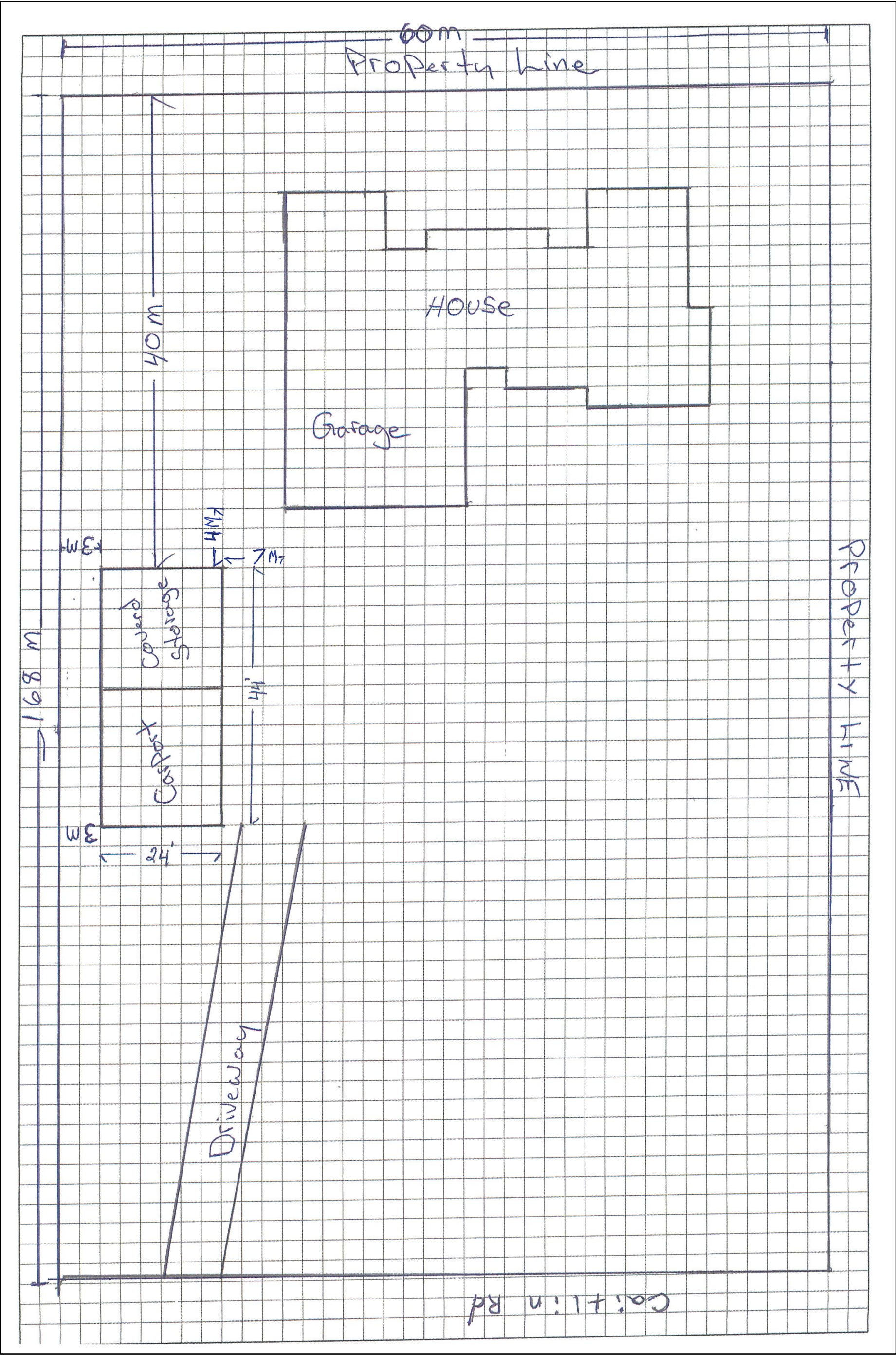




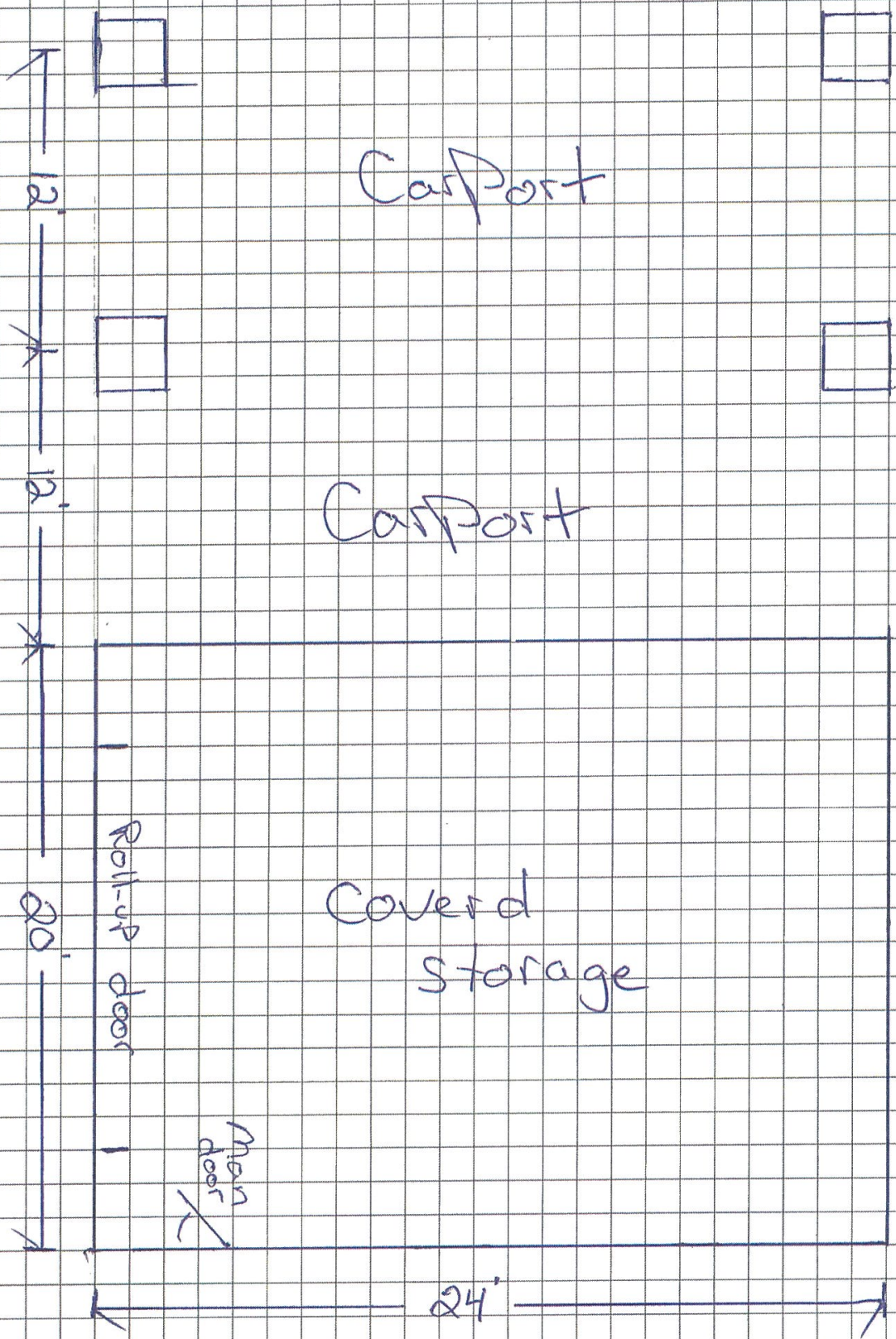






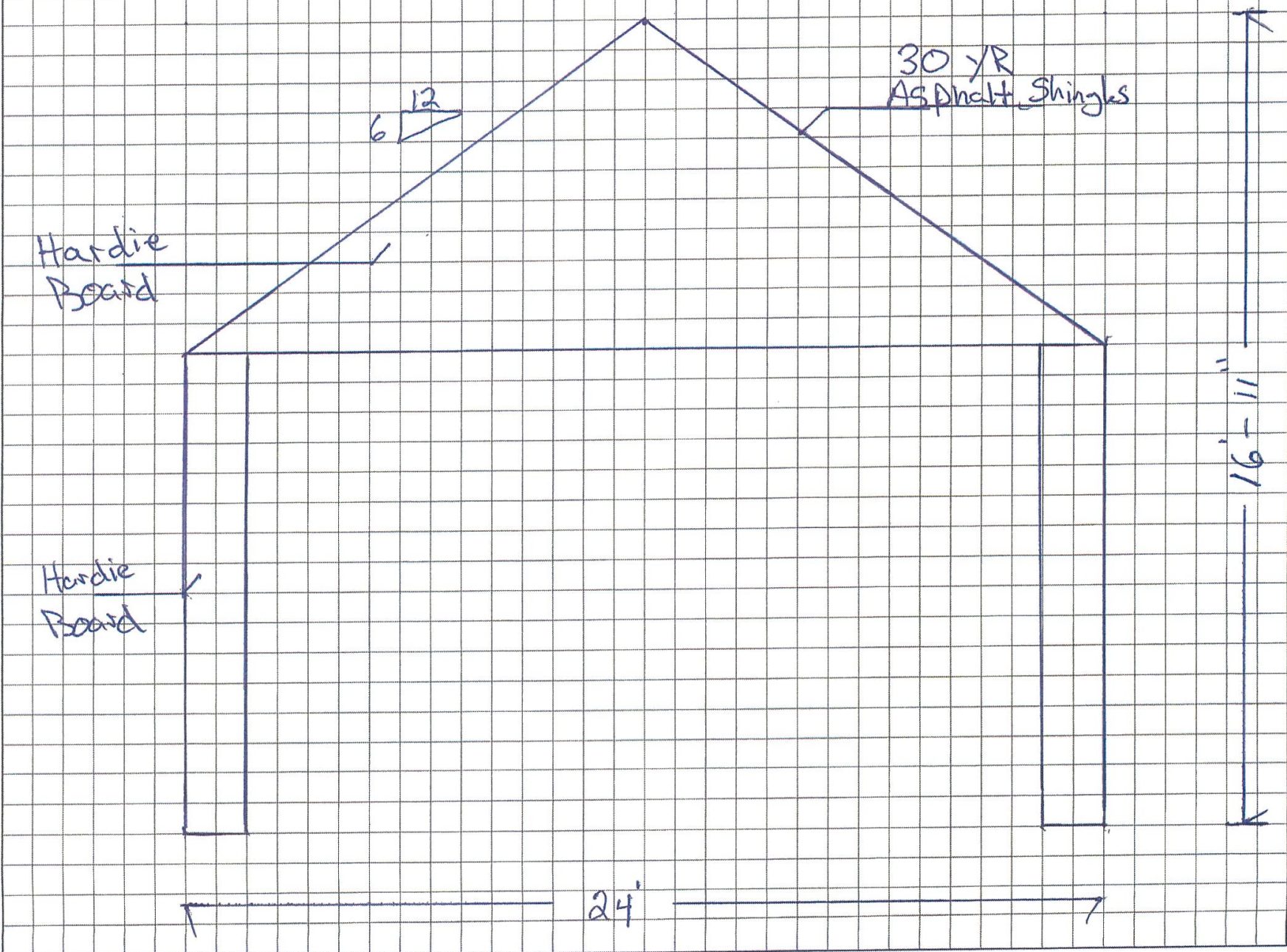
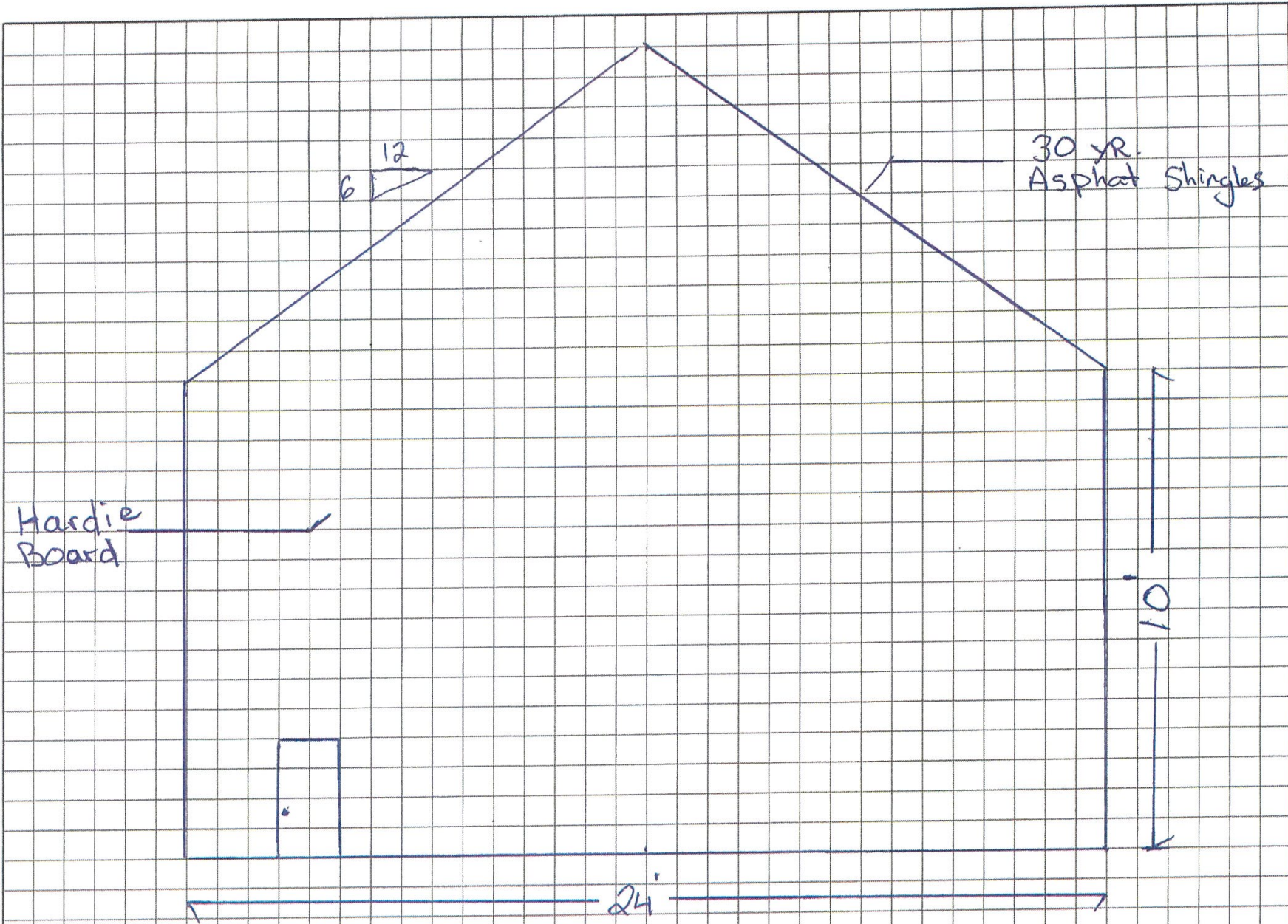






Approved by English Ridge Development









Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Permit – Benson (680-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	C-970-04361.000
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Danielle Patterson, Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received a Development Permit application from the property owner for an onsite wastewater system for a single family dwelling in Electoral Area C/Christina Lake (see Attachment 1 – Site Location Map).

Property Information	
<b>Owners:</b>	Daniel Benson and Holly Benson
<b>Location:</b>	1889 Ritchie Road and 1887 Richie Road [sic]
<b>Electoral Area:</b>	Electoral Area C/Christina Lake
<b>Legal Description:</b>	Lot 1, Plan KAP7123, District Lot 970, Similkameen Division of Yale Land District, Except Plan KAP9129
<b>Area:</b>	1,813.0 m <sup>2</sup> (0.448 ac)
<b>Current Use:</b>	Residential/Recreational
Land Use Bylaws	
<b>OCP Bylaw 1250:</b>	Residential
<b>Development Permit Area:</b>	Environmentally Sensitive Waterfront
<b>Zoning Bylaw 1300:</b>	Single Family Residential 1 Zone (R1)
Other	
<b>Waterfront / Floodplain:</b>	Christina Lake
<b>Service Area:</b>	Sutherland Creek Waterworks District

### History / Background Information

The subject property is a vacant lot located at 1889 Ritchie Road on the waterfront south of Lavalley Point (see Attachment 2 – Subject Property Map). There is a second address (1887 Richie [sic] Road) associated with the subject property. Based on RDKB records, this address is assigned to the property owners' dock. Staff have made note to resolve this addressing error.

The property owners intend to build a four bedroom single detached dwelling with a two bedroom secondary suite on the subject property.

## **Proposal**

In preparation for a summer 2021 build of the single detached dwelling with a secondary suite for a year-round residence, the property owners have submitted an Environmentally Sensitive Waterfront Development Permit application for a new onsite wastewater system (see Attachment 3 – Applicant Submission).

Brent Dennis, P. Eng. Of BWD Engineering Inc. provided a Wastewater System & Site Assessment (the Assessment) for the subject property. The Assessment states that there is either no existing system on the subject property or that it has been abandoned. The Assessment is for the removal of any potentially pre-existing septic systems and the installation of a new system.

To support the needs of a four bedroom single dwelling with a two bedroom suite, B. Dennis, P.Eng. recommends a two septic tank system to be used with a Type 2 combined Treatment and Dispersal System, with the inclusion of a nitrogen reducing Permeable Reactive Barrier. It is recommended by B. Dennis that the system be sited on the most easterly location on the subject property to set the system far from the Christina Lake. This is labelled as "Detail B" in the applicants' submission and would be located northeast of the proposed garage and driveway. This location, based on the site plan provided, is at least five centimetres above the Flood Construction Level in the RDKB Floodplain Bylaw.

## **Advisory Planning Commission (APC)**

At their April 6, 2021 meeting, the Electoral Area C/Christina Lake APC reviewed the application and recommended it be supported. No comments were provided.

## **Implications**

B.W. Dennis, P.Eng. noted in the Assessment that this septic system is not designed to be used for garburators, water softener backwash, or water sources such as floor drain and roof down spouts. The language of the Development Permit shall reflect this.

The Guidelines for the Environmentally Sensitive Waterfront Development Permit Area state that the method of sewage treatment and disposal will, "wherever possible, exceed the minimum standards required by Provincial regulation". Based on the professional report submitted, the proposed onsite wastewater system meets this guideline.

## **Preliminary Plan for Single Detached Dwelling**

Based on applicants' proposal, the proposed dwelling meets parcel coverage (26.4% presented; maximum permitted is 33%), parking (three or more required), setbacks, use, and building height requirements (9.9 m presented; maximum permitted is 10 m) for the R1 Zone. Except for the number of bedrooms, the approval of an Environmentally Sensitive Waterfront Development Permit does not include approval of the building design, which must meet zoning building regulations at the building permit stage.

The approval of an Environmentally Sensitive Waterfront Development Permit does not equate approval of the location of any future dwellings on the subject property. If the

applicant moves forward with plans to build a single detached dwelling, the appropriate building permits will be required showing the elevation and setbacks requirements but based on what the applicants have submitted, the dwelling as proposed is above the Flood construction Level noted in the Floodplain Bylaw.

### **Recommendation**

That the staff report regarding the Environmentally Sensitive Waterfront Development Permit application submitted by Daniel Benson and Holly Benson for the parcel legally described as Lot 1, Plan KAP7123, District Lot 970, Similkameen Division of Yale Land District, Except Plan KAP9129, Electoral Area 'C'/Christina Lake, be received.

### **Attachments**

1. Site Location Map
2. Subject Property Map
3. Applicant Submission

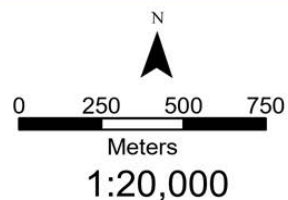


Date: 2021-03-22

Lot 1, Plan KAP7123,

District Lot 970,

Similkameen Div of Yale Land District



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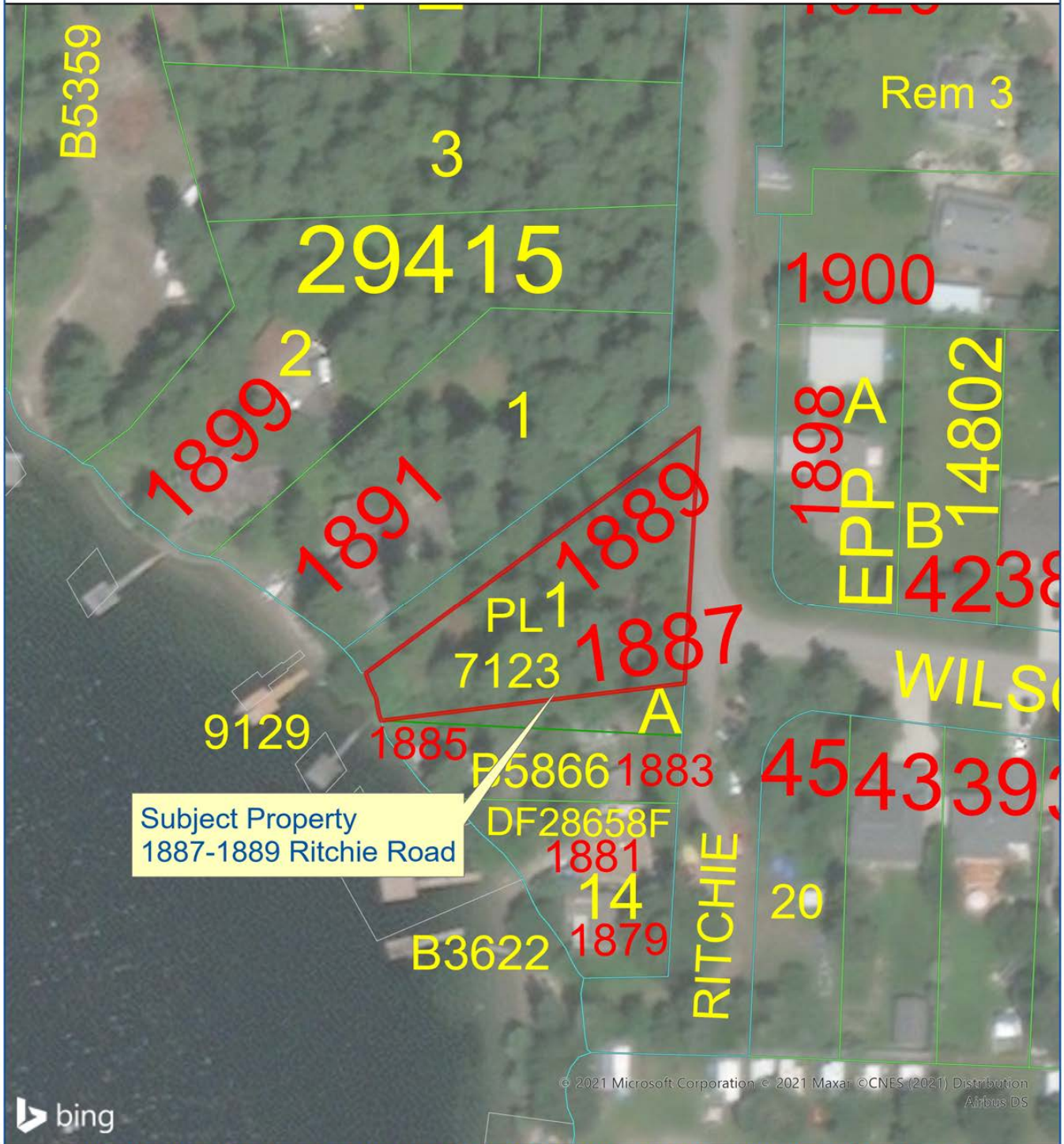
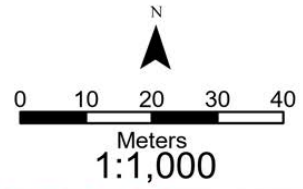




Date: 2021-03-22

## Subject Property Map

Lot 1, Plan KAP7123,  
District Lot 970,  
Similkameen Div of Yale Land District



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**Required Section:** the space below is provided to describe the proposed development. Additional pages may be attached.

Building a new house on our property. No variances are required, we are above the flood plain and we have attached the septic plan provided by our engineer.

POSTING PLAN OF LOT 1,  
DISTRICT LOT 970, SDYD, PLAN 7123  
EXCEPT PLAN 9129

AREA (LOT COVERAGE)

LOT #1 = 1965.29 M<sup>2</sup> / 0.48 ACRE

PROPOSED HOUSE = 364.61M<sup>2</sup>  
(Includes Covered Deck and Entrance)

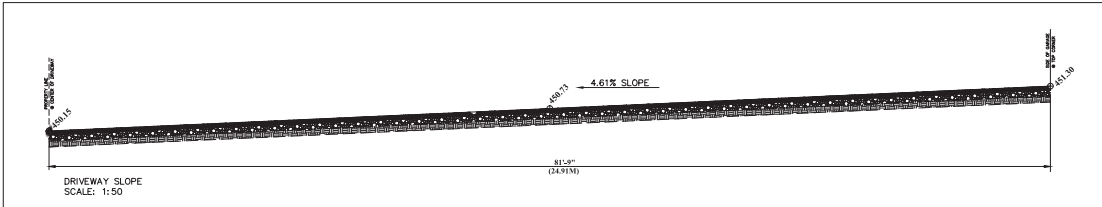
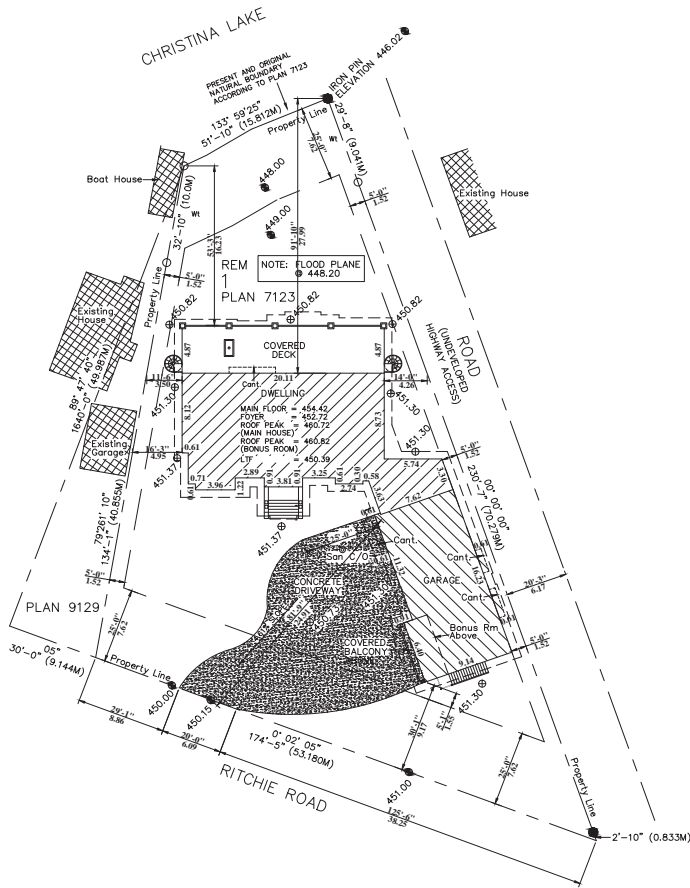
PROPOSED GARAGE = 154.46M<sup>2</sup>  
(Includes Covered Balcony)

LOT COVERAGE = 519.07M<sup>2</sup> OR 26.41%



LEGEND

- BEARINGS ARE ASTRONOMIC, DERIVED  
FROM PLAN 29415
- DENOTES STANDARD IRON POST FOUND
  - DENOTES STANDARD IRON POST PLACED
  - Wt DENOTES WITNESS
  - ⊕ GEODETIC ELEVATION (EXISTING)
  - ⊕ GEODETIC ELEVATION (PROPOSED)

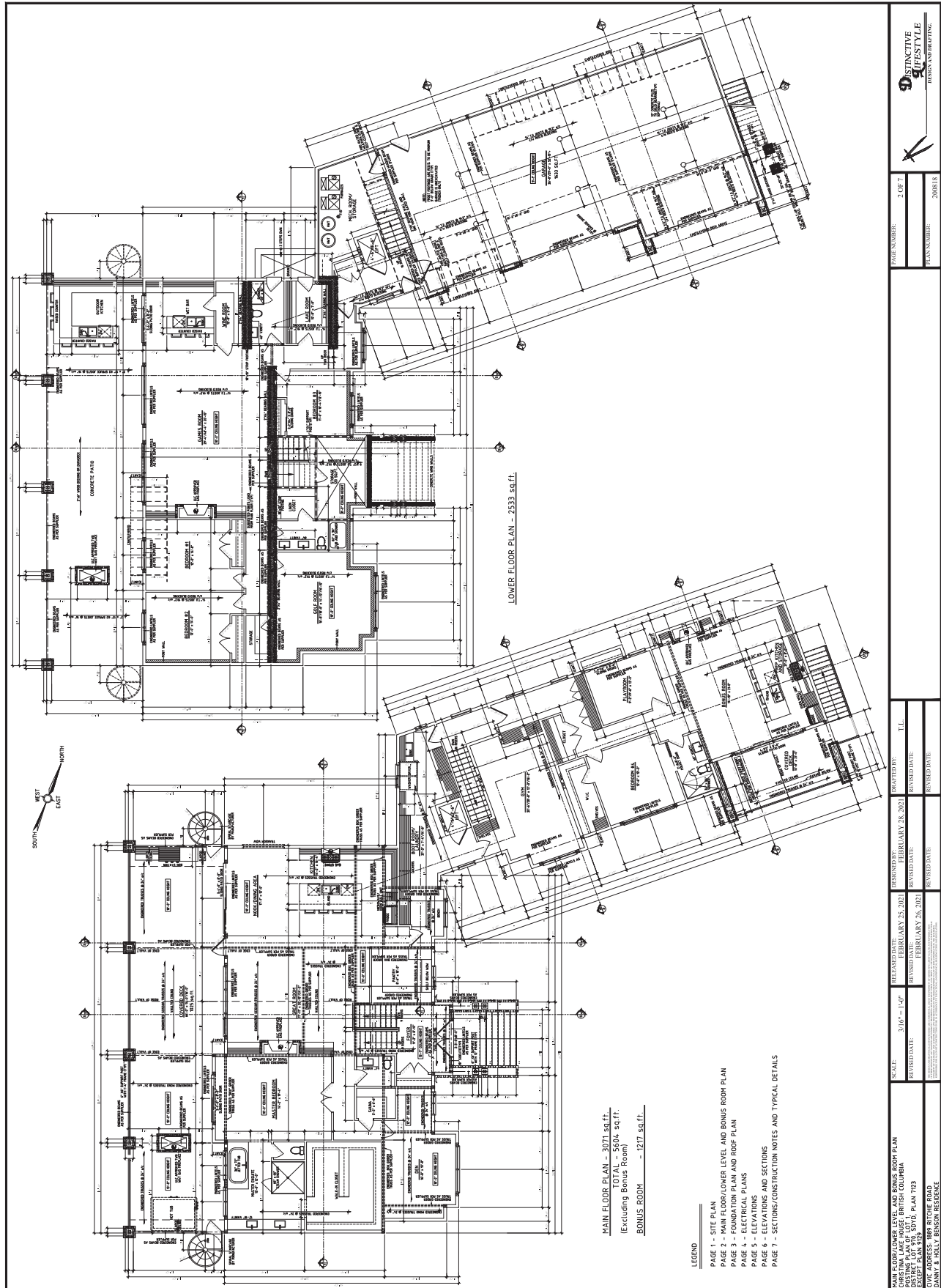


SITE PLAN CHRISTINA LAKE HOUSE, BRITISH COLUMBIA POSTING PLAN OF LOT 1, DISTRICT LOT 970, SDYD, PLAN 7123 EXCEPT PLAN 9129 CIVIC ADDRESS: 1889 RITCHIE ROAD DANNY & HOLLY BENSON RESIDENCE	SCALE: 1:200	RELEASED DATE: FEBRUARY 25, 2021	DESIGNED BY: FEBRUARY 28, 2021	DRAFTED BY: T.L.
	REVISED DATE: FEBRUARY 26, 2021	REVISED DATE: FEBRUARY 26, 2021	REVISED DATE:	REVISED DATE:
PAGE NUMBER: 1 OF 7		PLAN NUMBER: 200818		



**DISTINCTIVE  
LIFESTYLE**  
DESIGN AND DRAFTING







ELEVATIONS CHRISTINA LAKE HOUSE, BRITISH COLUMBIA POSTING PLAN OF LOT 1 DISTRICT LOT 976, SOVD, PLAN 7123 EXCEPT PLAN 975 CIVIC ADDRESS: 9849 RITCHIE ROAD DANNY & HOLLY BENSON RESIDENCE	SCALE: 3/16" = 1'-0"	RELEASED DATE: FEBRUARY 25, 2021	DESIGNED BY: FEBRUARY 28, 2021	DRAFTED BY: T.L.	PAGE NUMBER: 5 OF 7
	REVISED DATE:	REVISED DATE: FEBRUARY 26, 2021	REVISED DATE:	REVISED DATE:	PLAN NUMBER: 200818
	NOTES: 1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE SPECIFIED. 2. ALL MATERIALS AND FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS. 3. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE BC BUILDING CODE AND ALL APPLICABLE REGULATIONS.				
	DISTINCTIVE LIFESTYLE DESIGN AND DRAFTING				



**Wastewater System & Site Assessment**  
**RDKB – OCP – Bylaw 1250**  
**Environmentally Sensitive Waterfront DPA**

**1889 Richie Road  
Christina Lake, BC,**

**March 2021**

**Project No. 17131**

**Prepared for: Mr. Daniel Benson**



8 March 2021

Attention: Mr. Daniel Benson

Re: Onsite Wastewater System & Site Assessment  
 RDKB OCP Bylaw 1250 – Environmentally Sensitive Waterfront DPA  
 Civic Address: 1889 Richie Road, Christina Lake, BC  
 Legal Description: Lot 1, DL 970, SDYD Plan 7123 except Plan 9129  
 PID: 004-466-861

BWD Engineering Inc. was retained by you to review the proposed onsite wastewater system for the above noted property and prepare a report for the purpose of the RDKB Bylaw 1250 DPA. BWD Engineering Inc., since 2006, has specialized in onsite wastewater system design under the BC Sewerage System Regulation and has experience in all system types and in all areas of the province of BC. Please note that BWD Engineering Inc. and the author of this report, do not practice Hydrogeology.

The design as discussed in this report is currently filed with Interior Health Authority. This report is in support of the proposed onsite wastewater system.

## 1. Introduction

Property Ownership: Daniel and Holly Benson

There is currently no existing infrastructure on the lot. The location and components of any possible existing septic system are generally unknown. No records of a system exist. No parts of any existing infrastructure are to be reused.

The proposed development will remove remaining structures and clear required portions of the land and construct a permanent residential home. The proposed residence is two floors with an approximate total living area of 520 m<sup>2</sup>. There are no future expansion plans. As such, the proposed septic system is designed for the structures as proposed.

## 2. Site Description

The site evaluation visit including soils test pits was conducted on 13 November 2017, soils logs attached.

The property is waterfront, west facing on Christina Lake. It is within an established subdivision, is approximately 0.18 hectares with approximately 15.8 meters of lake frontage. The property extends east approximately between 40 and 70 meters away from the lake shore.

The property is essentially level, as are the surrounding properties. The lot is mostly clear of trees and primarily grass covered. Water is supplied from the community service.

Site plan per current Filing with Interior Health Authority attached.

**Page 2 of 5**





### 3. Flows

Existing and proposed land use are as detailed in Section 1. The following is in reference to effluent discharge flows.

The historical septic system was likely a trickle gravity, Type 1 system with a standard disposal field typical of the era. As no records exist, it is unknown what size and condition the field is in. No flow monitoring has been done and historical usage by previous owners is unknown.

The proposed new home is designed as a full-time residence. As such the new septic system is designed for this use. Under the current Sewerage System Regulation (SSR) and the BC Sewerage System Standard Practice Manual – Version 3 (SPM-V3), the design parameters are as follows:

Daily Design Flow:	2,825 L/d
Disbursal Field:	Located at far north east corner of the property

The native soils are very consistent. Depth to the seasonal high-water table is greater than 150 cm with a system designed vertical separation in excess of the minimum regulatory requirement of 75 cm. For landscaping purposes, the infiltration system may be slightly proud of the current surface.

The property, and the surrounding subdivision, is located on an alluvial fan. Ground water flows consistently toward the lake. Once treatment is complete and the effluent is released to the groundwater, due to the distance from the high-water line, the expectation is for minimal measurable impact in the hyporheic zone and no measurable impact to the lake.

### 4. Field Investigation

The original site visit and investigation was conducted on 13 November 2017. It was determined the best location for the field regardless would be as far from the lake shore as possible at the north east corner of the property.

The soils are as expected in this alluvial fan, that is consistent silty and sand. As distance from the lake shore is key, no other test pits were deemed necessary.

### 5. Assessment of Alternatives

The base line for all septic systems in the province is to meet the Standard Practice Manual for BC (SPM-V3) as referred to in the BC Sewerage System Regulation. This provides for a minimum design for the purpose of health protection only.

To provide for health protection only, this property would support a standard Type 1 gravity system. Note: For health purposes, Type 1, 2 and 3 systems produce the same outcome and are considered equivalent.

**Page 3 of 5**



For Type 2 and 3 systems, there are many forms of treatment available. The most common are aerobic treatment plants. Most of these are discounted for lake protection as they typically produce less nutrient reduction than a standard Type 1 system, have higher loading rates and less residence time in the treatment zone. Some ATU systems have a nitrogen reduction cycle, but these are discounted for applications having long periods of non-use and heavy surge spikes. They are also discounted in areas without mandatory maintenance bylaws in place as maintenance is critical to the reduction cycle being effective.

There are less common systems that can be used for reducing nutrient release, such as Constructed Wet Lands and, in some cases, Drip Dispersal. Unfortunately, these also require significant maintenance and should not be used for this purpose where a maintenance bylaw does not exist.

Of the standard systems, a Type 1 or some Type 2 Combined Treatment and Dispersal Systems (CTDS) will give consistent nitrogen reduction without degradation due to surge flows or lack of maintenance. Standard nitrogen reduction can be enhanced with Micro-Time Dose Pressure Distribution. This also reduces nutrient spikes in the hyporheic zone.

To enhance the nitrogen reduction for this project, the Eljen GSF CTDS is selected as it prepares the effluent for carbon-based conversion to  $N_2$ . A Permeable reactive barrier is employed to facilitate this conversion and allow the nitrogen to gas off.

## 6. Recommendations and Justifications

As noted in Section 1, the system is sized for the maximum full-time residency of the structures on the property with the dispersal field at the most easterly location on the site.

The recommended septic system consists of two 4540-litre, septic tanks in series with an outlet filter and high-level alarm, a 4540-litre pump tank, micro time-dose controlled duplex pumps and an Eljen GSF, Type 2 Combined Treatment and Dispersal System in the field with a nitrogen reducing Permeable Reactive Barrier.

This system is the most cost effective, low maintenance system within the standard of practice where treatment and nitrogen reduction are not affected by long rest periods, lack of maintenance or significant surges in flow.

## Limitations

This report is prepared for the exclusive use of Mr. Daniel Benson and provides an assessment based on the information contained herein. The assessment is intended to evaluate if the proposed wastewater system on this property is sufficient to avoid undue impacts on the quality of the adjoining watercourse within compliance of the standard of practice as laid out by the RDKB and Bylaw 1250, Section 4.1 - Environmentally Sensitive Waterfront Development Permit Area.



The interpretations and inferences, concerning the site contained in this report are based on information provided and information gathered during the site visit as presented herein and are based solely on the condition of the property at the time of reference.

The findings and conclusions documented in this report have been prepared for specific application to the noted request and have been developed in a manner consistent with the level of care exercised by Wastewater Professionals currently practicing under similar conditions in the jurisdiction. BWD Engineering Inc. makes no other warranty, expressed or implied.

Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. BWD Engineering accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

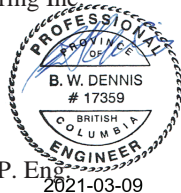
If new information is discovered during future work, including excavations, soil boring, or other investigations, BWD Engineering should be requested to re-evaluate the conclusions of this report and to provide amendments, as required, prior to any reliance upon the information presented herein.

## 6. Closure

We trust the information provided is sufficient for your consideration. Should you have any questions or comments, please contact the undersigned.

Sincerely

BWD Engineering Inc



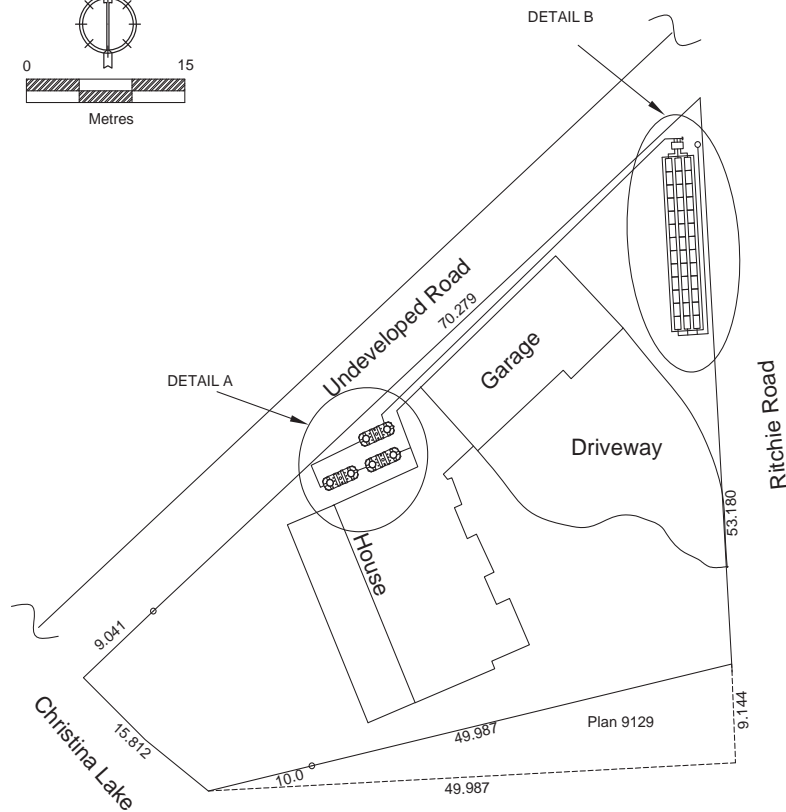
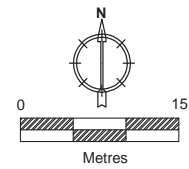
Brent Dennis, P. Eng  
2021-03-09

Attachments:

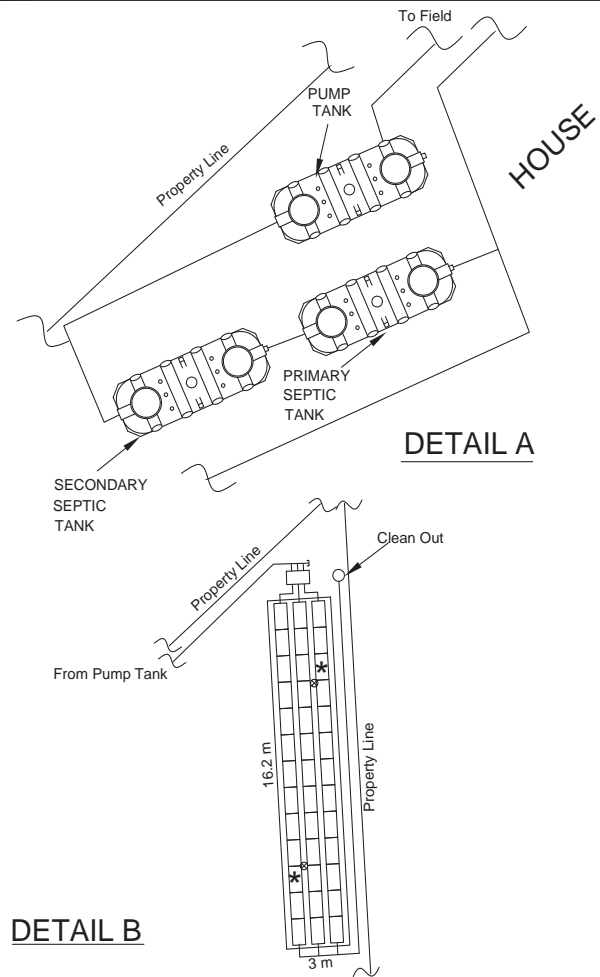
- BWD Engineering Site Plan – Drawing Number: 17131-001 Sheet 1 of 6
- Soils Logs
- Title – CA8792485
- Subdivision Plan: 7123
- BC Tax Assessment – eValueBC

Page 5 of 5

| 15822 – 106A Avenue, Surrey, BC, Canada, V4N 1K7 | P:1.604.789.2204 | [www.bwdengineering.com](http://www.bwdengineering.com) |



**SITE PLAN**



**DETAIL B**

Filing #:

**LEGEND**

- ☒ Test Hole
- ⊗ Observation Port
- ⊕ Well
- ★ Pan Lysimeter

<b>Mound Sand</b>	<b>Washed Drainrock</b>
<b>System Sand</b>	<b>Soil</b>
<b>Grass</b>	<b>Eljen Section</b>

Notes:

0	Issued for RSS Filing
REV	DATE DESCRIPTION



**Brent Dennis, P. Eng.**  
 brent.dennis@BWDengineering.com  
 Office: 604-957-3611 Mobile: 604-789-2204  
 15822-106A Ave. Surrey BC V4N 1K7  
 www.BWDengineering.com

Client: Benson (Danny)  
 Owner: Benson (Danny)  
 Project #: 17131

Description: Onsite Wastewater System

Project Name: 1889 Ritchie Road

Title: Site Plan


Drawing #:	Sheet #:	Rev:
17131 - 001	1 of 6	0

BWD Engineering Inc.			<b><u>Soil Profile Description</u></b>					Date: <u>13-Nov-17</u>				
Client: <u>Benson</u>			Test Hole #: <u>1</u>									
Location: <u>1889 Richie Road, Christina Lake</u>												

Depth (cm)	Texture	C.F. %	Structure			Consistency	Colour	Mottles			Roots	
			Type	Grade	Size			Quantity	Size	Contrast	Quantity	Size
2 - 0	Organics	-	-	-	-	-	-	-	-	-	-	-
0 - 25	Top Soil Loam	-	Blocky	-	-	Friable	Dark Brown	-	-	-	Few	Medium
25 - 50	Silty Clay	-	Blocky	Moderate	Medium	Friable	Brown	-	-	-	Few	Fine
50 - 150	Sand	-	Structureless	-	-	Loose	Gray	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-



Redoximorphic features (mottling/gleying) present from none to            .

Ground water table (seasonal / perched) present at: none cm

Restrictive horizon present at: >150 cm

Rooting depth to: 50 cm


Notes:

BWD Engineering Inc.			<b><u>Soil Profile Description</u></b>					Date: <u>13-Nov-17</u>				
Client: <u>Benson</u>			Test Hole #: <u>2</u>									
Location: <u>1889 Richie Road, Christina Lake</u>												

Depth (cm)	Texture	C.F. %	Structure			Consistency	Colour	Mottles			Roots	
			Type	Grade	Size			Quantity	Size	Contrast	Quantity	Size
2 - 0	Organics	-	-	-	-	-	-	-	-	-	-	-
0 - 20	Top Soil Loam	-	Blocky	-	-	Friable	Dark Brown	-	-	-	Few	Medium
20 - 60	Silty Clay	-	Blocky	Moderate	Medium	Friable	Brown	-	-	-	Few	Fine
60 - 150	Sand	-	Structureless	-	-	Loose	Gray	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-



Redoximorphic features (mottling/gleying) present from none to          .

Ground water table (seasonal / perched) present at: none cm

Restrictive horizon present at: >150 cm

Rooting depth to: 50 cm

Notes:



## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	General Commercial Development Permit – Bobocel (682-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	C-498-02995.020
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Donna Dean, Manager of Planning and Development		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received a General Commercial Development Permit application for the conversion of the upper level of a workshop to a motel unit and construction of a single family dwelling (see attached Site Location Map, Subject Property Map and Applicant's submission).

Property Information	
<b>Owners:</b>	Coreen Bobocel
<b>Location:</b>	1658 Highway 3
<b>Agent:</b>	Jason McMullin
<b>Electoral Area:</b>	Electoral Area C/Christina Lake
<b>Legal Description:</b>	Lots 1 and 3, Plan KAP12628, District Lot 498, SDYD
<b>Area:</b>	±4000 m <sup>2</sup> (1 acre)
<b>Current Use:</b>	Motel
Land Use Bylaws	
<b>OCP Bylaw 1250:</b>	Highway Commercial
<b>Development Permit Area:</b>	General Commercial
<b>Zoning Bylaw 1300:</b>	Highway Commercial 2
Other	
<b>Waterfront / Floodplain:</b>	Not Applicable
<b>Service Area:</b>	Christina Lake Water Utility Service

### History / Background Information

The subject property is the location of the Lakeview Motel. In 2008, previous owners of the subject property received a development permit (#365-08D) to construct a workshop to the east of the main building of the motel. The structure,

with the gabled roof, can be seen in the 'streetview' image below. In 2004 the Ministry of Health issued a permit to replace a failing septic system on the subject lands and required that: a barrier be installed to prevent parking or driving over the septic field; water saving devices be used/installed in the motel; and that the irrigation/sprinkler lines be removed and capped in the seepage bed area.



**Proposal**

The owners have submitted a proposal to convert the upper level of the existing workshop to an accommodation unit that would be part of the motel. In conjunction, a one-bedroom single family dwelling would be constructed to the north of the existing workshop (to the left in the photo above).

**Implications**

While the applicant’s submission suggests that the additional accommodation unit may also be used as staff accommodation, only one dwelling unit per parcel is permitted. If the proposed dwelling unit (cabin) is constructed, the accommodation unit over the workshop may only be used for commercial guest accommodation.

The intent of the General Commercial Development Permit Area is to ensure that commercial development is functional, attractive and safe. The table below outlines the guidelines for the development permit area and how they have been addressed in the proposal:

Guideline	Applicant’s Proposal
Buildings should be sided to face a public road or open space such as a square. The rear walls of buildings should not be visible from a public road or street.	This section of the guidelines is not applicable to the proposal.



Buildings shall be finished on all sides with consistent exterior materials and colours to be used on all building facades. An artistic rendering showing the building in colour shall be provided.	The rendering for the new dwelling unit (cabin) indicates it will be finished in earth tone colours similar to the existing structures.
Buildings shall have safe, practical access and parking areas for passenger vehicles. A plan showing parking areas with proposed traffic circulation patterns must be provided. Expansions to existing developments should be surfaced with a material which minimizes dust. Paved or concrete surfaces are encouraged.	<p>The driveway circulation and parking are shown in pink on the attached figure although the details regarding dust control are not provided.</p> <p>At check-in guests would enter off the highway and subsequently would use the Santa Rosa Road access.</p> <p>The applicant has communicated that the sections of new driveway will be surfaced with gravel and will be paved at some point in the future.</p>
The design and layout of buildings and parking areas shall address and promote pedestrian activity and should include features such as low profile lighting, sidewalks, landscaping, street furniture, obvious building access points and parking areas that emphasize pedestrian safety and convenience. Safe pedestrian connections shall be provided from parking areas to the building's main entry.	There is currently rope lighting running the length of the motel and a light at the workshop door and base of the exterior stairs. Rope lighting would be added to the stairs as well as a sensor light at the landing at the top of the stairs. The back access to Santa Rosa Road will also be illuminated to compliment a safe and peaceful environment. The dwelling unit (cabin) will have lighting at the main door as well as strategically placed yard lighting for the walkway and garden.
Appropriate fire-truck and other emergency vehicle access must be ensured.	This staff report has been forwarded to the Christina Lake Fire Chief and Ministry of Transportation and Infrastructure for comment. At the time this report was prepared, staff did not have responses.
Landscaping should be implemented to enhance the appearance of the	The site is already landscaped and there will be minimal disruption to

commercial area.	the landscaping when the new dwelling unit (cabin) is placed on the parcel.
Developments which involve multiple uses on one property are strongly encouraged. Any development, which incorporates the concept of a well designed central gathering place and focus for the community, will be favourably received.	This guideline is not applicable.
Signs should be consistent with building designs and complement their surroundings.	This guideline is not applicable since a new sign is not being proposed.

### **Advisory Planning Commission (APC)**

At their April 6, 2021 meeting, the Electoral Area C/Christina Lake APC recommended that the application be supported however APC would like the research done about the storage building (not being allowed a residence, was there a covenant to this?), and would like applicant to ensure there will be enough water to service the development.

### **Staff Comments**

Connection of the proposed accommodation unit and dwelling unit to community water and on-site sewage disposal would be addressed at the building permit stage. The application has been referred to the Christina Lake Water Utility Service for comment. There is nothing on the property title to indicate that there is a restriction on the use of the upper floor of the existing workshop.

### **Recommendation**

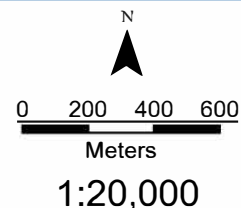
That the staff report regarding the General Commercial Development Permit application submitted by Jason McMullin on behalf of the owner Coreen Bobocel for the parcel legally described as Lots 1 and 3, Plan KAP12628, District Lot 498, SDYD, Electoral Area C/Christina Lake, be received.

### **Attachments**

1. Site Location Map
2. Subject Property Map
3. Applicant Submission

Date: 2021-03-24

Lots 1 and 3, Plan KAP12628,  
District Lot 498,  
Similkameen Div of Yale Land District



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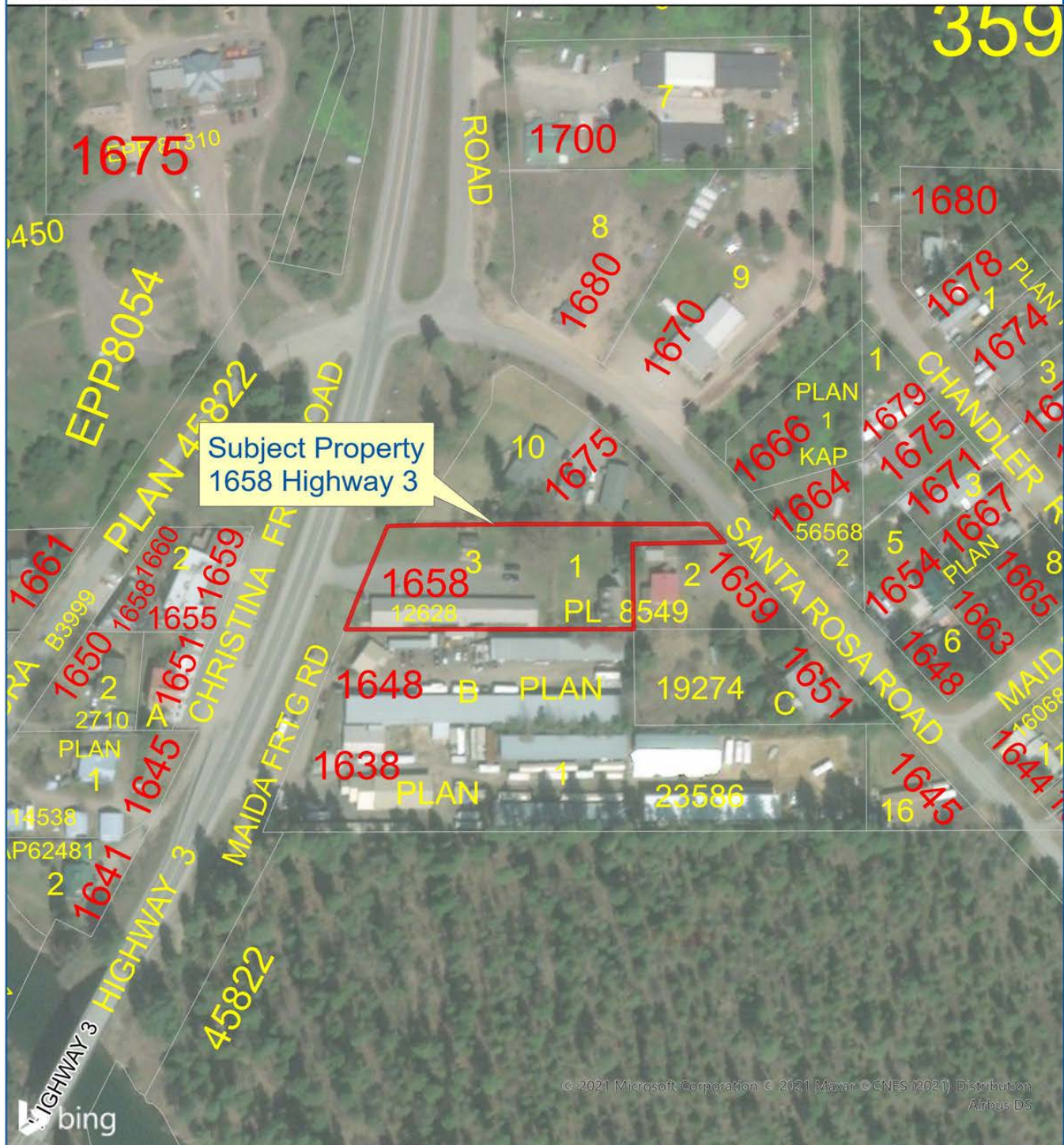
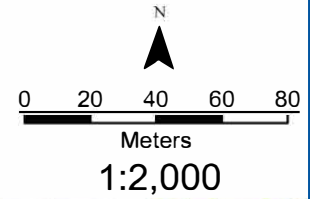




Date: 2021-03-24

## Subject Property Map

Lots 1 and 3, Plan KAP12628,  
District Lot 498,  
Similkameen Div of Yale Land District



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | [rdkb.com](http://rdkb.com)

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**Required Section:** the space below is provided to describe the proposed development. Additional pages may be attached.

The carriage house on Lot 1 was approved for use as storage as per Permit 080661C. Motel rentals show that additional rental space is required as we run at 93% occupancy through the summer months and have seen a steep increase in demand in the off-season as well. This project entails conversion of an empty space above the garage into a 1-bedroom living area complete with bathroom, kitchen living room and laundry. I want to ensure that the space is self contained in the event that the motel requires staff accommadation, this is something that has limited us from finding necessary staff in the past. The conversion will require a mechanical room in the south east corner of the shop which will allow for fresh water to be piped in and heated and both hot and cold water distributed through a manifold. All piping will be run below the joists to the necessary proposed locations, ie. kitchen sink, bathroom sink, laundry. All waste water lines will also run below the joists to the main waste line exit at the north east side at ground level to the proposed septic tank adjacent the road access to Santa Rosa (shown on site plan). The existing motel septic is at rated capacity so a new field is proposed for placement on Lot 3. The piping from the tank will run across the access to Santa Rosa then parrelel to the interior setback and to the new field. Boundary Waste Water Systems and Excavating out of Greenwood, BC. will submit the application to Interior Health once soil samples can be obtained. The existing electrical panel is located on the ground level on the south west side and is at capacity at 60AMP therefore additional electricity is required

It is also planned to build a primary residence on the north side of Lot 1, a 1-bedroom cabin measuring 12.2mx4.3m. This will eventually allow for a space for the owners to live while a manager occupies the space at the front of the motel. The septic and electrical service would need to satisfy the needs of this building as well.





### Legend

Admin

Cadastral Lines	
—	CAD_DISTRICT_1
—	CAD_GAS
—	CAD_HIGHWAY
—	CAD_HYDRO
—	CAD_INTER_BD
—	CAD_LOTLINE
----	CAD_LOTLINE_L
----	CAD_LOTLINE_V
----	CAD_RAILWAY
----	CAD_RAILWAY_L
----	CAD_ROAD
----	CAD_TELEPHONE
----	CAD_TOWNSHIP
Miscellaneous Cadastre	
----	CADM_AIRSTRIP
----	CADM_ARROW
----	CADM_BRIDGE
----	CADM_DEVNONE
----	CADM_EASEMET
----	CADM_HOOK
----	CADM_LEASE_LU
----	CADM_MAP_RES
----	CADM_MINERAL
----	CADM_MISC_RW
----	CADM_NTH_TOP
----	CADM_SKI_LIFT
----	CADM_STAR
----	CADM_TRANSF
----	CADM_UNSURVEY

- ☐ Parcel
- ☐ Trail Parcels
- Community Name
- ☒ Lakes
- ☐ Trail Streets

Scale: 1: 931  
1 cm represents 9.3

Notes:

This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.





Legend

- Admin
- Cadastral Lines
  - CAD\_DISTRICT\_LOT
  - CAD\_GAS
  - CAD\_HIGHWAY
  - CAD\_HYDRO
  - CAD\_INTER\_BDY
  - CAD\_LOTLINE
  - CAD\_LOTLINE\_LICENSE
  - CAD\_LOTLINE\_WATER
  - CAD\_RAILWAY
  - CAD\_RAILWAY\_ABAN
  - CAD\_ROAD
  - CAD\_TELEPHONE
  - CAD\_TOWNSHIP
- Miscellaneous Cadastral Lines
  - CADM\_AIRSTRIP
  - CADM\_ARROW
  - CADM\_BRIDGE
  - CADM\_DEWDNEY\_TRAIL
  - CADM\_EASEMENT
  - CADM\_HOOK
  - CADM\_LEASE\_LICENSE
  - CADM\_MAP\_RESERVE
  - CADM\_MINERAL\_CLAIM
  - CADM\_MISC\_RW
  - CADM\_MTN\_TOP\_MARKER
  - CADM\_SKI\_LIFT
  - CADM\_STAR
  - CADM\_TRANSCANADA\_TRAIL
  - CADM\_UNSURVEYED\_ROAD
- Parcel
- Trail Parcels
- Community Names
- Lakes
- Trail Streets

Scale: 1:931  
1 cm represents 9.3 m



0 50 100 m

Datum: WGS 84 Projection: Web Mercator

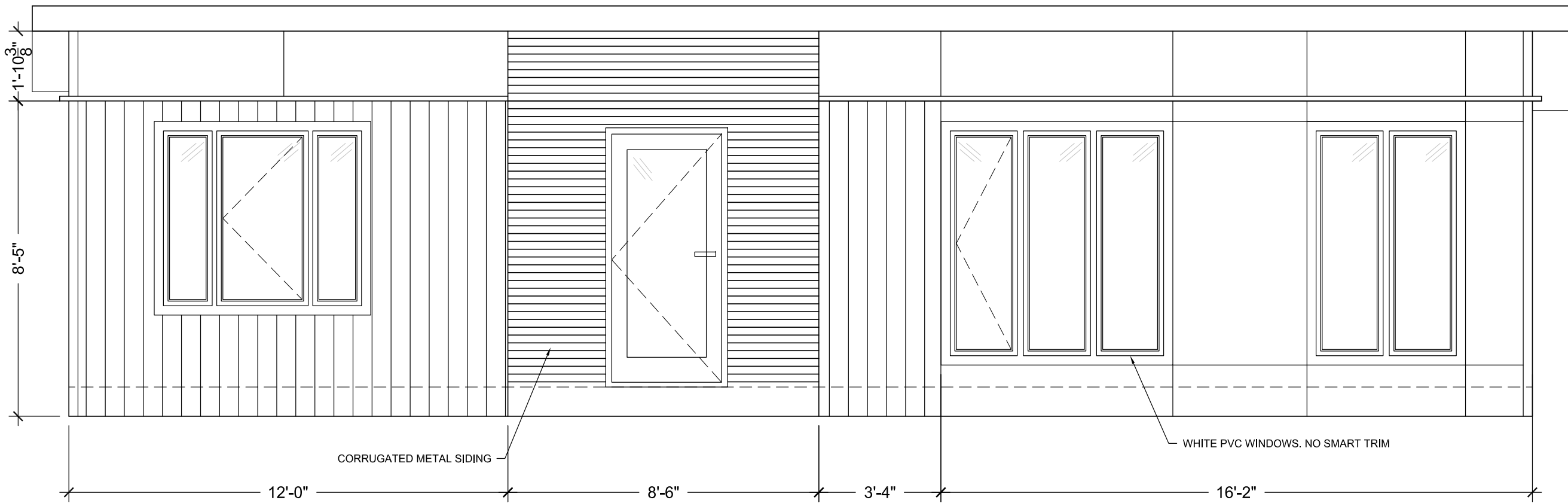
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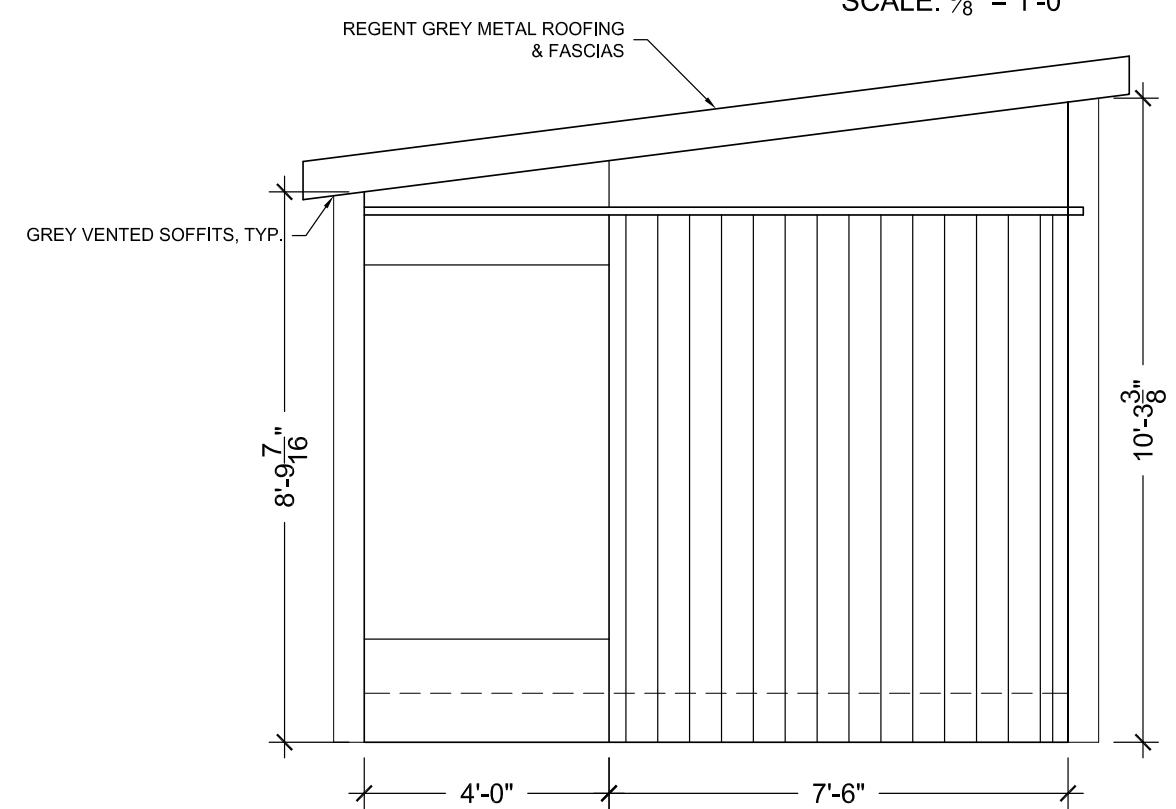
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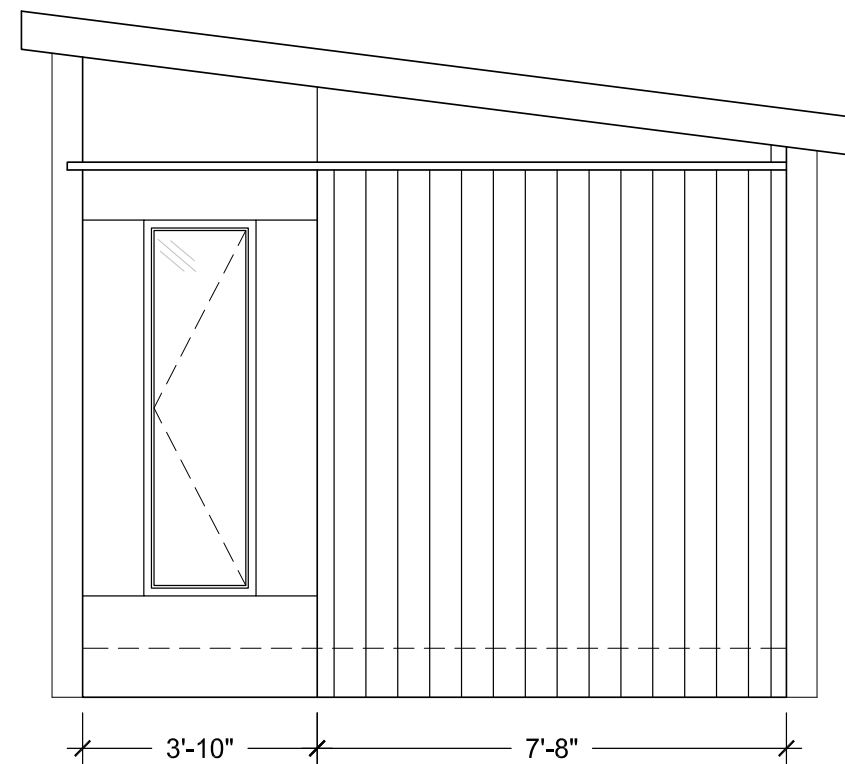




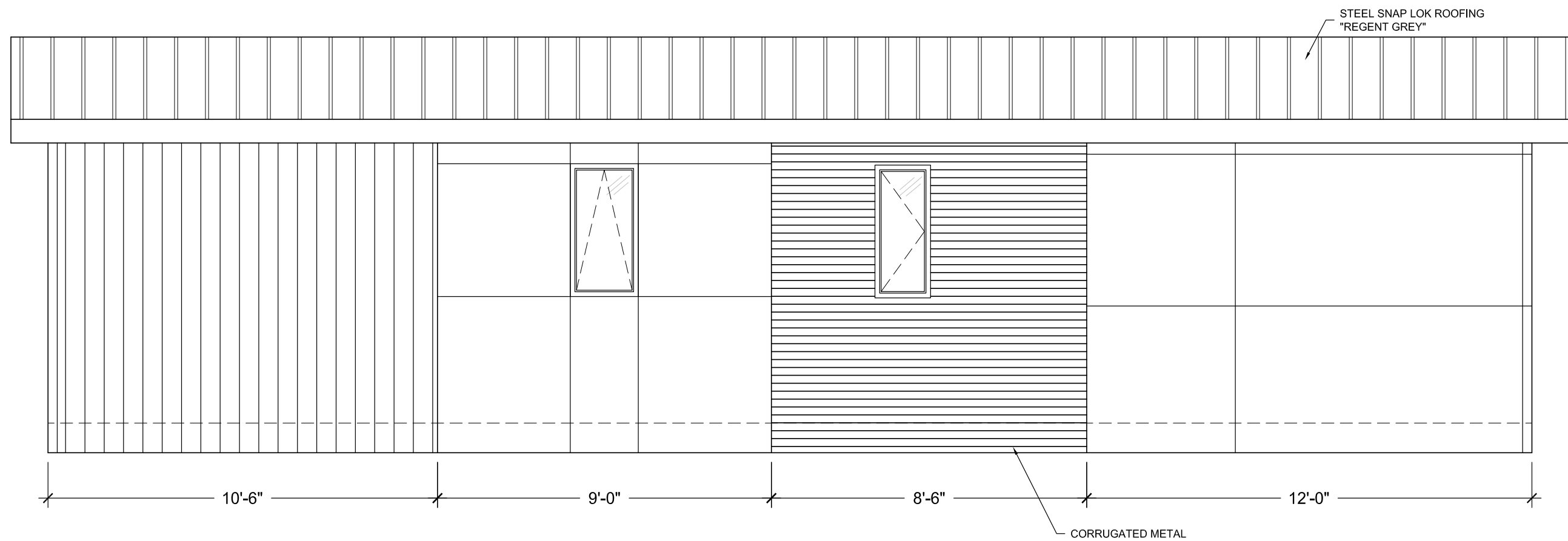
**FRONT ELEVATION**  
SCALE:  $\frac{3}{8}$ " = 1'-0"



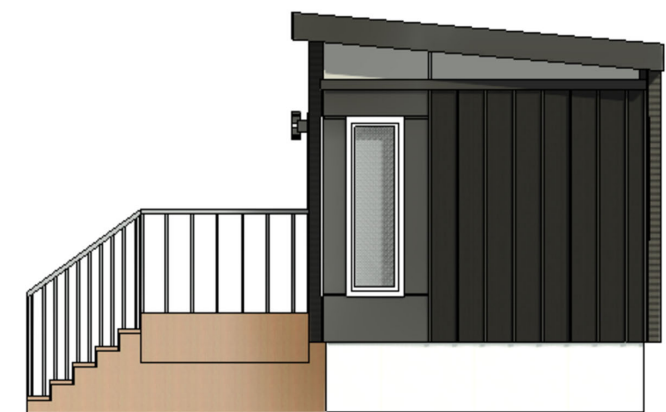
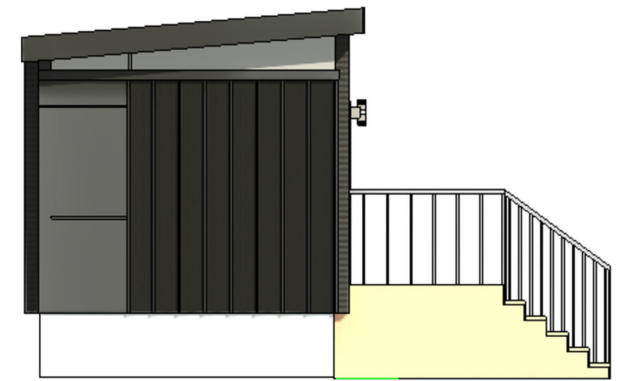
**LEFT ELEVATION**  
SCALE:  $\frac{3}{8}$ " = 1'-0"



**RIGHT ELEVATION**  
SCALE:  $\frac{3}{8}$ " = 1'-0"



**BACK ELEVATION**  
SCALE:  $\frac{3}{8}$ " = 1'-0"



POCKET HOUSE.CA  
Small. Smart. Large Living.  
BOX 2 SITE 204 RR2  
Onoway, Alberta, T0E 1V0  
Phone: 780-818-8448

date: January 2021  
name: The Moro  
serial #: 11640.1.21.034  
project:  
1 BEDROOM 469 SQ.FT.  
drawing:  
ELEVATIONS I A2



Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Permit – Elischer (673-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	MB-100s-01400.305
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Danielle Patterson, Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received an Eagle Residential Development Permit application for a property located at Mount Baldy Ski Resort (see Attachment 1 – Site Location map).

Property Information	
<b>Owner(s):</b>	Christine Elischer and Rudolph Elischer
<b>Location:</b>	Strata Lot 62, Whiskey Jack Road (address TBA)
<b>Electoral Area:</b>	Electoral Area E/West Boundary
<b>Legal Description:</b>	Strata Lot 62, Plan KAS1840, District Lot 100S, Similkameen Division of Yale Land District
<b>Area:</b>	772.9 m <sup>2</sup> (0.19 ac)
<b>Current Use:</b>	Vacant land
Land Use Bylaws	
<b>OCP Bylaw 1335:</b>	Eagle Residential
<b>Development Permit Area:</b>	Eagle Residential Development Permit Area
<b>Zoning Bylaw 1340:</b>	Eagle Residential 1 Zone (R1)
Other	
<b>Watershed</b>	McKinney Community Watershed

### History / Background Information

The subject property is part of a bare land strata. It is located on Whiskey Jack Way, abutting other properties also sharing the Eagle Residential 1 Zone (R1) (see Attachment 2 – Subject Property Map).

As stated in the Official Community Plan (OCP), the land “*designated Eagle Residential*” corresponds with the existing Strata KAS1840. Although the Strata was established in 1991 a number of dwellings have existed since at least the 1970s.” A Development Permit is required for new residential construction, and for additions to existing structures that exceed 100 m<sup>2</sup> (1076 ft<sup>2</sup>) in finished floor area.



The subject property has an easement for water and sewerage access. There is a covenant on Title setting restrictions on the elevation and distance building and structure locations from McKinney Creek; this language is in agreement with the RDKB Floodplain Bylaw language.

The Eagle Residential Development Permit Area guidelines focus on drainage, exterior walls, outdoor lighting, roofs, as well as vegetation and erosion management.

### **Proposal**

The applicants are requesting an Eagle Residential Development Permit, which is required prior to building the applicant's proposed single detached dwelling (see Attachment 3 – Applicant Submission). The applicants chose a pier and beam style build for the dwelling.

### **Advisory Planning Commission (APC)**

At their April 5, 2021 meeting, the Electoral Area E/West Boundary APC reviewed the application and recommended it be supported. No concerns were expressed.

### **Implications**

As required, the applicants submitted a vegetation and erosion management plan, which included a pre-construction inventory, protection of trees and other vegetation, erosion control, fire protection, and a selection of vegetation plantings. The proposal meets the requirements of the Eagle Residential Development Permit in the following ways:

#### **Fire Protection**

The plan includes a five foot (1.5 m) buffer around the dwelling, where trees will be removed and a fuel-free zone will be maintained. Stream-washed pebbles (or an Equivalent) would be to landscape this buffer. No bark mulch or chips are included in the landscaping.

#### **Vegetation and Erosion Plan**

In their vegetation and erosion management plan, the applicants state the selection of a pier and beam construction style was chosen for the purposes of maintaining the existing slope and drainage patterns on the subject property, as it disturbs little ground and does not require a traditional foundation. The pier and beam build style reduces the need for heavy equipment and therefore tree disturbance.

The applicants state they will keep the existing soil and replace any soil that is moved after construction. Images of the subject property were provided and the applicants selected a siting area for their dwelling that is somewhat clear, in order to reduce the need to remove the existing fir trees.

The location of the driveway bends, to maintain natural drainage. Further, an area at the end of the driveway has been set aside for snow storage, where it will have limited impact on the existing vegetation.

The applicants plan to maintain the natural grade and protect trees near the five foot (1.5 m) boundary with fencing. The applicants wish to incorporate a few plantings of

kinnikinnick in the five foot buffer, which would add some visual interest to the proposed pebble coverage. The only other vegetation the applicants may include is the addition of a few trembling aspen between the house and the road, if the existing tree stand needs filling in. Trembling aspen classified by the RDKB as very low flammability. Staff have contacted the applicants to discuss the potential location of these trees.

### **Building Exterior**

The applicants have chosen muted natural tones: sandy brown for the asphalt shingle roof and camouflage green for the exterior walls, and dark brown or chocolate brown detailing. The camouflage green will serve to accentuate the wood detailing on the exterior of the proposed dwelling. Exterior walls shall be fiber-cement siding to mimic natural wood, which will be featured in either a ship lap or board and batten style.

The 7 in 12 pitch (30 degree) roof has a simple roofline, with only one major break in the massing at the front of the dwelling. There is limited articulation in the form of with king post truss-styled gable fascia, adding a modern, simplified alpine feel to the exterior.

### **Outdoor Lighting**

The yard and driveway are not lit, to reduce light pollution. The only proposed lighting is at the doors for ingress/egress safety. The applicants provided a sample of the potential light fixtures they may use. The proposed light fixture has a dark, opaque light cover and features downcast lighting.

### **Preliminary Plan and Pier and Beam Design for Single Detached Dwelling**

Based on applicant's proposal, the proposed single detached dwelling has a parcel coverage of 14%, meeting the requirements of the R1 Zone, which allows a maximum parcel coverage of 25%. The average height of the dwelling is 8.77 m – 1.93 m below the maximum allowable height. The proposed yard setbacks and parking also appear to meet the R1 Zone. Final dimensions of the building design, which must meet zoning building regulations will be confirmed at the building permit stage.

Staff note that an approval of a Development Permit would not constitute the approval of the pier and beam support system; rather such a system would be reviewed by the Building Department at the building permit stage and would need to meet their requirements, which involves an engineering report from a qualified professional. If changes needed to be made to the design to meet the Building Department's requirements, they could be submitted via a Development Permit Amendment application.

### **Recommendation**

That the staff report regarding the Eagle Residential Development Permit application submitted by Christine Elischer and Rudolph Elischer for the parcel legally described as Strata Lot 62, Plan KAS1840, District Lot 100S, Similkameen Division of Yale Land District, Mount Baldy, Electoral Area 'E'/West Boundary, be received.

### **Attachments**

1. Site Location Map

2. Subject Property Map
3. Applicant Submission



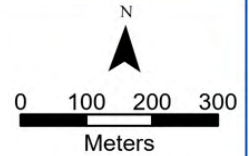


Regional District of  
Kootenay Boundary

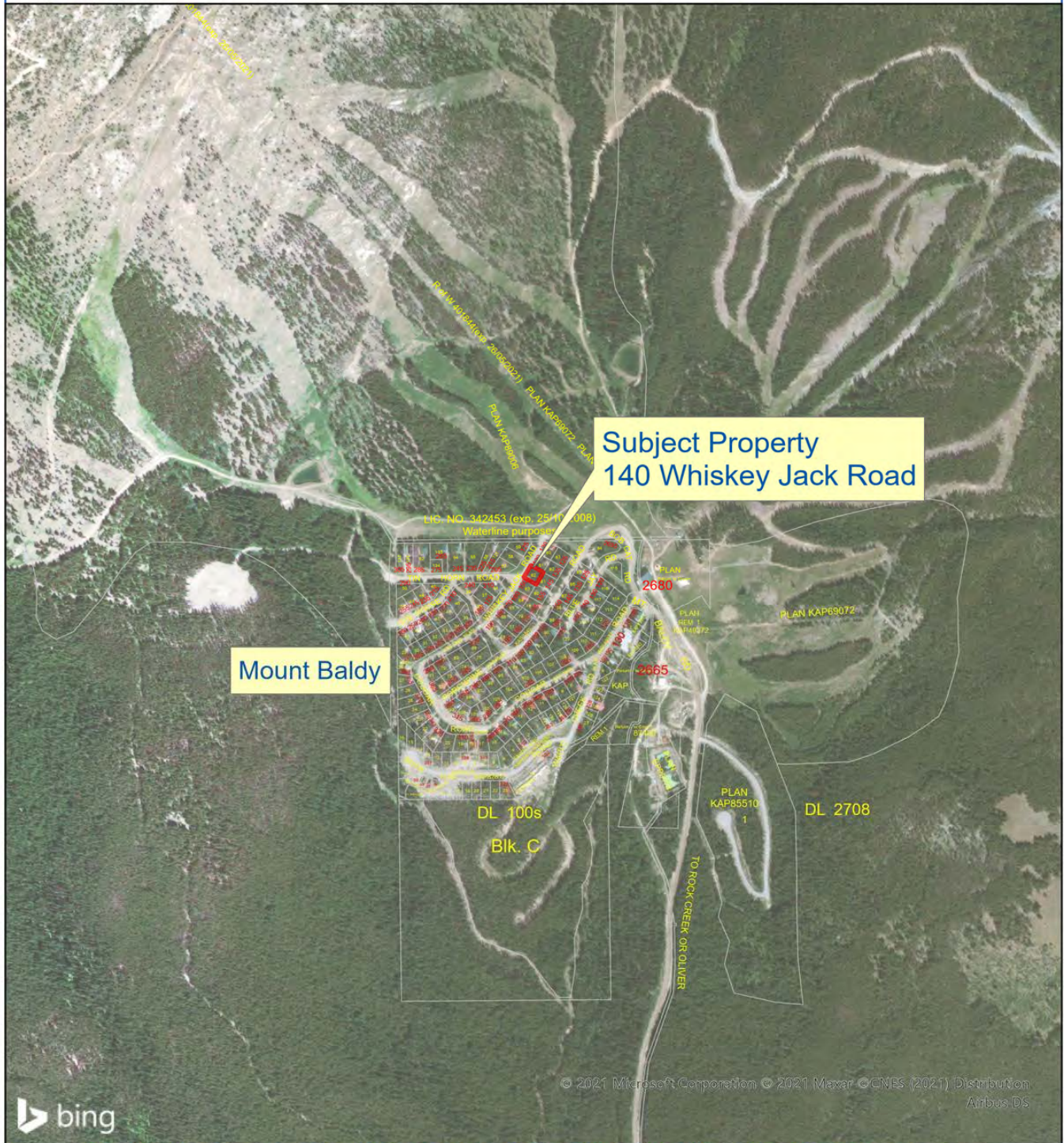
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## Site Location Map

Strata Lot 62, Plan KAS1840,  
District Lot 100S,  
Similkameen Div of Yale Land District



1:10,000



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

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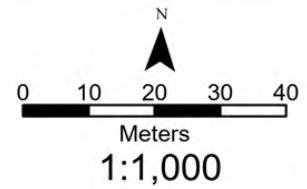


Regional District of  
Kootenay Boundary

Date: 2021-02-16

## Subject Property Map

Strata Lot 62, Plan KAS1840,  
District Lot 100S,  
Similkameen Div of Yale Land District



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | rdkb.com

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The space below is provided to describe the proposed development. Additional pages may be attached.

THE PROPOSED DEVELOPMENT IS FOR THE ERECTION OF A FAMILY CABIN. THE CABIN IS PROPOSED TO HAVE A FOOTPRINT OF 1136 SQUARE FEET (105.5\* SQ. M.). THE LOT SIZE IS 8320 SQUARE FEET (773 M SQ.) SO THE CABIN COVERS 14% OF THE LOT SURFACE.

WE, AS OWNERS, ARE EXTREMELY CONSCIOUS OF HOW THE PROPERTY IS TO BE DEVELOPED. AS THIS PROPERTY IS SOLELY FOR OUR USE (NO RENTALS) IT WILL BE DEVELOPED WITH MATERIALS THAT ARE AT OR BEYOND STANDARD.

WE ARE ALSO EXTREMELY ENVIRONMENTALLY CONSCIOUS AND FOR THIS REASON HAVE DESIGNED A "PIER AND BEAM" STRUCTURE. SUCH A STRUCTURE HAS VIRTUALLY NO IMPACT ON EXISTING DRAINAGE AND VIRTUALLY NO IMPACT ON EXISTING SLOPES AND GROUND COVER (SOIL, ETC.) - THIS ALL BECAUSE THERE IS NO FOUNDATION THAT REQUIRES MAJOR EXCAVATION, SOIL DISPLACEMENT AND DRAINAGE CHANGES. DETAILS GIVEN IN A LATER COMMENT ON DRAINAGE IN APPENDIX 5.

ATTACHED ARE APPENDICES FOR THE FOLLOWING:

APPENDIX 1: SITE PLAN + ELEVATIONS (APPENDIX 1A TO 1D)

APPENDIX 2: PICTURE SHOWING CENTER OF LOT WHERE CABIN

WILL BE LOCATED - LARGEST AREA OF CLEARING TO MINIMIZE POTENTIAL TREE REMOVAL.

APPENDIX 3: DRIVEWAY ACCESS TO LOT OFF WHISKEY JACK RD. EXISTING ACCESS MINIMIZES POTENTIAL TREE REMOVAL AND WILL SERVE AS FUTURE PARKING AND SNOW STORAGE ZONES.

APPENDIX 4: VEGETATION AND EROSION MANAGEMENT DETAILS.

APPENDIX 5: EAGLE RESIDENTIAL SPECIFIC REQUIREMENTS - DETAILS.

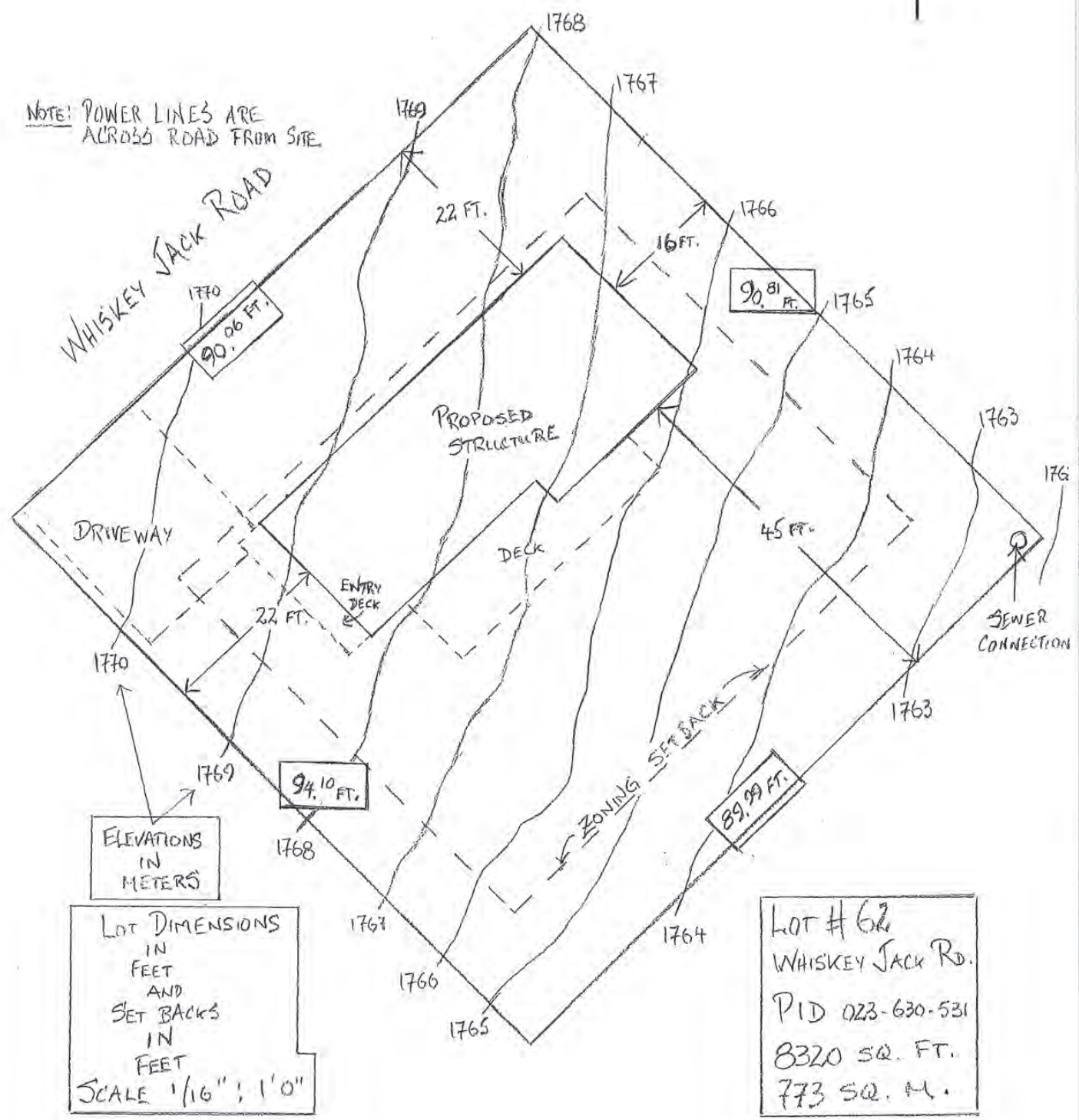
APPENDIX 6: CERTIFICATE OF TITLE

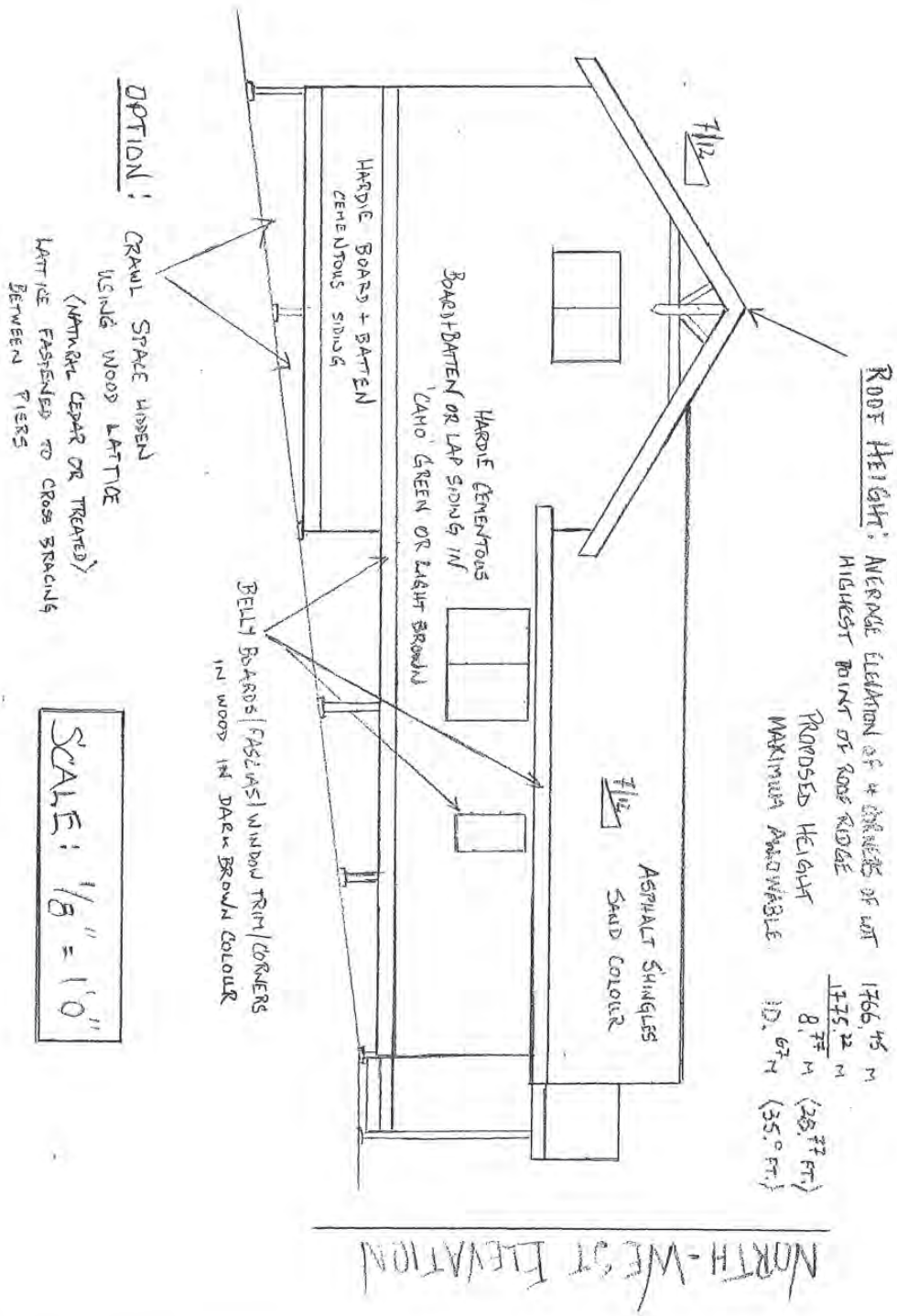


# APPENDIX 1 SITE PLAN



NOTE: POWER LINES ARE  
ACROSS ROAD FROM SITE.





APPENDIX 1A

APPENDIX 1BSOUTH - WEST ELEVATIONSCALE:  $\frac{1}{8}" = 1'0"$ 

OPTION : CRAWL SPACES HIDDEN  
USING WOOD LATTICE  
(NATURAL CEDAR OR TREATED)

LATTICE FASTENED TO  
CROSS-BRACING BETWEEN PIERS



SOUTH - EAST ELEVATION

APPENDIX 1C

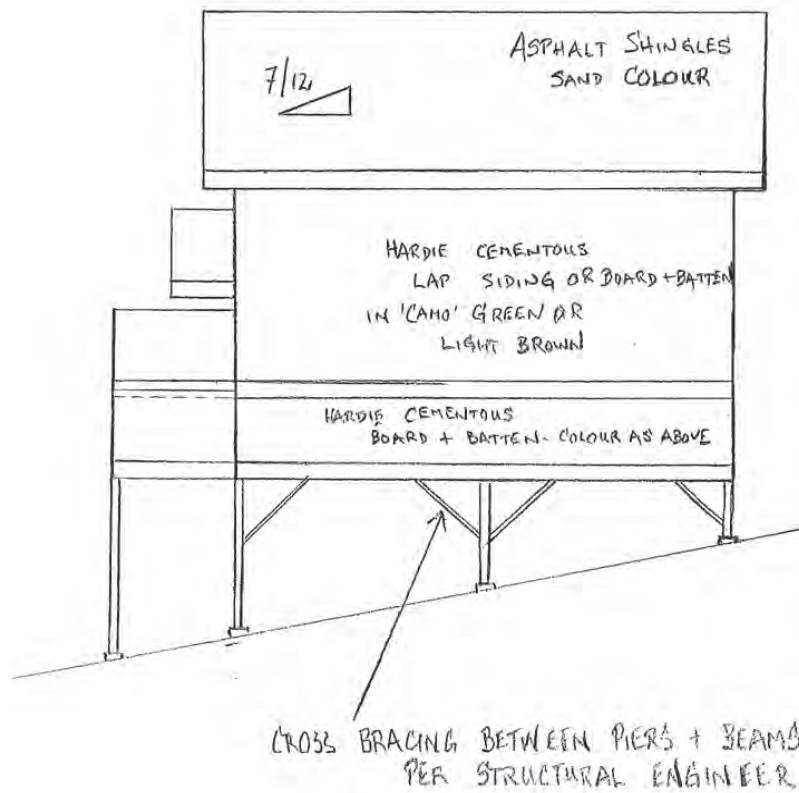


SIDING: HARDIE CEMENTOUS LAP SIDING  
OR BOARD + BATTEN IN  
'CAMO' GREEN OR LIGHT BROWN

BELLY BOARD / FASIA / CORNERS IN WOOD  
IN DARK BROWN COLOUR

OPTION: CRAWL SPACE HIDDEN USING  
WOOD LATTICE

SCALE:  $\frac{1}{8}'' = 1'0''$

APPENDIX 1DNORTH-EAST ELEVATIONSCALE:  $\frac{1}{8}'' = 1'0''$ 

BELLY BOARD / FASCIA / CORNERS IN  
WOOD IN DARK BROWN COLOUR

OPTION: CRAWL SPACE HIDDEN USING  
WOOD LATTICE



1/12/2021

APPENDIX 1

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HOUSE SITE - BETWEEN WHERE PICTURE TAKEN FROM AND PERSON IN DISTANCE.

<https://mail.google.com/mail/u/0/?tab=rm&ogbl#inbox/FMfcgxwJZJXbDHINmwWHJfRGGPsnZqbX?projector=1&messagePartId=0.2>

1/1



1/12/2021

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APPENDIX 3

DRIVEWAY ACCESS TO LOT 62  
OFF WHISKEY JACK RD.

NOTE: ONLY FIRST 22 FEET OF  
THIS ACCESS WILL BE FINAL  
DRIVEWAY, I.E. FROM POINT THE  
PICTURE TAKEN FROM TO 22 FEET  
DISTANT.



## APPENDIX 4

### Vegetation and Erosion Management

A "pier and beam" method of construction has been chosen largely to maintain existing slope of the land thereby maintaining existing drainage patterns and mitigating the loss of surficial materials through erosion caused by major man-made intrusion into the soil. The "pier and beam" structure will require several holes to be temporarily dug so as to install piers (roughly one foot in diameter concrete piers) with the soil that was removed immediately replaced after the pier has been completed. There will be no change in the existing soil makeup nor will there be any change to the natural pattern of drainage on the lot as it exists now.

Current vegetation – pre-construction inventory:

Please refer to appendix 1 (site plan) and appendix 2 (actual picture) to see that the land is gently sloping with no visible rock outcroppings. Vegetation consists of minimal ground cover – basically none of note where the proposed structure is to reside. There is somewhat of a clearing where the structure is to be so as to minimize the need to remove trees. Existing trees are largely all of the same variety; looks like most are a subalpine fir variety.

Protection of Trees:

It is not our intention to remove more trees that are necessary for proper construction safety to be applied (sufficient space for scaffolding to be erected, usually five feet around structure). It is however also our intention to minimize fire risk to the structure from trees that are too close. We will therefore clear the site to the extent necessary to provide a five foot buffer around the proposed structure. Trees remaining that are close to that buffer zone will be protected, likely with some form of fencing. Once again, given the "pier and beam" nature of the build, there will not be a requirement for heavy equipment in the form of excavators for example to be on site – further minimizing the risk to vegetation. All natural grades will be maintained, ie no tree trunks of trees remaining will be buried or excavated around.

You will note on Appendix 3 that there is a driveway on the lot – that will be maintained. The extension of that existing driveway (past the area needed to park a vehicle) will be used for snow storage – you can see that there is no vegetation in that area that would be negatively effected by such storage. Further regarding the driveway, it will continue to be sloped slightly away from the main road so as to maintain natural drainage and so as to not shed onto the main roadway.

#### Fire Protection:

As noted above, a fuel free zone immediately around the proposed structure will be maintained. It will be kept clear of debris, tree needles and anything that is considered more combustible than the soil itself. There will be no use of bark mulch or similar materials.

**Applicant confirmed stream-washed pebbles (or an Equivalent) would be to landscape this buffer. DP**

We are also considering the use of a water storage system – a cistern – to capture rain water and recycle it across the property via surface sprinklers thus helping to keep immediate areas around the house moist to the extent that cistern stored water is available. This sprinkler methodology could be extended to moisturize under the house as well given that the “pier and beam” structure will elevate the house off the natural slope of the property.

#### Vegetation to be planted post Construction:

While it is not intended that much vegetation is to be added post construction, it is possible that several Trembling Aspens will be brought in, likely to form a stand or two where appropriate.



## APPENDIX 5

### Eagle Residential Specific Requirements

#### Drainage Plan:

As mentioned in appendix 4, the structure will not have an excavated foundation; it will be built on a "pier and beam" foundation. As a result there will be no change in the natural course of drainage after construction is complete. Also mentioned in appendix 4 is that we intend at some point to install a cistern to capture rainwater so that the drainage resulting from rain can be spread more evenly throughout the lot via a sprinkler system. Stormwater can thus be managed more effectively such that there is no flash flooding and consequently no flash erosion. Water from the cistern can be spread through a topical sprinkler system either during any heavy rain (with an overflow mechanism) or thereafter using regular valve dispersion.

#### Colour Scheme for Exterior of Building:

While final colours are not yet determined, we can say with certainty that they will be one of two alternatives. Main siding colour will be either a 'camo' green or a ~~chocolate brown while accented with either a beige trim~~ for fascia, windows and doors or a dark brown trim. Roof shingles will be a sand colour under either siding alternative.

**Applicant confirmed camo and brown accents. DP**

#### Exterior Materials:

All siding material will be cementous composite. It will be either lap siding, board and batten or shake in appearance, or a combination of two of those. Accents around windows, doors, corners and fascia will be stained or painted wood.

Roof will be a high friction surface, ie asphalt shingles. Colour will be complimentary to the siding colour chosen – a light sand colour if chocolate coloured siding is chosen with a slightly darker sand colour if the 'camo' green is chosen for the siding.

#### Lighting Plan:

Only lighting fixtures planned are next to doors; this for safety of ingress and egress. No lighting in the yard or driveway will be installed.

#### Roof Plan:

Roof slope is 7:12 which is within the guidelines for a roof that retains snow well. It is a simple design that consists of four roof sections and two valleys. It will be asphalt shingles as this type of roof has good friction and retains snow adequately.

## GENERAL

### GENERAL NOTES:

1. ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE 2010 B.C. BUILDING CODE AS WELL AS ALL OTHER LOCAL CODES AND BYLAWS.
2. THE DESIGNER ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS WHICH MAY AFFECT CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS AND DETAILS BEFORE PROCEEDING WITH CONSTRUCTION. REPORT ANY PROPOSED REVISIONS, ERRORS OR DISCREPANCIES IMMEDIATELY.
3. WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE SHOWN ON PLANS. DRAWINGS ARE NOT INTENDED TO BE SCALED.
4. THE OWNER SHALL BE RESPONSIBLE FOR ANY COSTS ASSOCIATED WITH ENGINEERING, CONSTRUCTION LOADS ON THE STRUCTURE CAUSED BY INTERIOR STORAGE OF MATERIALS OR USE OF EQUIPMENT SHALL NOT BE ALLOWED TO EXCEED THE DESIGN LOADINGS.
5. THE OWNER OR BUILDER SHALL BE RESPONSIBLE FOR THE CORRECT SITING OF THE STRUCTURE ON THE PROPERTY.
6. WELLS AND SEPTIC SYSTEMS TO BE ENGINEERED AND LOCATED AND CONSTRUCTED IN ACCORDANCE WITH LOCAL BYLAWS AND HEALTH AUTHORITY REQUIREMENTS.

### FOUNDATION

1. ALL FOOTINGS TO BEAR ON UNDISTURBED SOIL ROCK OR COMPACTED GRANULAR FILL AND BELOW MINIMUM FROSTLINE.
2. SOIL BEARING CAPACITY TO BE VERIFIED BY GEOTECHNICAL ENGINEER PRIOR TO PLACING ANY CONCRETE.
3. COMPRESSIVE STRENGTH OF CONCRETE AFTER 28 DAYS SHALL BE NOT LESS THAN 15 MPa OR OTHERWISE SPECIFIED BY THE B.C.B.C. OR THE STRUCTURAL ENGINEER.
4. CONCRETE FOUNDATION WALLS, STROP FOOTINGS, PAD FOOTINGS, PIERS, CURBS AND ENLARGED FOOTING LOCATIONS AS REQUIRED BY SOIL CONDITIONS AND/OR DESIGN LOADS SPECIFIED BY STRUCTURAL ENGINEER.
5. EXTERIOR FOUNDATION WALLS SHALL EXTEND NOT LESS THAN 150MM (6") ABOVE FINISHED GRADING LEVEL.
6. ANCHOR SILL PLATES/STUD WALLS TO FOUNDATION w/ 3/8" DIA x 10' LONG ANCHOR BOLTS @ 4' ON C/C.
7. WOOD IN CONTACT WITH CONCRETE TO BE DAMPROOFED WITH 45 LB. FELT, 6 MIL POLY OR OTHER APPROVED SILL GASKET.

### FRAMING

1. ALL FRAMING MATERIAL TO BE KD SPY NO. 2 OR BETTER.
2. PROVIDE MINIMUM 2" BEARING FOR ALL LINTELS AND 45° BEARING FOR ALL BEAMS OR AS INDICATED BY A STRUCTURAL ENGINEER.
3. BEAMS OUTSIDE THE SCOPE OF THE 2010 B.C. BUILDING CODE TO BE DESIGNED BY STRUCTURAL ENGINEER. MANUFACTURED WOOD BEAMS TO BE INSTALLED AS PER MANUFACTURER'S SPECS.
4. DOUBLE FLOOR JOISTS ARE REQUIRED UNDER WALLS 6'-0" & LONGER, RUNNING PARALLEL TO JOIST DIRECTION PLACE JOISTS TO ACCOMMODATE PLUMBING, HEATING, ETC. AS REQUIRED.
5. FLOOR JOISTS TO BE NAILED AND GLUED WITH CROSS BRIDGING AS PER THE B.C.B.C.
6. ALL LINTELS TO BE 2-2X10 UNLESS NOTED OTHERWISE.
7. PROVIDE SOLID LAMINATED STUDS OR SOLID TIMBER UNDER BEARING POINT LOADS AND CONTINUE DOWN TO FOUNDATION.
8. PREFABRICATED WOOD TRUSSES TO BE VERIFIED BY A STRUCTURAL ENGINEER AND INSTALLED AS PER MANUFACTURER'S SPECS.

### VENTILATION / MECHANICAL / INSULATION / ELECTRICAL

1. VENT ALL ROOF SPACES AS PER SECTION 919 OF THE B.C.B.C. ALL ROOF SPACES SHALL BE VENTILATED WITH SOFFITS AND ROOF VENTS.
2. ATTIC ACCESS HATCH TO BE INSULATED WITH R20 INSULATION & HAVE MIN. R15 VALUE.
3. ALL AIR BARRIER JOINTS ARE TO BE OVERLAPPED, SEALED & SECURED OVER STRUCTURAL MEMBERS.
4. HEATING, PLUMBING & ELECTRICAL REQUIREMENTS TO BE INSTALLED AS PER PLANS, OWNER'S SPECIFICATIONS AND THE 2010 B.C. BUILDING CODE.
5. MECHANICAL, ELECTRICAL AND PLUMBING COMPONENT PLACED WITHIN AN EXTERIOR WALL MUST BE INSULATED BEHIND TO THE EFFECTIVE THERMAL RESISTANCE REQUIRED FOR THE ASSEMBLY.
6. HEATING AND AIR CONDITIONING EQUIPMENT MUST BE LOCATED IN THE CONDITIONED SPACE UNLESS IT IS DESIGNED FOR UNCONDITIONED SPACE.
7. AN EXTERNAL FAN THAT PROVIDES AIR FLOW SHALL BE INSTALLED IN EVERY KITCHEN, BATHROOM OR WATER CLOSET.
8. PAN AND FLOOR DRAIN REQUIRED AT HWT. SEISMIC BRACING REQUIRED FOR HWT, FURNACE, BOILER OR AC UNIT.
9. SMOKE ALARMS TO BE INSTALLED SO THAT THERE IS AT LEAST ONE SMOKE ALARM ON EACH STOREY AND IN EACH BEDROOM IF THE BEDROOMS ARE SERVED BY A HALLWAY, THE SMOKE ALARM SHALL BE LOCATED IN THE HALLWAY. SMOKE ALARMS SHALL BE HARDWIRED AND INTERCONNECTED.
10. CARBON MONOXIDE ALARMS REQUIRED IN EACH BEDROOM OR OUTSIDE EACH BEDROOM, WITHIN 5M OF EACH BEDROOM DOOR.

### DOORS / WINDOWS

1. SOLID BLOCKING SHALL BE PROVIDED AT THE LOCK HEIGHT ON BOTH SIDES OF DOOR ROUGH OPENINGS TO RESIST SPREADING BY FORCE.
2. WINDOWS, DOORS AND SKYLIGHTS TO CONFORM TO NFPA P208 AND TO HAVE A U-VALUE OF - not greater than 1.5 (zone 1a).
3. ALL GLASS IN DOORS, Sidelights AND IN TUB OR SHOWER ENCLOSURES TO BE TEMPERED GLASS.
4. BEDROOM WINDOWS MUST PROVIDE AN UNOBSTRUCTED OPENING NOT LESS THAN 0.25 SQM (3.16 SQ FT) IN AREA, WITH NO DIMENSION LESS THAN 380mm (15") AND MAINTAIN THE REQUIRED OPENING DURING AND EMERGENCY WITH NO ADDITIONAL SUPPORT.
5. DOORS BETWEEN THE GARAGE AND DWELLING UNIT TO BE SOLID CORE, SELF-CLOSING AND WEATHERSTRIPPED.

### GUARDRAILS / GUARDS

1. 900mm (36") MINIMUM HEIGHT FOR INTERIOR GUARDRAILS.
2. EXTERIOR GUARDS SHALL BE 1070mm (42") HIGH, OR 900mm (36") HIGH IF WITHIN 10M (33') OF GRADE.
3. GUARDRAILS NOT TO FACILITATE CLIMBING AND SHALL PREVENT THE PASSAGE OF A SPHERICAL OBJECT HAVING A DIAMETER OF 100mm (4").

### SYNOPSIS:

ADDRESS: STRATA LOT 62  
Whiskey Jack Road  
OLIVER, BC  
PID: 023-620-531  
PLAN: STRATA PLAN 1840  
LOT NUMBER: STRATA LOT 62

SIZE: 773 SQ. M. (8320 SQ. FT.)

ZONING: EAGLE RESIDENTIAL 1 ZONE (R1)

PRIMARY LOT COVERAGE:

PERMITTED: 193.5% M.S.Q. (20.0% M.S.Q.) 25%  
PROPOSED: 166% M.S.Q. (1.10% M.S.Q.) 14%

FLOOR SPACE:

GROUND FLOOR: 1680 M.S.Q. (180 M.S.Q.)  
UPPER BEDROOM: 4938 M.S.Q. (531 M.S.Q.)  
TOTAL: 1578 M.S.Q. (169 M.S.Q.)  
FLOOR SPACE 50%: 20%

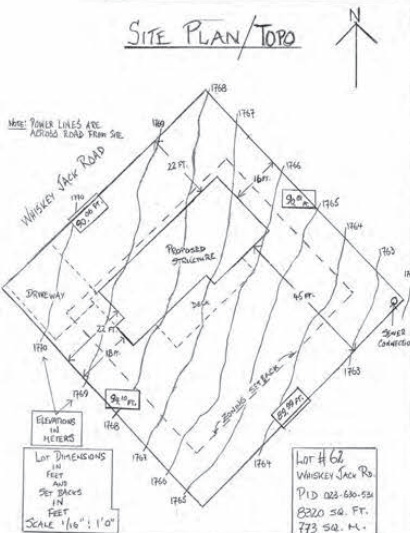
NOTE: CALCULATED BASE WIDE OUTSIDE WALLS AND ROOFS

SETBACKS:

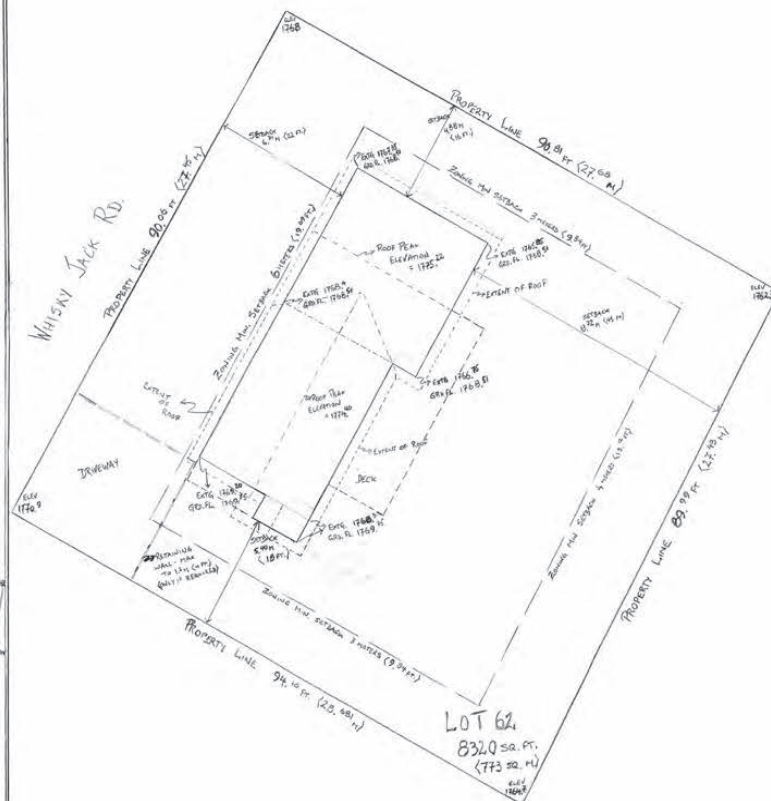
PRINCIPAL BUILDING:

FRONT: 6 M (MIN) - PROPOSED (6.7 M)  
REAR: 4 M (MIN) - PROPOSED (13.5 M)  
INTERIOR: 3 M (MIN) - PROPOSED (4 M) WITH 45% MIN. COVER  
HEIGHT: GARAGE AREA IS AVERAGE OF 4 CHIMNEYS AT LOT  
MAXIMUM: 10 M (33 FT)  
PROPOSED: 6.7 M (22 FT) (GRADE TO TOP OF ROOF - 28.7 FT)

## SITE PLAN/TOP



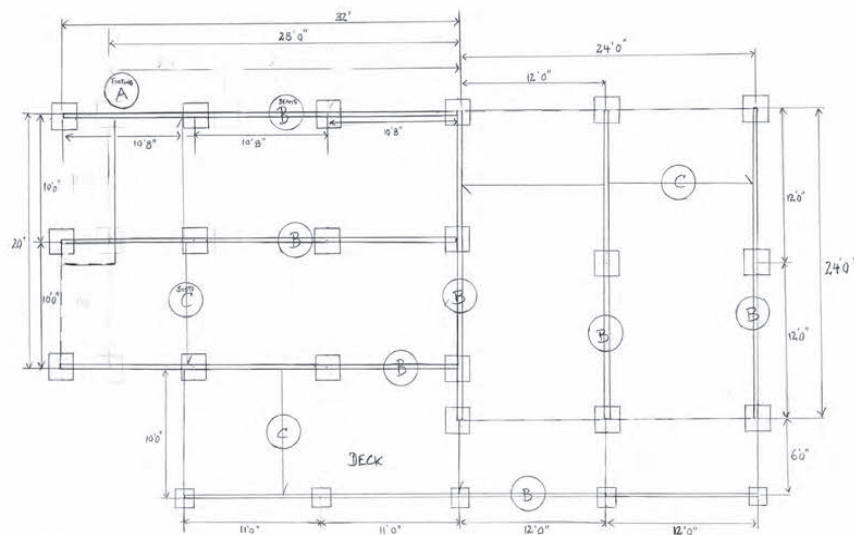
## SITE PLAN



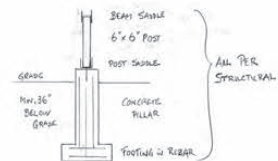
SITE PLAN	
OWNER BY	Strata Council
DESIGNED BY	
DRAWN BY	
CHECKED BY	
DATE	2021
PROJECT NAME	Whiskey Jack Rd.
PROJECT NUMBER	
VERSION	1
SHEET #	1
TOTAL	1

FOUNDATION / FOOTING PLAN

(FOR PIER + BEAM STRUCTURE)



(A) FOOTINGS/PIER DETAIL

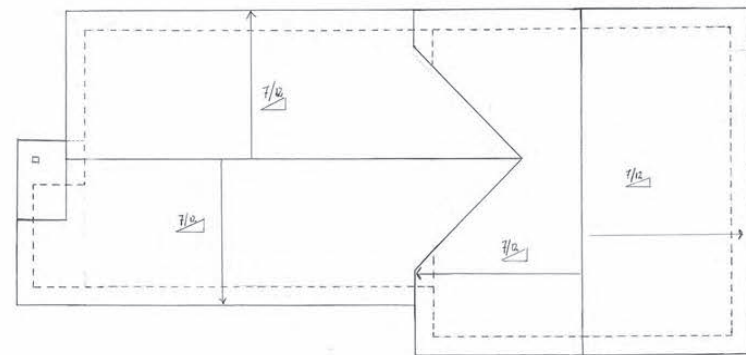


⑧ BEAMS: MATERIAL  
+ DIMENSIONS PER  
STRUCTURAL

(C) FLOOR JOISTS: MATERIAL + DIMENSIONS PER STRUCTURAL

NOTE: CROSS BRACING BETWEEN PIERS  
PER STRUCTURAL

### ROOF PLAN



### Roof Structure Detail:

WALL DESCRIPTION	CONSTRUCTION	R <sub>S1</sub>	TOTAL EFFECTIVE R <sub>S1</sub>
TRUSS OVER HEATED SPACE	EXTERIOR AIR FILM 25 YEAR ASPHALT SHINGLES 20 PLY BUSHING PAPER 1/2" INS ENGINEERED TRusses @ 24" o/c INSULATION - R-62 6 MIL POLY 1/2" GVS INTERIOR AIR FILM	0.03 - - 0.25 1.02 10.29 - 0.08 0.11	17.16 (MIN. 10.43 IF NO TRUSS)

FOUNDATION  
+ GARDENS  
+ BEST REAS

DRAWN BY:  
NATY B. SCHWARTZ

CHECKED BY:

SCALE:  
1/4" = 1'-0"

DATE:  
JAN. 11 2021

ELISCHER  
CASIN

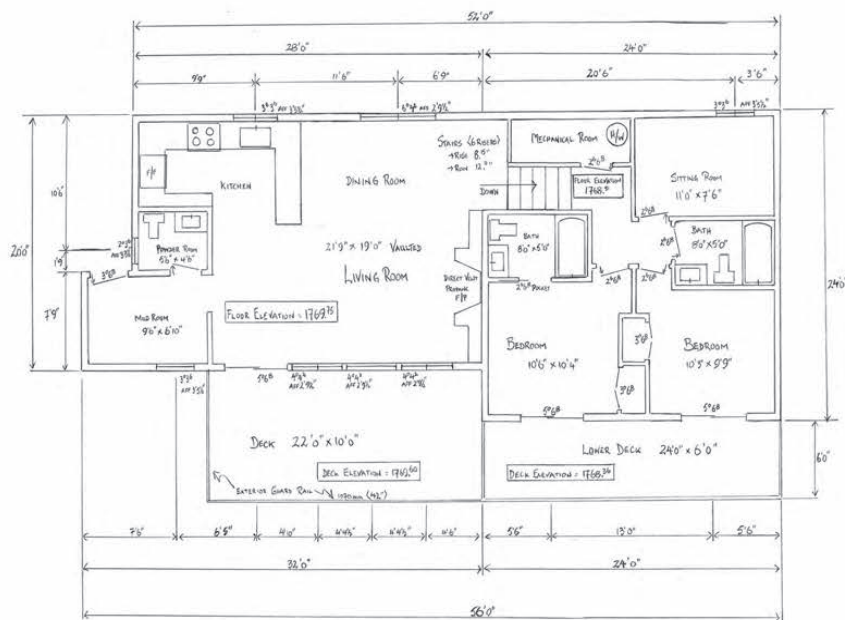
GRID ADDRESS:  
LOT 62  
WILKEY LANE B

REVISION NUMBER:  
VERSION 1

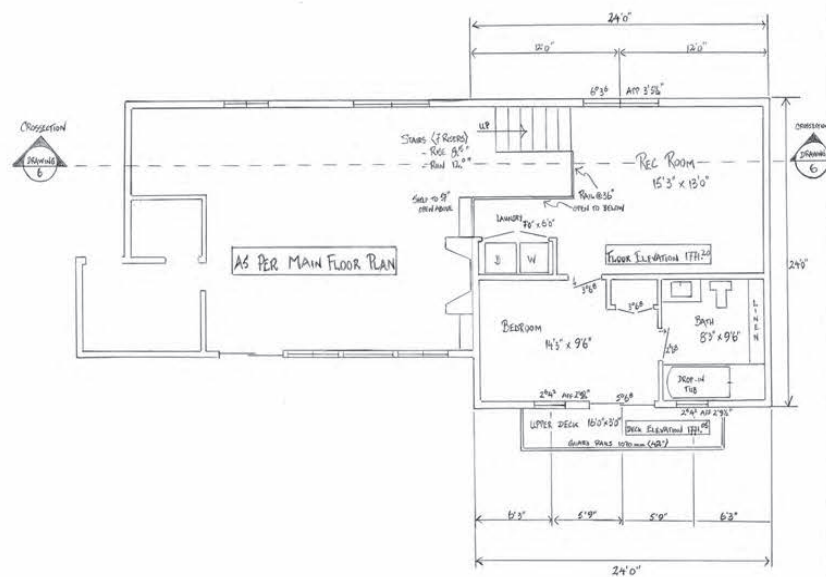
DRAWING #	PAGE
2	2 of 2



### MAIN FLOOR



### UPPER BEDROOM FLOOR



ALL BEDROOM WINDOWS AS PER BCBC 5/21.1  
 ALL HALLWAYS AS PER BCBC 9.5.7  
 ALL CHAIRDRAWS AS PER BCBC 9.5.8  
 ALL STAIR SEPARATIONS AS PER BCBC 9.14.6

UPPER program load  
 detailed by:  
 Dorian ELMSTADT

Colored:  
 $M_u^* = 10^6$

Date:  
 Jan. 11, 2021

ELI LILIENTHAL  
 Engineer

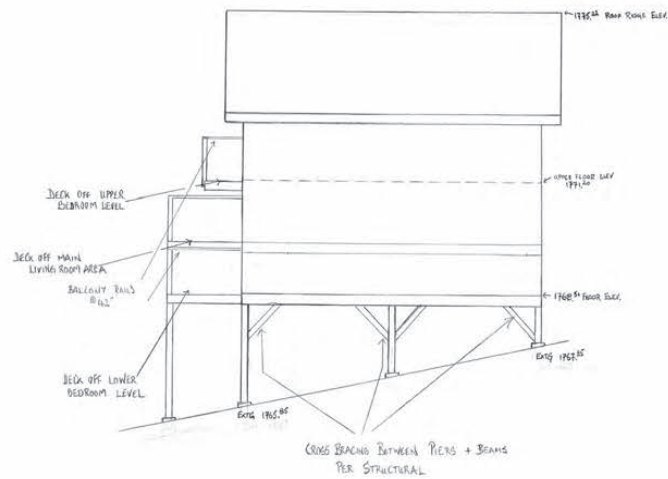
City: Vancouver  
 Lot #2

Western Bay Road  
 Plot area number:  
 Vietnam I

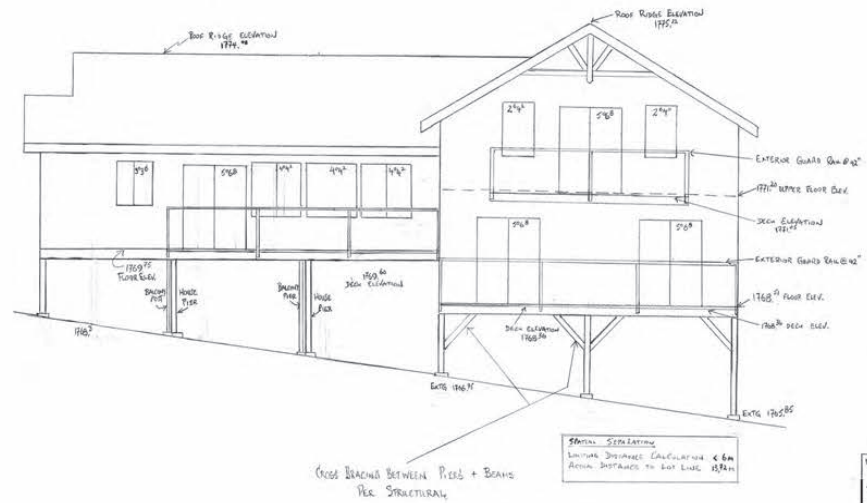
Drawings # Page  
 3 3488



NORTH - EAST ELEVATION



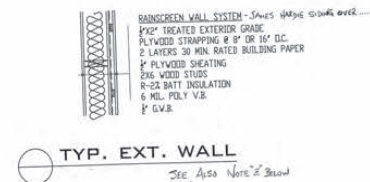
SOUTH - EAST ELEVATION



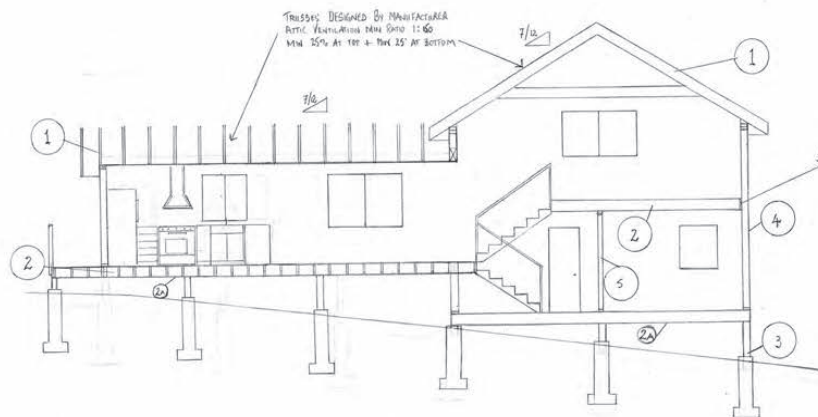
ALL BEDROOM WINDOWS AS PER B.C.B.C. 99.10.1  
 ALL HANDRAILS AS PER B.C.B.C. 99.1  
 ALL GUARDRAILS AS PER B.C.B.C. 99.8  
 ALL SPATIAL SEPARATIONS AS PER B.C.B.C. 99.15

NORTH - EAST ELEVATION	
SOUTH - EAST ELEVATION	
DRAWN BY: CHAD FUSCHER	
CHECKED BY:	
SCALE:	1/8" = 1'-0"
DATE:	June 11, 2021
DESIGNER:	FUSCHER
DATE APPROVED:	LOU W. GILBERT
REVISION NUMBER:	VERSION 1
REVISION 1	5
PAGE	5 of 8





○ TYP. EXT. WALL



- ① ROOF: ASPHALT SHINGLES  
UNDERLAYMENT  
PLYWOOD SHEATHING, SEE STRUCTURAL  
ENGINEERED TRUSSES  
PIREGLASS INSULATION - R-6.2  
ONE POLY VAPOR BARRIER  
② GYPSUM BOARD
- ② FLOOR FINISH AS PER OWNER  
5/8" x 11" PLYWOOD SHEATHING, STD. GRADE, GLUED & SCREWED,  
TWO END AND GROUND  
2X10 FLOOR JOIST, SEE STRUCTURAL PLAN FOR SPACING  
③ GYPSUM WALLBOARD
- ②A FOR FLOORS OVER CRAWL SPACE: 2X6 FLOOR JOIST OVER INTERLOCKED  
WALLS & 2X6 FOR WALL BRACKETS  
1/2" HV GYPSUM TO STUDS WITH  
JOIST CLASPS
- ③ PIER & BEAM  
RANK STUDS W/OUT OR BEAMS FOR SHEATHING,  
BEAMS ON 2X6 PIER PART ATTACHED TO STUDS  
2X6 STUDS ATTACHED TO CRAWLER BEAM OR BRACKET - STUDS NEEDED ON CRAWLER BEAM  
CONCRETE PIER ON TOP OF PIER STRUCTURAL  
FOOTING TO DEPTH REQUIRED BY CULVERTATION - MIN. 36" BEAM GRADE, SEE ZONE FA
- ④ HADRIE PLANK SIDING  
1" x 1" VERTICAL STRAPPING @ 16" O.C.  
AIR BARRIER  
⑤ INTERIOR FINISH AS PER OWNER  
GYPSUM WALL BOARD  
2X4 WOOD STUDS MAX 16" O.C.  
⑥ GYPSUM WALL BOARD OF WOOD BUILT  
2X6 WOOD STUD @ MAX 40" O.C.  
BATT INSULATION R21  
VAPOR BARRIER  
⑦ GVB

----- ROOF RIDGE HEIGHT 1775.<sup>14</sup>  
 ----- TOP FLOOR CEILING HEIGHT 1775.<sup>14</sup>  
 ----- EARL HEIGHT 1772.<sup>72</sup>  
 Note 2:  
 - Bellows Frame Step = 14 FT.  
 with cords attached to lower  
 over counterbalance internal R20  
 ----- TOP FLOOR HEIGHT 1771.<sup>20</sup>  
 ----- LOWER FLOOR CEILING HEIGHT 1770.<sup>70</sup>  
 ----- MAIN FLOOR HEIGHT 1800.<sup>70</sup>  
 ----- LOWER FLOOR HEIGHT 1760.<sup>60</sup>

NOTE 2:  
GULLOWS FRAME STAGE - 14 FT.  
WITH JOISTS ATTACHED TO LARGER  
OVER CONTINUOUS INSULATION - R20

TOP FLOOR HEIGHT 1771.20  
LOWER FLOOR CEILING HEIGHT 1770.95

ALL BEDROOM WINDOWS AS PER B.C.B.C. 9.9.10.1  
ALL HANDRAILS AS PER B.C.B.C. 9.8.7  
ALL GUARDRAILS AS PER B.C.B.C. 9.8.8  
ALL SPATIAL SEPARATIONS AS PER B.C.B.C. 9.10.15

CROSS SECTION	
OWNER BY: RALFA FLICKER	
CHECKED BY:	
SCALE:	1/4" = 10'
DATE: JAN. 11, 2021	
FLISCHER CABIN	
GRID ADDRESS: LOT # 62 - WHISKEY JACK ROAD	
REVISION NUMBER: VERSION 1	
DRAWING #: 6	PAGE 608

SOUTH - EAST ELEVATION

APPENDIX 1C



SIDING: HARDIE CEMENTOUS LAP SIDING  
OR BOARD + BATTEN IN  
'CAMO' GREEN

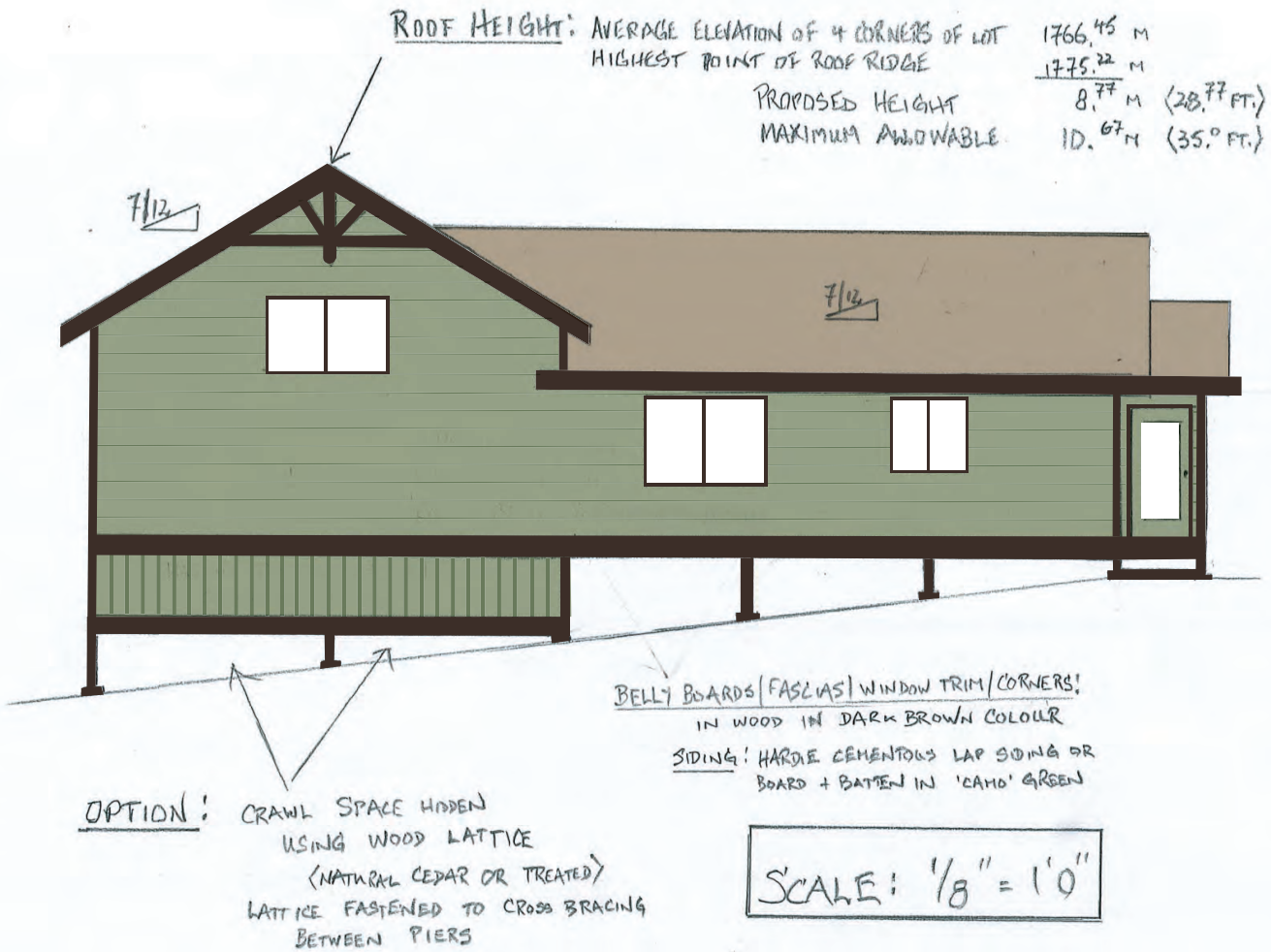
BELLY BOARD / FASCIA / CORNERS: IN WOOD  
IN DARK BROWN COLOUR

OPTION: CRAWN SPACE HIDDEN USING  
WOOD LATTICE

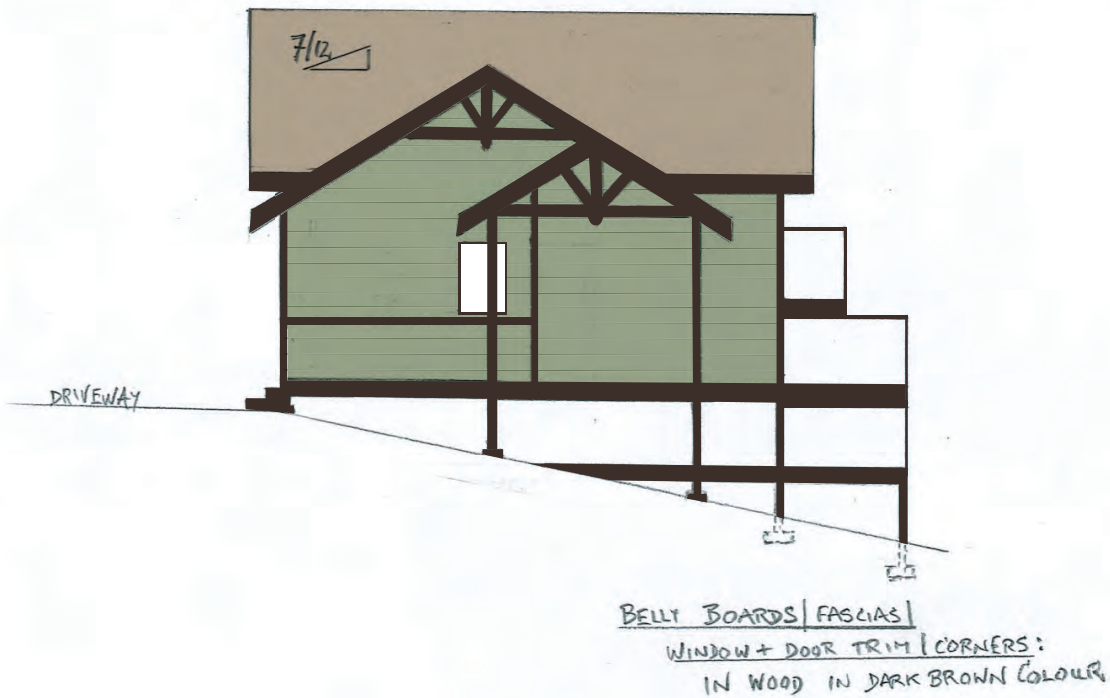
SCALE:  $\frac{1}{8}'' = 1'0''$

# APPENDIX 1A

## NORTH-WEST ELEVATION



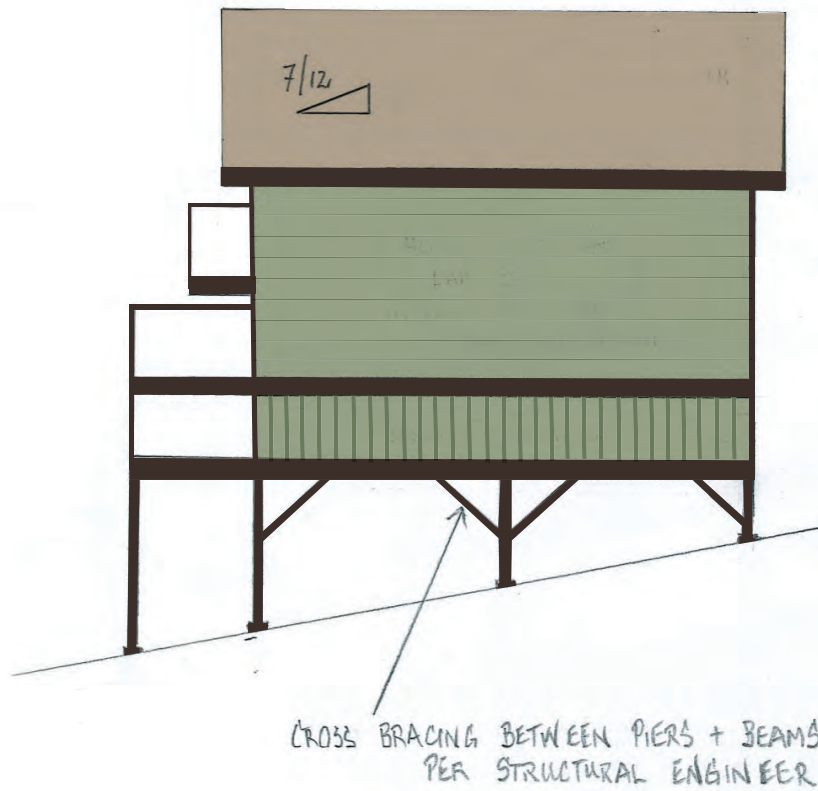


APPENDIX 1BSOUTH - WEST ELEVATIONSCALE:  $\frac{1}{8}" = 1'0"$ 

OPTION : CRAWL SPACES HIDDEN  
USING WOOD LATTICE  
(NATURAL CEDAR OR TREATED)

LATTICE FASTENED TO  
CROSS-BRACING BETWEEN PIERS

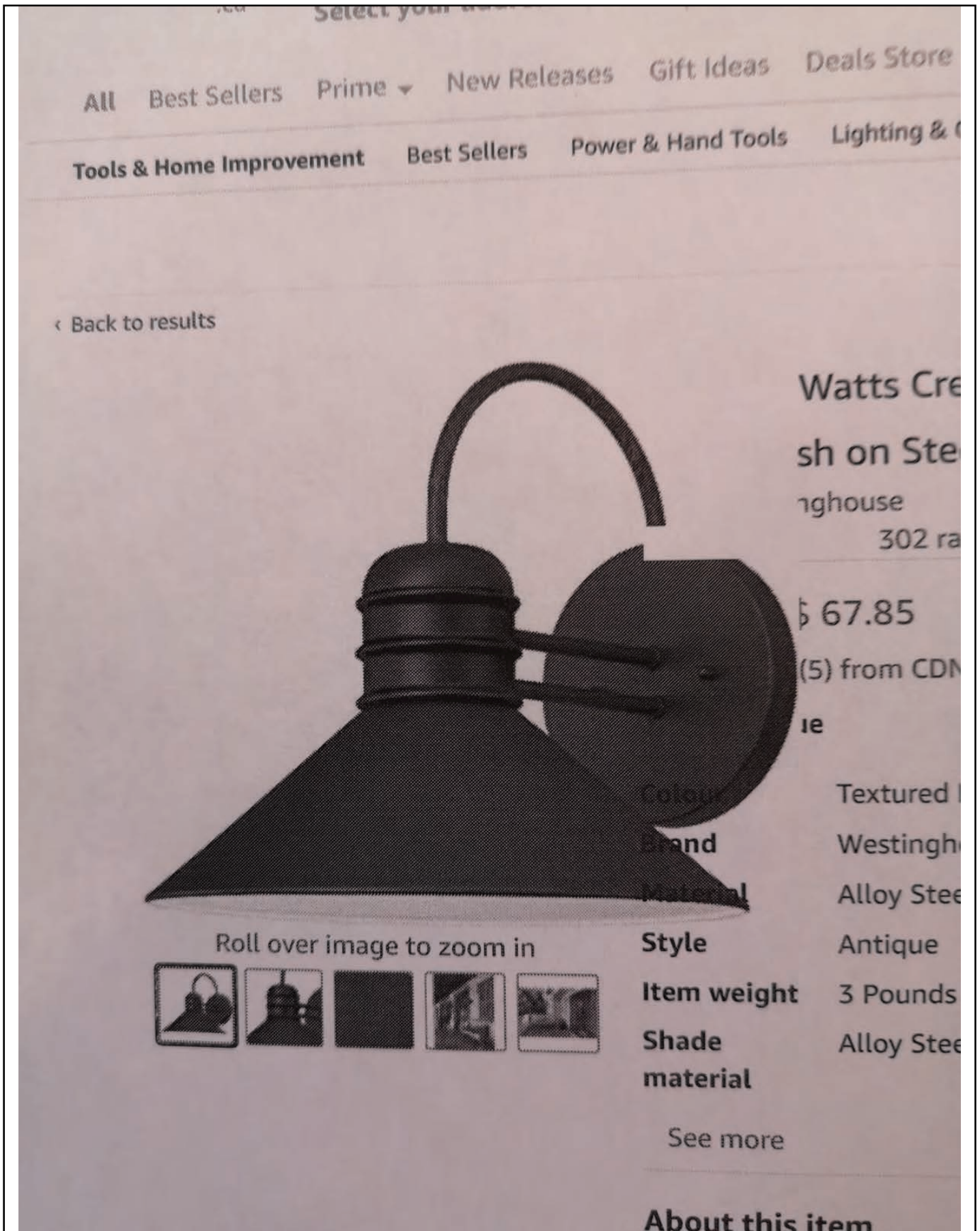
SIDING: HARDIE CEMENTOUS LAP SIDING  
OR BOARD + BATTEN IN  
'KARO' GREEN

APPENDIX 1DNORTH-EAST ELEVATIONSCALE:  $\frac{1}{8}" = 1'0"$ 

BELLY BOARD / FASCIA / CORNERS: IN  
WOOD IN DARK BROWN COLOUR

SIDING: HARDIE CEMENTOUS  
LAP SIDING OR  
BOARD + BATTEN  
IN 'CAMO' GREEN.

OPTION: CRAWL SPACE HIDDEN USING  
WOOD LATTICE







Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Permit – Adyna Investments Ltd. (676-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	BW-4222-07500.720
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Liz Moore, Senior Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received an Alpine Environmentally Sensitive Landscape Reclamation Development Permit application for a property located at Big White Resort (see Attachments – Site Location map).

Property Information	
<b>Owner(s):</b>	Adyna Investments Ltd.
<b>Agent:</b>	Shauna Wizinsky, Weninger Construction & Design
<b>Location:</b>	Strata Lot 24, Feathertop Way (address TBA)
<b>Electoral Area:</b>	Electoral Area E/West Boundary
<b>Legal Description:</b>	Strata Lot 24, Plan KAS3134, District Lot 4222, SDYD
<b>Area:</b>	1150 m <sup>2</sup> (0.284 ac)
<b>Current Use:</b>	Vacant
Land Use Bylaws	
<b>OCP Bylaw 1125:</b>	Medium Density Residential
<b>Development Permit Area:</b>	Commercial and Multiple Family (DP1) and Alpine Environmentally Sensitive Landscape Reclamation (DP2)
<b>Zoning Bylaw 1166:</b>	Chalet Residential 3 Zone

### History / Background Information

The subject property is part of a bare land strata. It is located on Feathertop Way abutting other properties also sharing the Chalet Residential 3 Zone (see Attachments – Subject Property Map). The subject property has a ski-in ski-out access easement.

While the subject property is located in the Commercial and Multiple Family Development Permit Area, the proposal is exempt from requiring a Commercial and Multiple Family Development Permit as it does not include a

commercial development or a multi-family dwelling (defined as three or more dwellings on a single parcel of land).

## **Proposal**

The applicant is requesting an Alpine Environmentally Sensitive Landscape Reclamation Development Permit, which is required prior to building the applicant's proposed single detached dwelling (see Attachments – Applicant Submission).

## **Implications**

The proposal features a stepped foundation and stacked rock retaining walls. The applicant stated the natural grade provides the required site drainage. The driveway is planned to be asphalt. The proposal includes a concrete entry pad, hot tub patio, and a double car garage.

The applicant's landscape reclamation letter states that the subject property has a number of trees near the rear of the lot. It states that they intend to retain as much of the existing vegetation as possible, by keeping the area of disturbance close to the building location. The applicant intends to utilize the existing topsoil and bring in additional topsoil as needed.

The ski easement is clear of large plants and the snow storage areas are proposed to only use grass and wildflowers, due to potential vegetation damage from snow compression.

The applicant proposes five spruce or fir trees, numerous shrubby cinquefoil, kinnick kinnick, arctic lupin, Karl Forrester feather reeds, and barberry shrubs and plans to liberally apply grass seed and wildflowers around these plantings.

The applicant states they selected vegetation is native to the area and appropriate for higher altitudes. Many of the listed species appear on RDKB's list of appropriate species for Big White. Staff have sent a list of the proposed species in the wildflower mixture to the Boundary Invasive Species Program to assess whether the proposed mix has any problematic species. The selected plantings will require hand watering for the first few seasons, after which the landscaping should be mostly maintenance free.

## **Preliminary Plan for Single Detached Dwelling**

Based on applicant's proposal, the proposed dwelling has a parcel coverage of 19.2% and a floor area ratio of 0.36, meeting the requirements of the R3 Zone, which allows a maximum parcel coverage and floor area ratio of 50% and 0.8, respectively. The average height of the dwelling is 10 m – 2 m below the maximum allowable height. The setbacks meet the requirements of the R3 Zone. Approval of an Alpine Environmentally Sensitive Landscape Reclamation Development Permit does not include approval of the building

design, which must meet zoning and building regulations at the building permit stage.

### **Advisory Planning Commission (APC)**

The Big White APC considered this application at their April 6, 2021 meeting. The APC provided a recommendation to support this application.

### **Recommendation**

That the staff report regarding the Development Permit application submitted by Shauna Wizinsky, Weninger Construction & Design, on behalf of owner Adyna Investments Ltd, to construct a single family dwelling in Big White on the parcel legally described as Strata Lot 24, DL 4222, SDYD, Plan KAS3134, Big White, Electoral Area E/West Boundary, be received.

### **Attachments**

1. Site Location Map
2. Subject Property Map
3. Applicant Submission



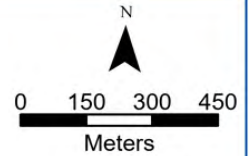


Regional District of  
Kootenay Boundary

Date: 2021-03-16

## Site Location Map

Strata Lot 24, Plan KAS3134,  
District Lot 4222,  
Similkameen Div of Yale Land District



1:15,000



© 2021 Microsoft Corporation © 2021 Maxar © CNES (2021) Distribution  
Airbus DS

202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | [rdkb.com](http://rdkb.com)

Document Path: P:\PD\BW\BW-4222-07500.720\_Adyna\Maps\2021-03-16\_DPmaps\_BW-4222-07500.720\_Adyna.aprx"

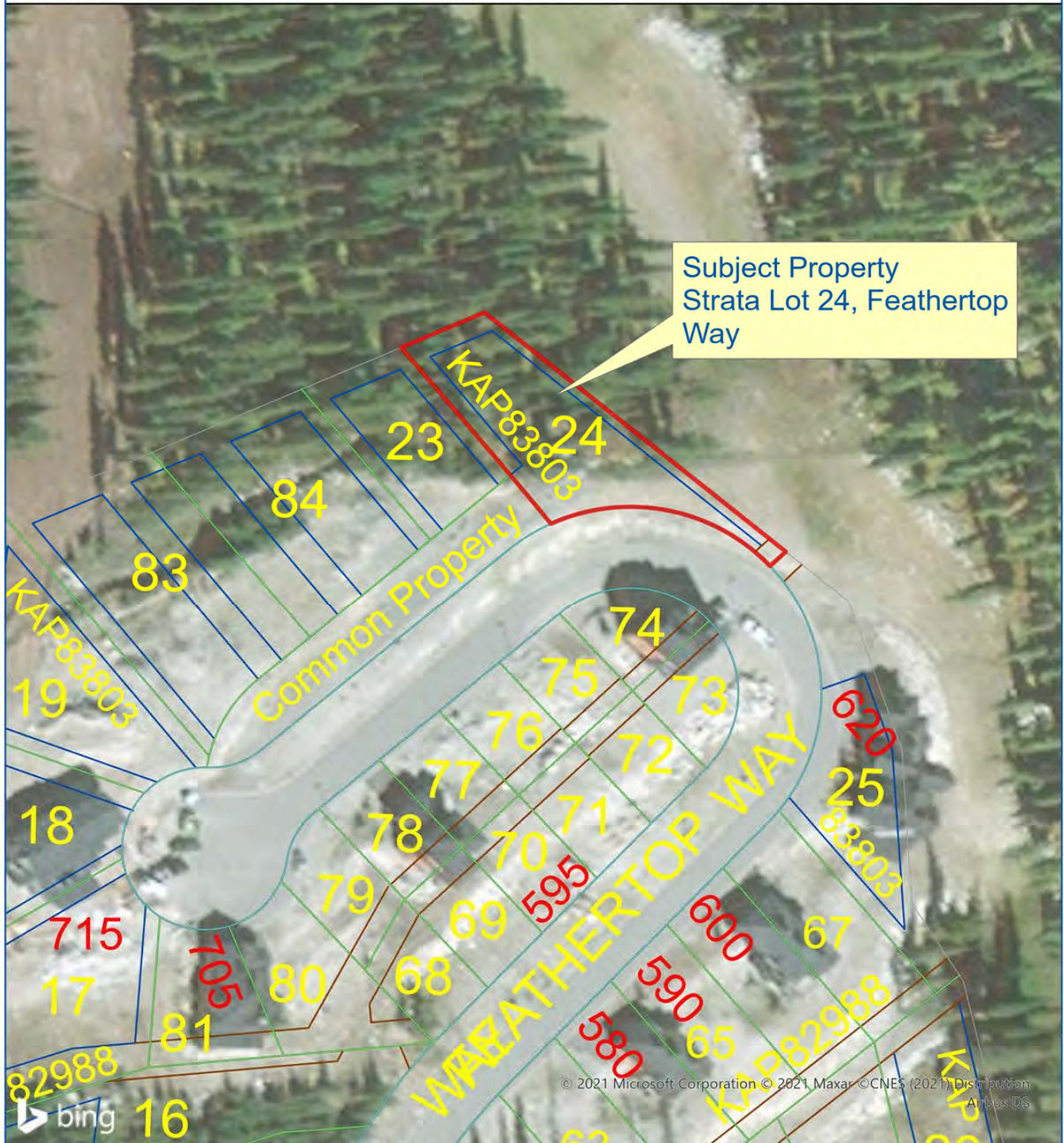
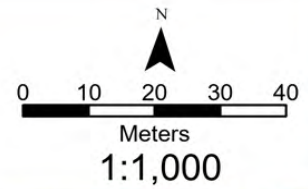




Date: 2021-03-22

## Subject Property Map

Strata Lot 24, Plan KAS3134,  
District Lot 4222,  
Similkameen Div of Yale Land District



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | [rdkb.com](http://rdkb.com)

Document Path: P:\PD\BW\BW-4222-07500.720 Adyna\Maps\2021-03-16 DPmaps BW-4222-07500.720 Adyna.aprx"

## Applicant Submission

Industrial Development Permit Area:		
	<input type="checkbox"/>	<u>Landscape Reclamation Plan</u>
	<input type="checkbox"/>	Building Design Plan

Statements regarding requests for variance(s)	<input type="checkbox"/>	<p>A clear statement identifying which regulation within the Zoning Bylaw is proposed to be varied (Example: rear parcel line setback variance of 1.5m - from 4m to 2.5m). A narrative which describes if the proposed variance would:</p> <ul style="list-style-type: none"> <li>• Resolve a hardship</li> <li>• Improve development</li> <li>• Cause negative impacts to neighbouring properties</li> </ul>
Site Survey	<input type="checkbox"/>	<p>If the Regional District believes it to be necessary for the property boundaries and the location of improvements thereon to be more accurately defined due to uncertainty over natural boundaries of watercourses or other reasons, a sketch prepared by a British Columbia Land Surveyor may be required. The voluntary submission of such a sketch may prevent a possible delay in processing the application.</p>

**Required Section:** the space below is provided to describe the proposed development. Additional pages may be attached.

New Construction - Single Family Dwellings  
per attached plans.



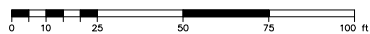
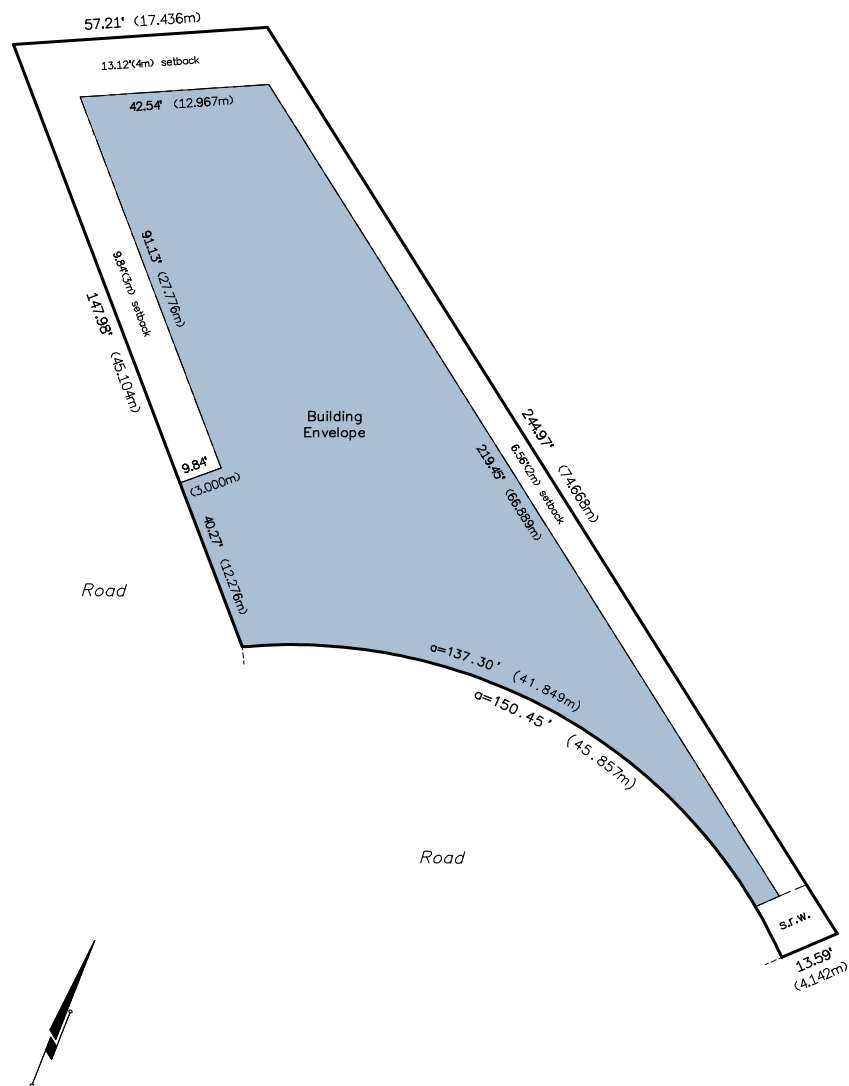
Applicant Submission



FEATHERTOP  
CUSTOM LOT BUILDING ENVELOPE

## STRATA LOT 24

**Lot Size:** 12,387 sf 1,151 m<sup>2</sup> 0.284 Ac.      **Building Envelope Area:** 9,105 sf 846 m<sup>2</sup>



Developer reserves the right to make modifications and changes should this be necessary to maintain the high standards of these homes. Sizes are approximate and all square footages may vary. E & O E.

MARKETED BY  
**LANDLAUNCH**

## Applicant Submission



February 22, 2021

RE: Development Application for Lot 24, Strata KAS 3134, DL 4222 SDYD

To Whom It May Concern,

The proposed dwelling is situated on an undeveloped parcel with existing natural vegetation and existing trees.

The proposed landscaping scheme focuses on sustainability, consideration of fire protection, and species selection to an alpine moderate to high altitude. The vegetation that will be planted on the site is exclusively composed of species that grow naturally in the area and are accustomed to high altitudes. Because of this, maintenance of this vegetation will only be required for the first few years until it is firmly established. The necessary maintenance is minimal and only includes watering by hand as necessary. This maintenance will be completed by the owner. After the vegetation has established on the site, no further watering will be required.

Every effort will be made to use the existing topsoil, however we have not yet determined if there is enough topsoil to suffice for our proposed vegetation. If more is required, then we will bring it in.

The building site will be kept as close to proposed build as possible, to preserve as many of the existing trees and plants as possible. The upper end of the property is heavily treed, and will be left undisturbed.

This site does have a drop to it, but because we are working with the natural incline there will be no drainage required. Excavated areas will receive concrete retaining walls and rock retaining walls as required by grade to stop topsoil loss, we expect both sides of the building will require retaining walls.

Rock retaining walls planned are large stacked rocks, which we will stack to a maximum height of 4'. Depending on final site grading, a second wall stacked at an approximate distance of 6' from the first may be required. The intention of stacking the large rocks is to stabilize the bank and when final grading is complete we will determine how many walls are needed.

Two concrete retaining walls are planned with final size and placement will be determined on site with engineer. Exposed concrete wall sides will be finished with natural stone veneer to maintain the finished appearance of the building and blend to the landscape better.

The stepped foundation will allow for variation in grading on site, and help manage/prevent sharp drops in grade. Plants and grass/wildflower seeds on the sides of the building will also help to stabilize the slopes.

The selection of plants, as indicated on the enclosed plans, have been chosen to respect the short growing season. The landscaping design includes all disturbed areas. There will be no disruption or planting done in the ski easement area.

DESIGN ~ CONSTRUCT ~ DEVELOP

info@weningerconstruction.com

(250)765-6898

Fax(250)765-6078

#10 – 220 Neave Road, Kelowna, BC V1V 2L9

## Applicant Submission



The designated snow storage areas are generally clear of plants that could be damaged and crushed by the weight of cleared snow, the overflow parking can also be used for snow storage in heavy snowfall years.

The perimeter of the building will receive gravel to reduce mud, run-off, and splash back during the melt season.

The landscaping scheme planting arrangement is finished by site coverage of liberal seeding of native grass and wildflowers.

Sincerely,

A handwritten signature in black ink, appearing to read 'Shauna Wizinsky', written over a horizontal line.

**Shauna Wizinsky**, Project Manager  
Weninger Construction & Design Ltd

DESIGN ~ CONSTRUCT ~ DEVELOP

info@weningerconstruction.com

(250)765-6898

Fax(250)765-6078

#10 – 220 Neave Road, Kelowna, BC V1V 2L9





LEFT SIDE VIEW



VIEW FROM STREET



VIEW FROM RUN

Total Interior Space: 4,825 sq.ft.  
Including  
Garage: 649 sq.ft.  
Plus  
Exterior Covered Area: 962 sq.ft.

Lower Floor 1,184 sq.ft.  
Spa with Steam Room and Powder, Family Room, 1  
Bedroom with Ensuite, & Utility Room  
Plus: Covered Hot Tub Patio

Main Floor 2,375 sq.ft.  
Entry, Kitchen, Dining, Living, Bootroom, Powder Room,  
and 1 Bedroom with Ensuite, 2 car Garage  
Plus Covered Main Entry, Covered Run Entry, & Covered  
Deck with Built in BBQ

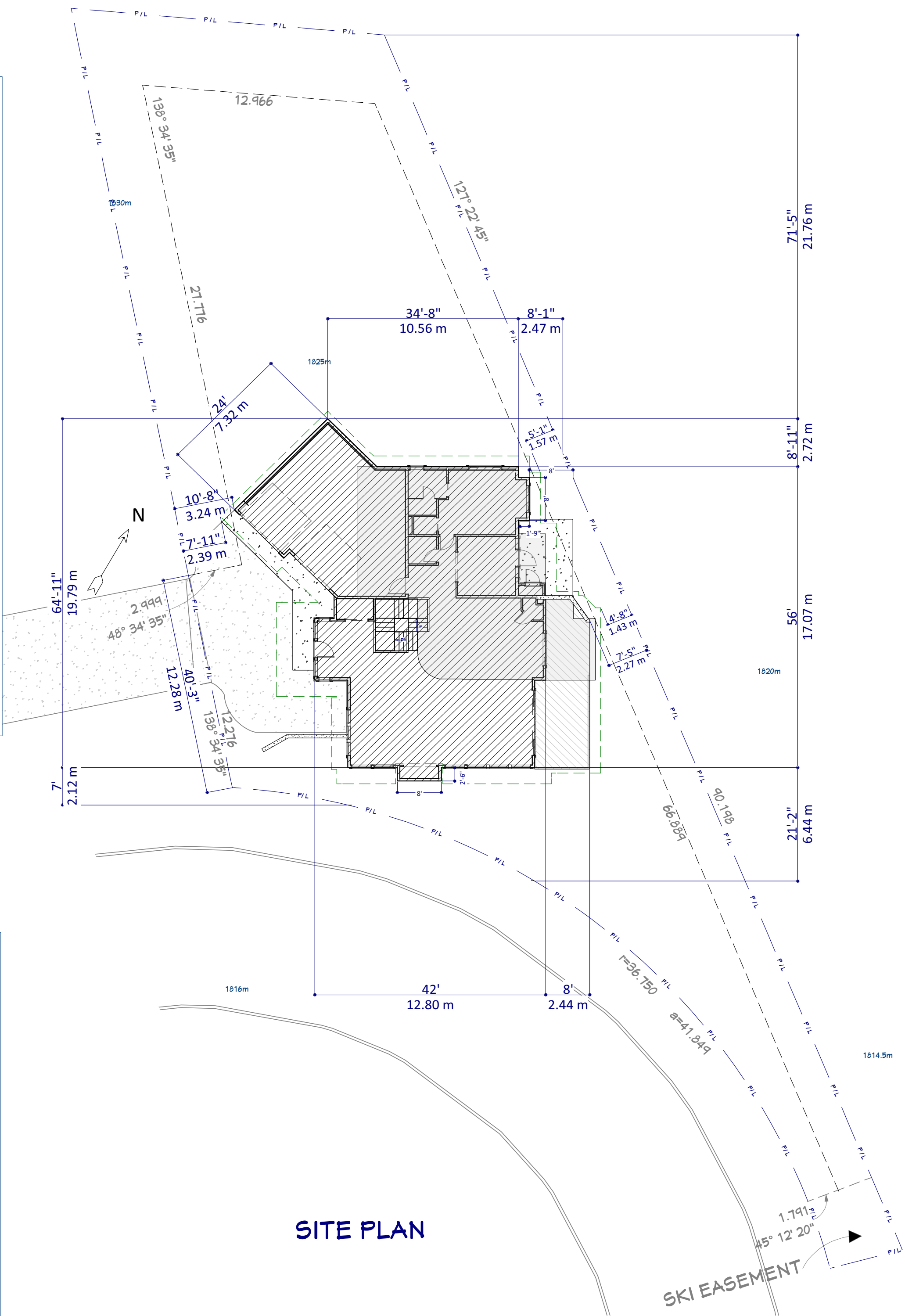
Top Floor 1,266 sq.ft.  
2 Bedrooms with Ensuities, Master Suite with Bathroom  
and Powder Room, Loft, & Laundry  
Plus: Covered Deck

FLOOR AREA RATIO 0.495  
Parcel Size: 845.9 m2 or 9,105 sq.ft.

Gross Floor Area: 4,510sq.ft. Above Ground  
Lower Floor 852 sq.ft. above ground (1,184 sq.ft. with  
332 sq.ft. underground)  
Main Floor : 2,375 sq.ft (including garage)  
Top Floor: 1,266 sq.ft.

PARCEL COVERAGE 26.4%  
Parcel Size: 9,105 sq.ft.  
Building Footprint: 2,406 sq.ft.

ISSUED FOR PERMIT



SITE PLAN

Layout Page Table	
Number	Title
1	SITE PLOT PLAN
2	BASEMENT FLOOR PLAN
3	MAIN FLOOR PLAN
4	UPPER FLOOR PLAN
5	FOUNDATION PLAN & ROOF PLAN
6	ELEVATIONS
7	FRAMING PLANS
8	ROOF FRAMING PLANS
9	SECTIONS & DETAILS
10	DETAILS & ASSEMBLIES
11	ELECTRICAL PLANS
12	LANDSCAPE PLANS
13	EXTERIOR FINISHES

REVISION TABLE	
NUMBER	DATE
01	12/03/2021
02	12/03/2021

PROJECT LOCATION	
105 FEATHERTOP WAY, BIG WHITE, BC	
DRAWN BY	
Marin Weninger	
Shauna Mizinsky	
PROJECT	
Weninger Construction & Design Ltd.	
#10-220 NEAVE RD Kelowna, BC V1V 2L4	
Tel: (250) 765-6649 Fax: (250) 765-6078	

LOT 24 FEATHERTOP	
NEW CHALET BUILD	
SITE PLAN	

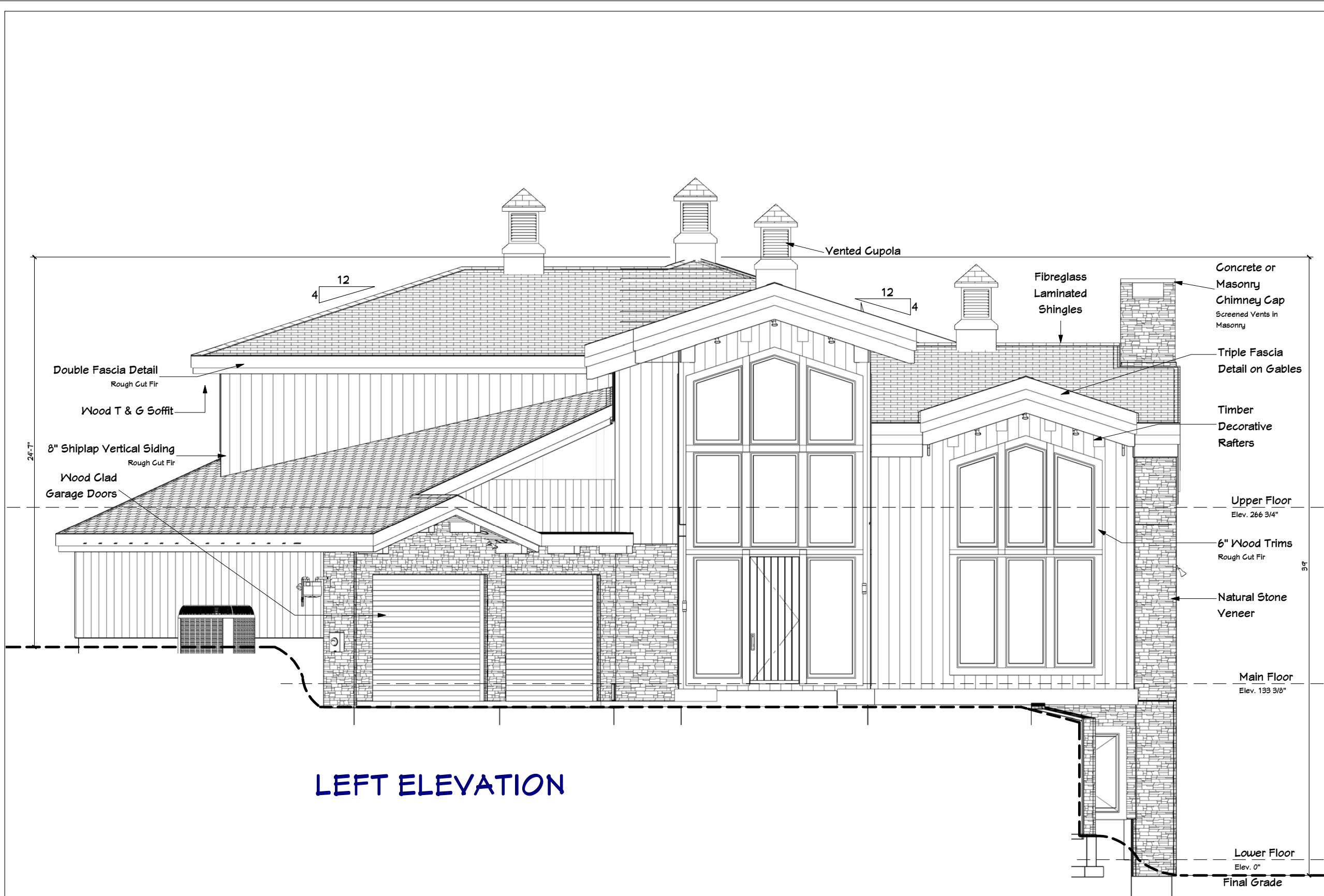
DRAWINGS PROVIDED BY:	
WCD	
WENINGER CONSTRUCTION & DESIGN LTD.	

DATE:
12/03/2021

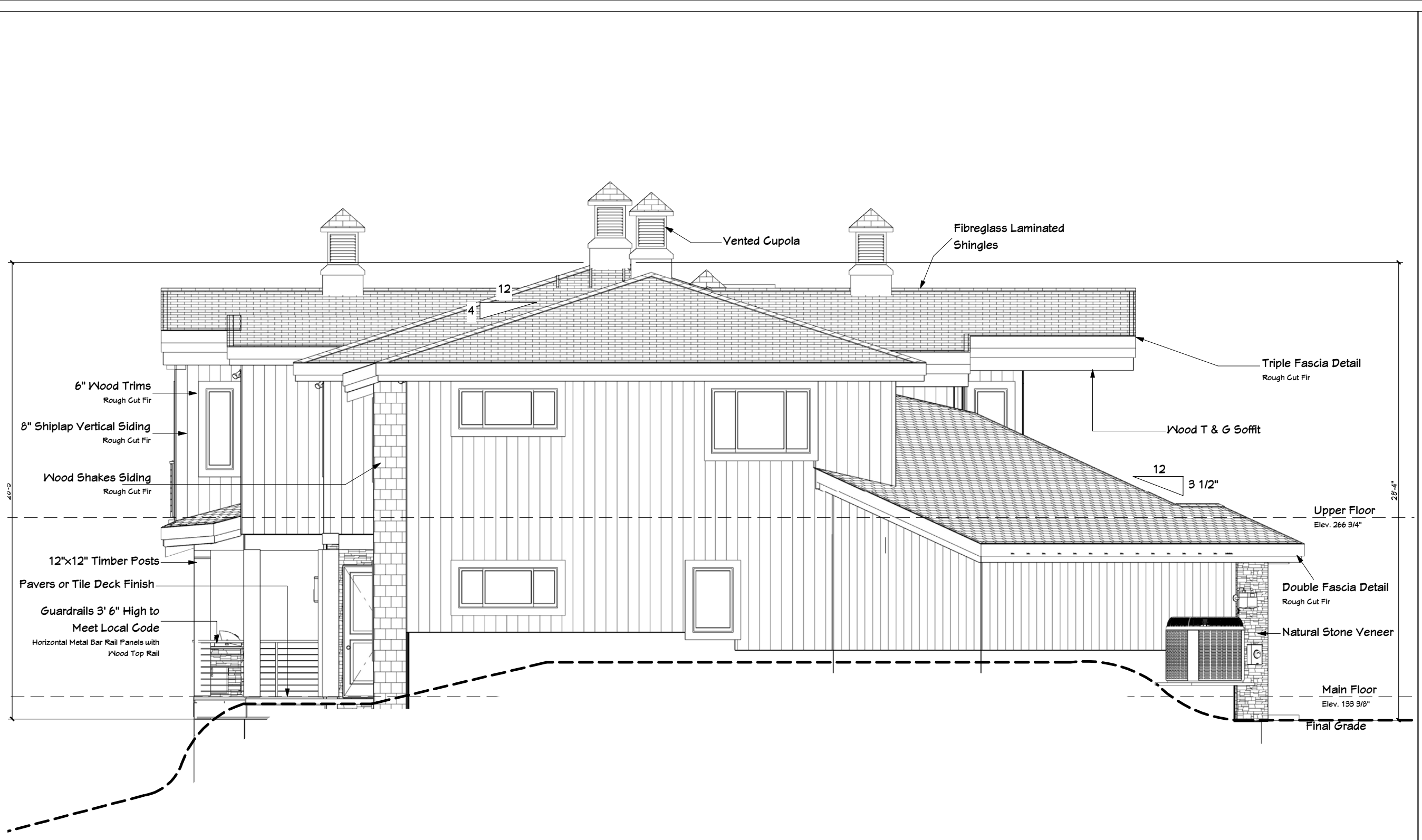
SCALE:
3/4" = 10'

SHEET:
1

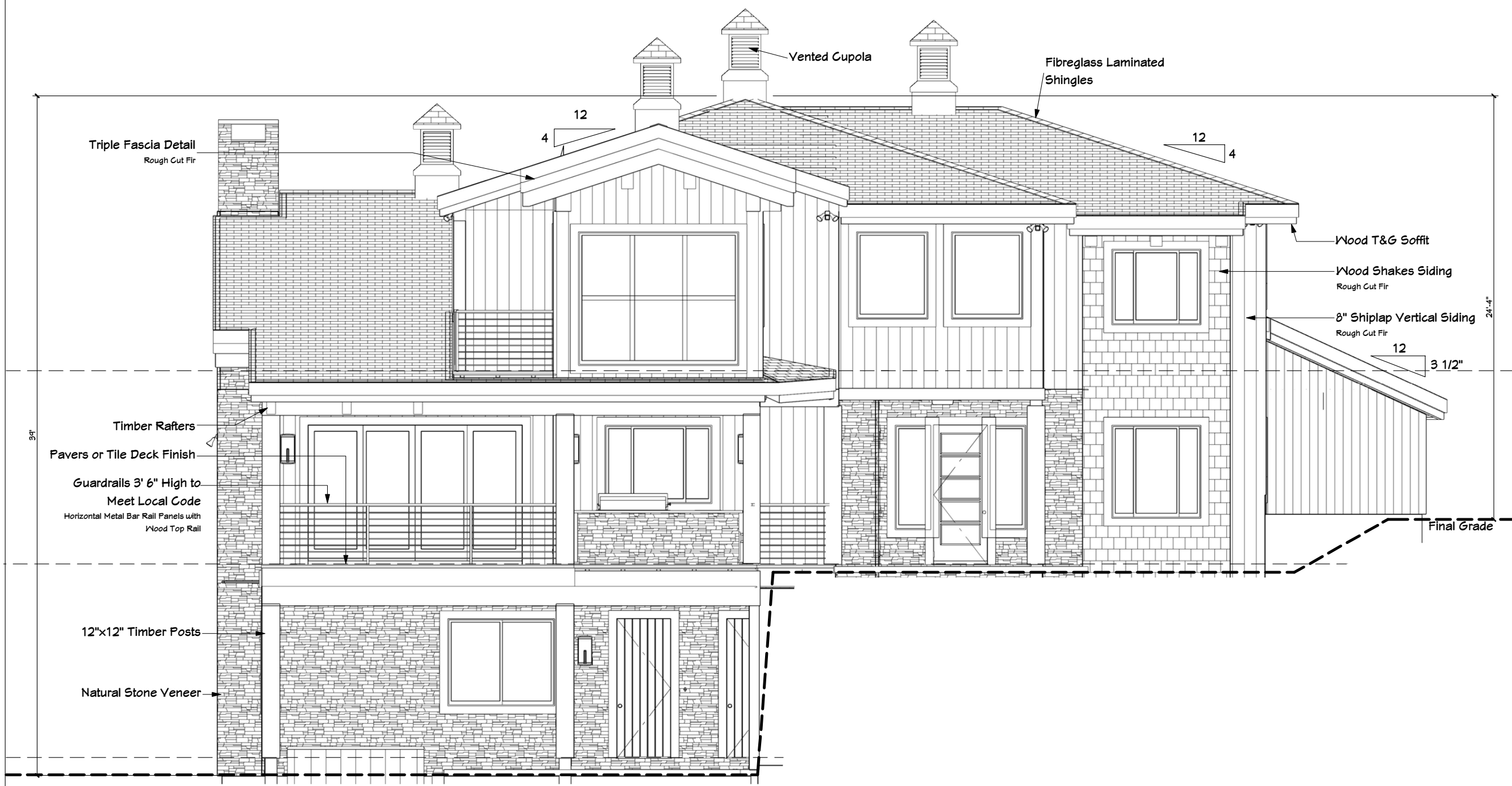




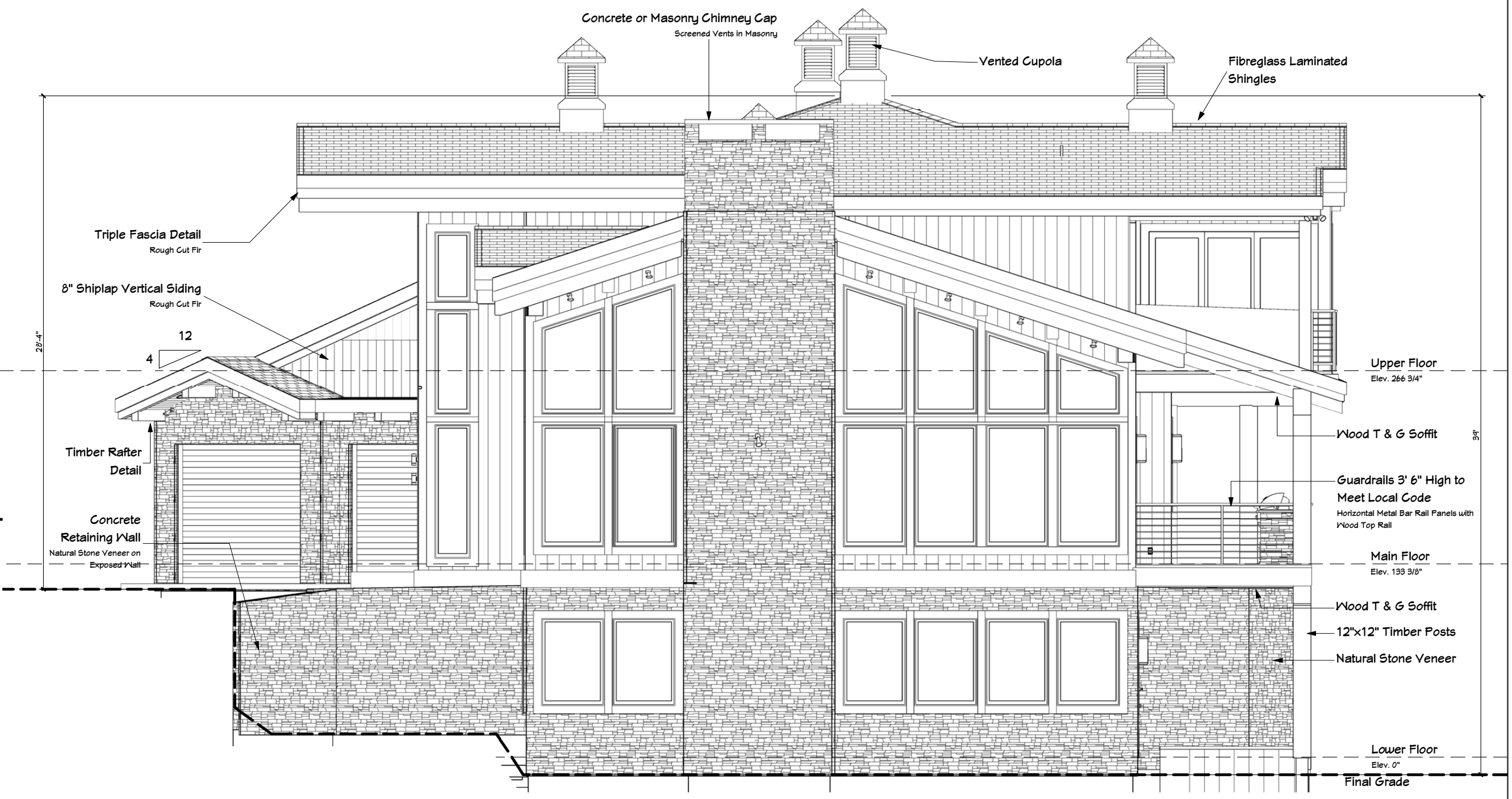
LEFT ELEVATION



REAR ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

ISSUED FOR PERMIT

REVISION TABLE		
NUMBER	DATE	DESCRIPTION
01	12/03/2021	MX & SK
02	12/03/2021	MX & SK

PROJECT  
#105 FEATHERTOP WAY,  
BIG WHITE, BC  
Weninger Construction & Design Ltd.  
#10-220 NEAVE RD  
Kelowna, BC V1Y 2L4  
Tel: (250) 765-6618 Fax: (250) 765-6078

DRAWN BY  
Marlin Weninger  
Shauna Mzinsky

PROJECT  
#105 FEATHERTOP WAY,  
BIG WHITE, BC  
Weninger Construction & Design Ltd.  
#10-220 NEAVE RD  
Kelowna, BC V1Y 2L4  
Tel: (250) 765-6618 Fax: (250) 765-6078

DRAWN BY  
Marlin Weninger  
Shauna Mzinsky

PROJECT  
#105 FEATHERTOP WAY,  
BIG WHITE, BC  
Weninger Construction & Design Ltd.  
#10-220 NEAVE RD  
Kelowna, BC V1Y 2L4  
Tel: (250) 765-6618 Fax: (250) 765-6078

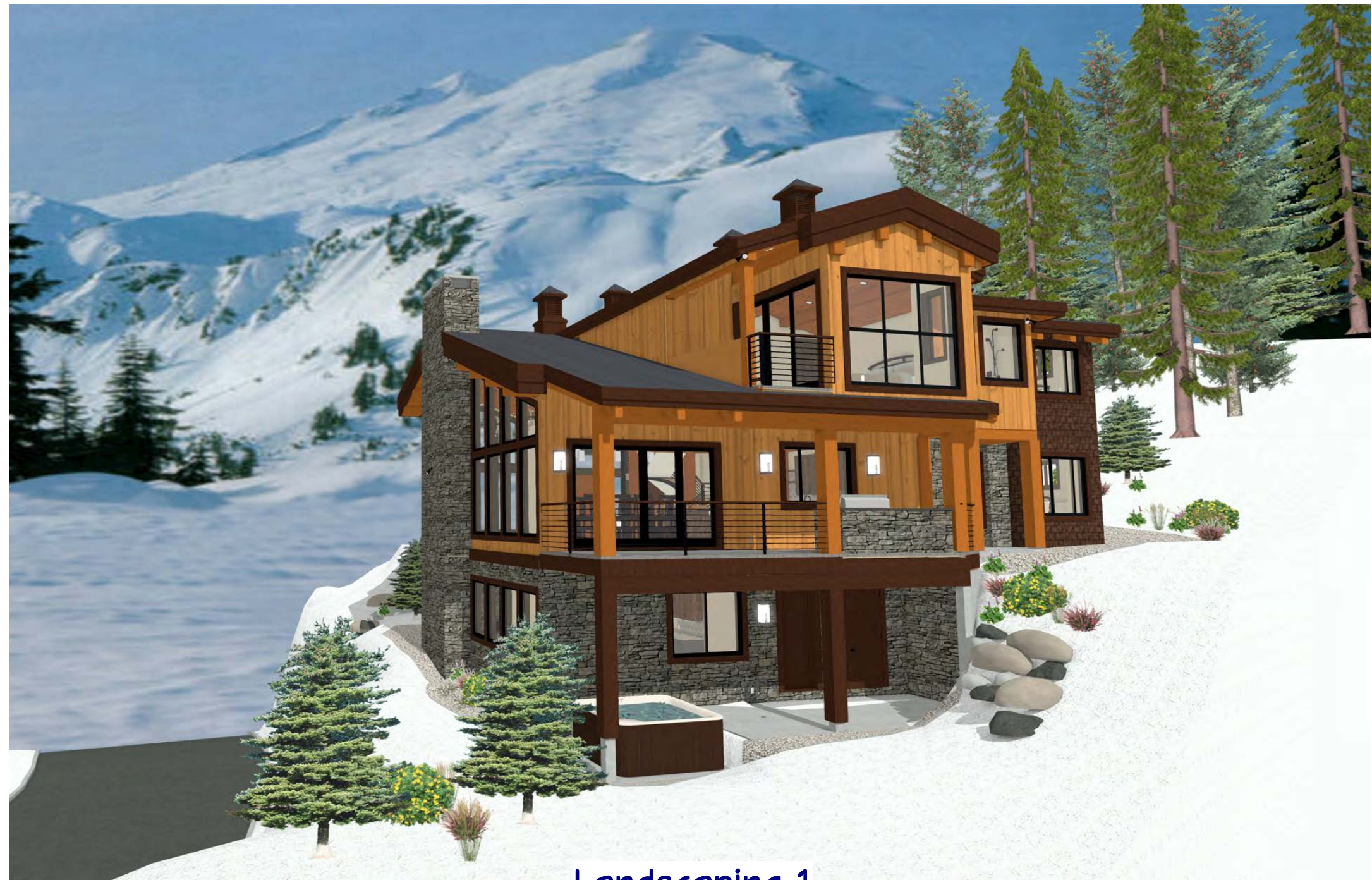
DRAWN BY  
Marlin Weninger  
Shauna Mzinsky

DATE:  
12/03/2021

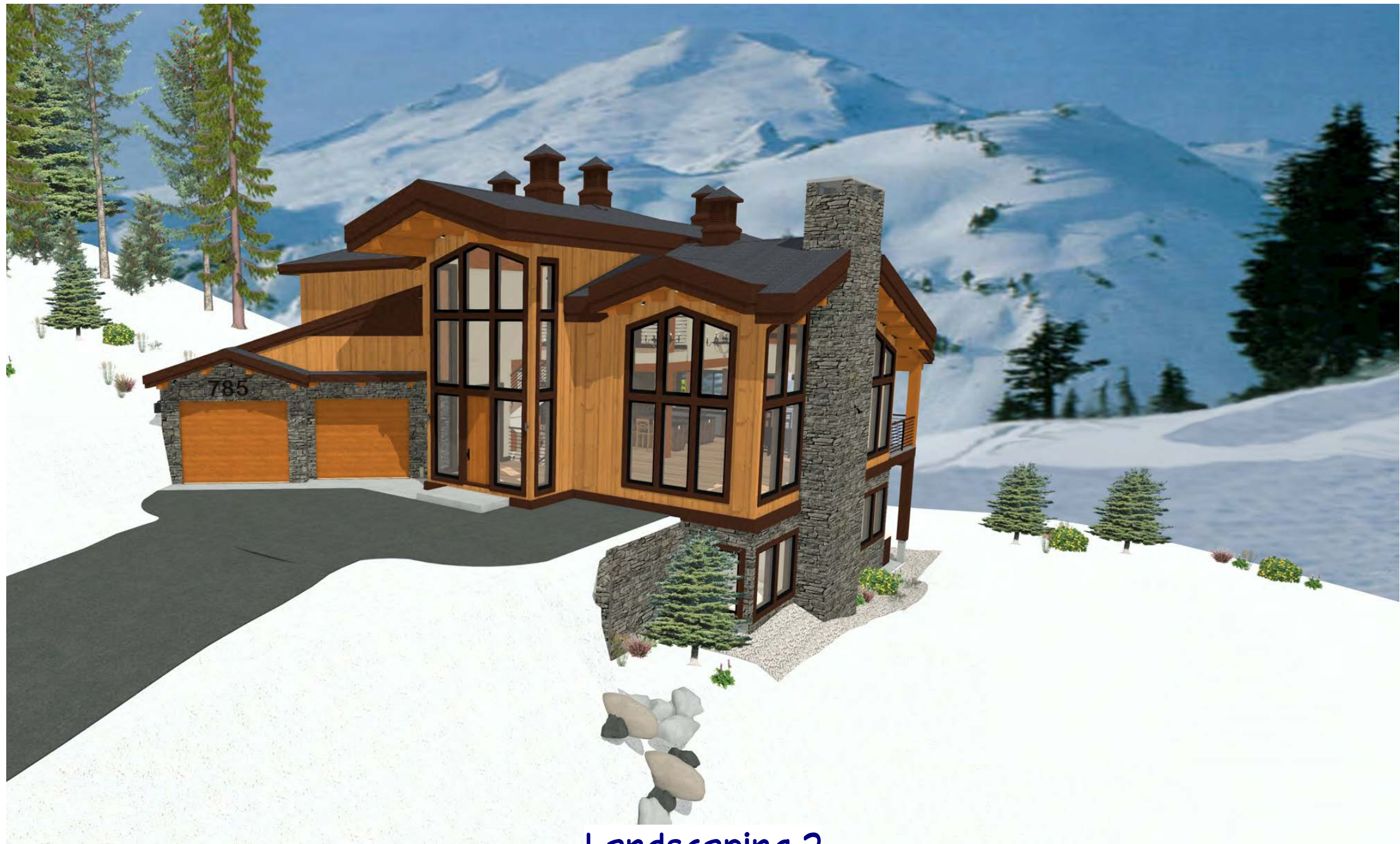
SCALE:  
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SHEET:  
6



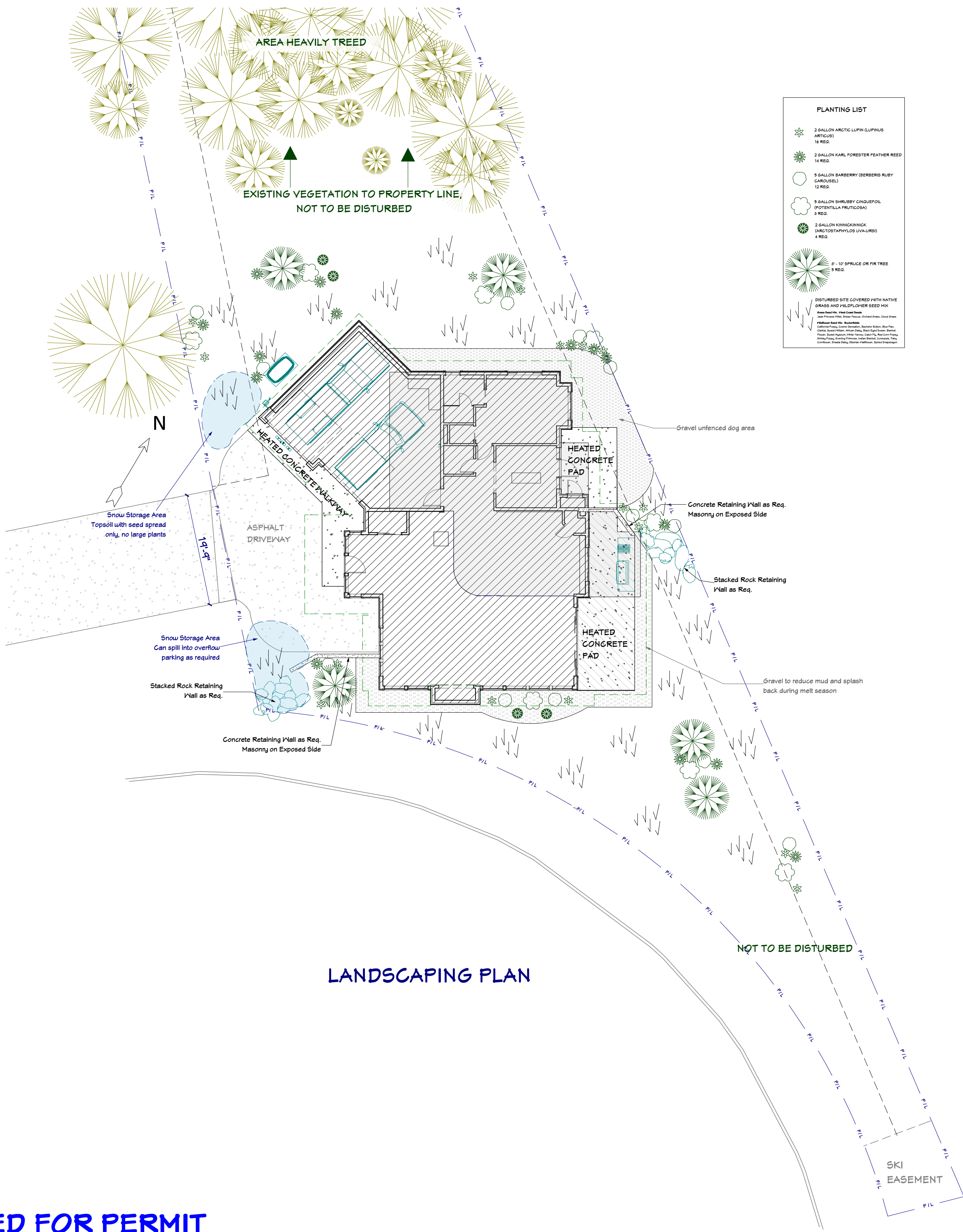


Landscaping 1



Landscaping 2

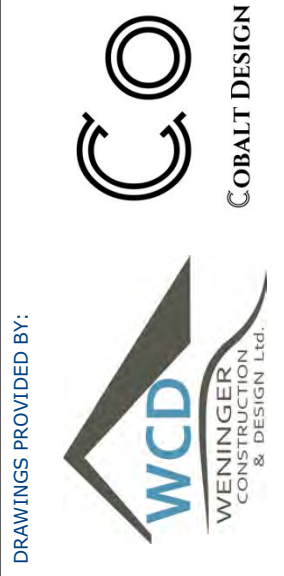
ISSUED FOR PERMIT



REVISION	DATE	DESCRIPTION
01	22/03/2021	PLAN & SKI EASEMENT
02	12/03/2021	PLAN & SKI EASEMENT

PROJECT: 105 FEATHERTOP WAY, BIG WHITE, BC  
DRAWN BY: Marlin Meninger, Shauna Mitzinsky  
PROJECT: 105 FEATHERTOP WAY, BIG WHITE, BC  
DESIGNED BY: Meninger Construction & Design Ltd.  
#10-220 NEAVE RD, Kelowna, BC V1V 2L4  
Tel: (250) 765-6618 Fax: (250) 765-6078

LOT 24 FEATHERTOP  
NEW CHALET BUILD  
LANDSCAPING PLANS



DATE:  
22/03/2021

SCALE:  
1" = 10' 0"

SHEET:  
12





Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Permit – Pfenning/Kinnear/Szabadi (675-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	BW-4222-07500.835
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Danielle Patterson, Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received an Alpine Environmentally Sensitive Landscape Reclamation Development Permit application for a property located at Big White Resort (see Attachment 1 – Site Location map).

Property Information	
<b>Owner(s):</b>	Lorilee Kinnear, Matthew Kinnear, Brad Pfenning, Cindee Pfenning, Thomas Szabadi, and Kimberley Szabadi
<b>Agent:</b>	Brad Pfenning
<b>Location:</b>	400 Feathertop Way
<b>Electoral Area:</b>	Electoral Area E/West Boundary
<b>Legal Description:</b>	Strata Lot 47, Plan KAs3134, District Lot 4222, Similkameen Division of Yale Land District
<b>Area:</b>	408.7 m <sup>2</sup> (4399.6 ft <sup>2</sup> )
<b>Current Use:</b>	Vacant
Land Use Bylaws	
<b>OCP Bylaw 1125:</b>	Medium Density Residential
<b>Development Permit Area:</b>	Commercial and Multiple Family (DP1) and Alpine Environmentally Sensitive Landscape Reclamation (DP2)
<b>Zoning Bylaw 1166:</b>	Chalet Residential 3 Zone

### History / Background Information

The subject property is part of a bare land strata. It is located on Feathertop Way abutting other properties also sharing the Chalet Residential 3 Zone (see Attachment 2 – Subject Property Map). The subject property has a ski-in ski-out access easement.

While the subject property is located in the Commercial and Multiple Family Development Permit Area, the proposal is exempt from requiring a Commercial and Multiple Family Development Permit because it does not include a commercial development or a multi-family dwelling (defined as three or more dwellings on a single parcel of land).

Page 1 of 3

p:\pd\ea\_e\_big\_white\bw-4222-07500.835\dp  
15\_pfenningkinnearszabadi\_dp\_eas.docx

application

april

2021\reports\ eas\2021-04-

## **Proposal**

The applicant is requesting an Alpine Environmentally Sensitive Landscape Reclamation Development Permit, which is required prior to building their proposed single detached dwelling (see Attachment 3 – Applicant Submission).

## **Advisory Planning Commission (APC)**

At their April 6, 2021 meeting, the Electoral Area E/West Boundary-Big White APC recommended support for the permit, with no comments.

## **Implications**

The portion of the subject property towards the front parcel line is relatively flat, with an increase in slope near the back of the proposed dwelling and towards the ski easement. The proposal includes a stacked rock retaining wall at the transition point of this terrain.

Concrete slabs and pavers with an exposed aggregate finish style are proposed for the driveway and the porch. As proposed, the snow storage area is mostly on the strata common property, as is the third parking space (which is not required in the R3 zone). Staff have contacted the applicant asking for the snow storage to be moved and the removal of the third parking space.

The applicant's landscape reclamation letter states that the subject property has little to no existing vegetation and mostly contains boulders and blast rock; they will bring topsoil to the site. A one inch/~2.54 cm landscape rock will be used around plantings to enhance localized drainage. The ski easement has an existing grass cover, which will be supplemented with wildflowers and grass, if required in the spring.

Staff recommend the use of "Eco-Green Rapid Cover" for rapid erosion control and have contacted the applicant to comment that wildflower seed mixes should be avoided unless they can ensure they contain only native plants.

While it is noted the owners will do the planting, irrigating, and maintenance of the landscaping (in communications with staff it was noted owners have a landscaping profession), specifics were not provided. Staff have contacted the applicant to request more details, particularly related to the initial establishment of the plantings and noted that the Development Permit Guidelines encourage the use of plantings that do not require irrigation. The applicant has proposed a number of western larches and mock orange shrubs, which creates privacy from the ski easement.

The applicant has proposed a Western Hemlock tree and a few Deer Fern on the site. Staff have contacted the applicant to communicate there may be more appropriate substitutions for these two plantings. Shrubs, flowering plants, and a native grass and wildflower seed mix cover the rest of the site.

## **Preliminary Plan for Single Detached Dwelling**

Based on applicant's proposal, the proposed dwelling has a parcel coverage of 40% and a floor area ratio of 0.67, meeting the requirements of the R3 Zone, which allows a maximum parcel coverage and floor area ratio of 50% and 0.8, respectively. The average



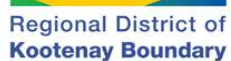
height of the dwelling is 11.1 m – 0.9 m below the maximum allowable height. Setbacks, as presented, meet the requirements of the R3 Zone. Approval of an Alpine Environmentally Sensitive Landscape Reclamation Development Permit does not include approval of the building design, which must meet zoning building regulations at the building permit stage.

### **Recommendation**

That the staff report regarding the Alpine Environmentally Sensitive Landscape Reclamation Development Permit application submitted by Brad Pfenning, on behalf of the owners Lorilee Kinnear, Matthew Kinnear, Brad Pfenning, Cindee Pfenning, Thomas Szabadi, and Kimberley Szabadi for the parcel legally described as Strata Lot 47, Plan KAs3134, District Lot 4222, Similkameen Division of Yale Land District, Big White, Electoral Area 'E'/West Boundary, be received.

### **Attachments**

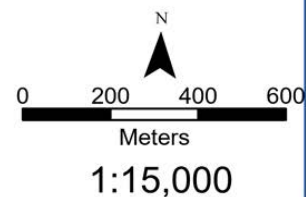
1. Site Location Map
2. Subject Property Map
3. Applicant Submission



Date: 2021-03-12

## Site Location Map

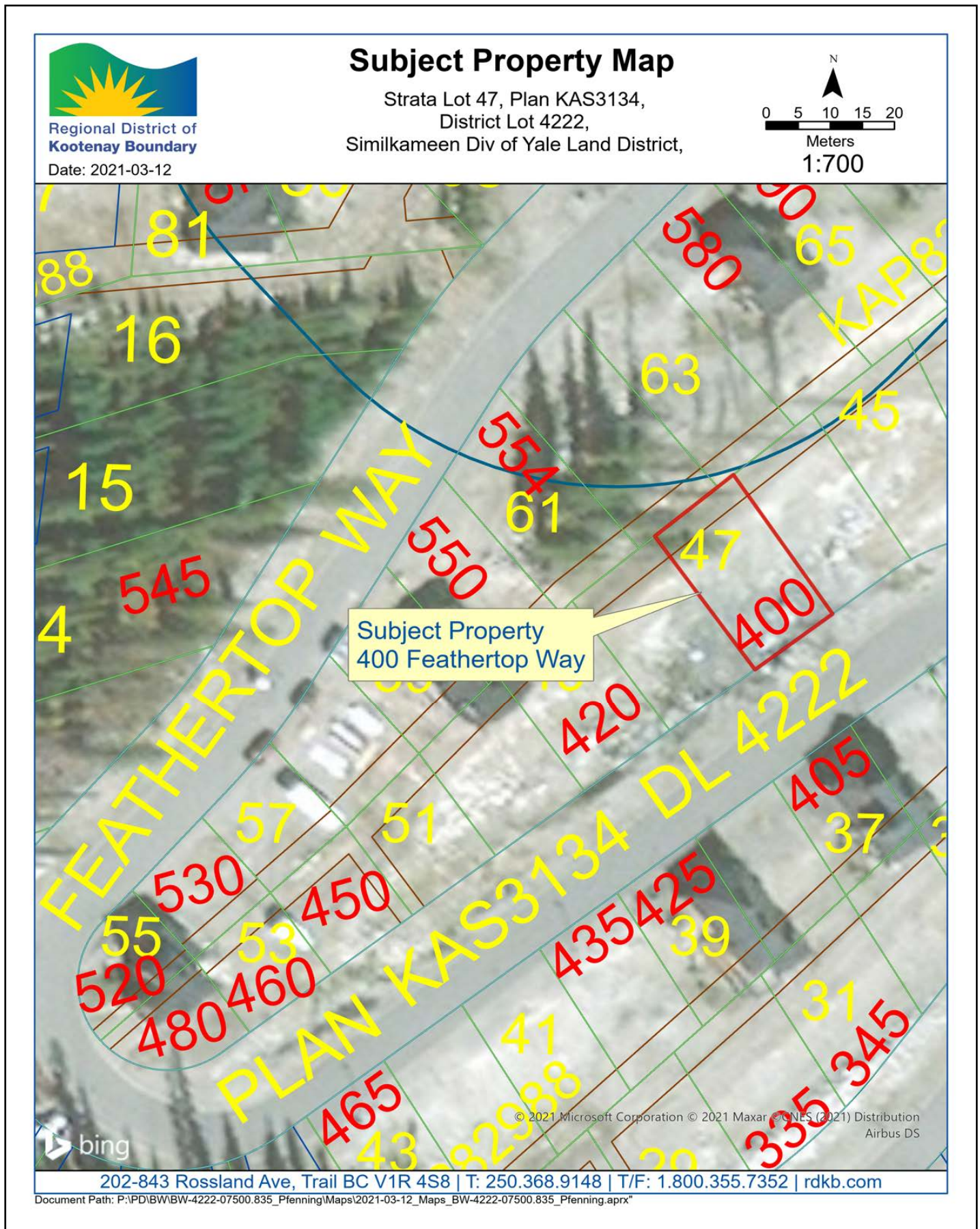
Strata Lot 47, Plan KAS3134,  
District Lot 4222,  
Similkameen Div of Yale Land District,



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | [rdkb.com](http://rdkb.com)

Document Path: P:\PD\BW\BW-4222-07500.835\_Pfenning\Maps\2021-03-12\_Maps BW-4222-07500.835\_Pfenning.aprx"









3 North Elevation  
1/4" = 1'-0"



4 East Elevation  
1/4" = 1'-0"

Exposed Build Face Unprotected Openings:  
Gross E.B.F. Area = 745.9sq/ft / 69.3m<sup>2</sup>  
Limiting Distance = 9'-10 1/8" / 3.0m<sup>2</sup>  
Allowed: 25.5% (est.) = 190sq/ft / 17.6m<sup>2</sup>  
Proposed: 40.75sq/ft / 3.8m<sup>2</sup>

LEGEND

Lot Boundary Lines

ASSEMBLIES

- A - Western cedar wood shingles; clear natural finish
- B - Charcoal grey cultured ledgerstone veneer: Alpine Ledgerstone 'Dark Ridge'
- C - Woodgrain fibre cement board & batten siding: Charcoal
- D - Acrylic stucco - medium sand grain finish; Charcoal
- E - Natural wood soffit paneling stained to match shingle siding
- F - Fibreglass Reinforced Laminate Shingles: IKO - Cambridge - Dual Black
- G - Pre-finished Standing Seam metal roofing: Criklock 'Deep Charcoal' (or similar approved)
- H - Pre-finished smart board woodgrain fascia - Black
- I - Fibreglass woodgrain exterior door; Cedar wood veneer finish
- J - Vinyl windows & doors - Black
- K - Western cedar wood beams & columns: clear natural finish
- L - Pre-finished aluminium guard posts & railings - Black
- M - Natural Concrete

- Western Cedar Wood Shingles w. Clear Natural Finish
- Charcoal grey cultured ledgerstone veneer: Alpine Ledgerstone 'Dark Ridge'
- Hardie Cedar Mill Woodgrain Fibre Cement Board & Batten Vertical Siding: 'Night Gray'
- Acrylic Stucco - Medium Sand Grain Finish: Charcoal
- Pre-finished Standing Seam metal roofing: Criklock 'Deep Charcoal' (or similar)
- Fibreglass Reinforced Laminate Shingles: IKO - Cambridge - Dual Black

REV	COMMENTS	DATE	BY
1			

PROJECT

PROPOSED CHALET RESIDENCE  
Lot 47 Plan KAS3134 DL 4222 S.D.Y.D.  
400 Feathertop Way  
Big White  
British Columbia

TITLE

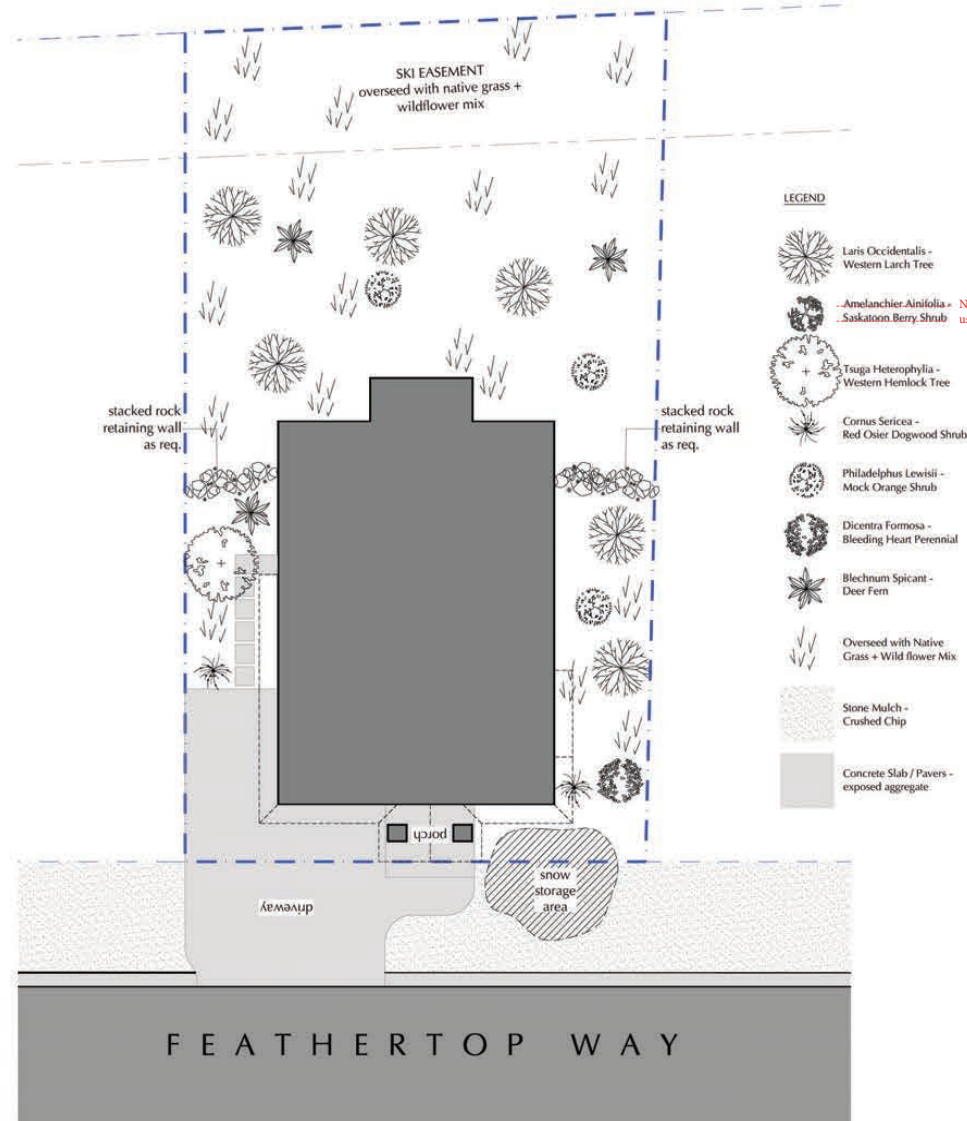
NORTH & EAST ELEVATIONS

SCALE	DATE
1/4" = 1'-0"	JAN 2021

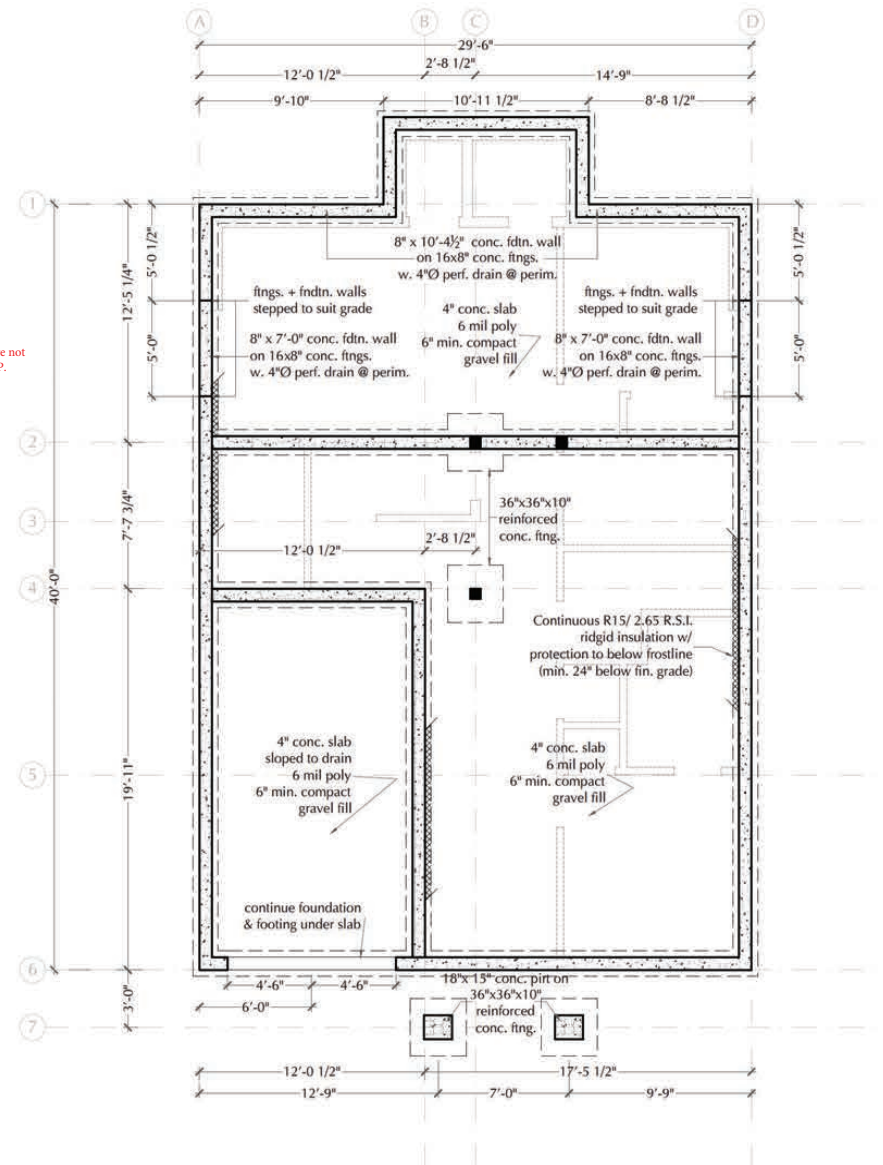
DRAWING NO.	REV
3.02	/

Yannis Inc.





1 Landscape Plan  
2.01 1/8" = 1'-0"



2 Foundation Plan  
2.01 1/4" = 1'-0"

**LEGEND**

- Lot Boundary Lines
- Property Boundary
- Site Easements

**CROSS SECTION MARKER**  
- section identification  
- direction of view  
- sheet where drawn

**DEVELOPMENT STATISTICS**

**PROPOSED CHALET RESIDENCE**

**Address**  
Civic: 400 Feathertop Way  
Big White, BC  
Legal: Strata Lot 47 Plan KAS3134  
PID: 026-906-201  
District Lot 4222 S.D.Y.D.

**Civic Address:** Feathertop Way  
Big White Ski Resort  
British Columbia

**Zoning**  
R3 Chalet Residential 3

**Lot Details**  
Lot Area: 409.7m<sup>2</sup> / 4410sq/ft

**Lot Coverage (%)**  
Permitted Lot Building Coverage: (40%) 163.8m<sup>2</sup> / 1764sq/ft

**Proposed Lot**  
Building Coverage: (27.8%) 114.2m<sup>2</sup> / 1229.7sq/ft

**Proposed Hardscaping:** 47.5m<sup>2</sup> / 511.7sq/ft  
**Total Lot Hardscaping:**

**Permitted Site Coverage + Hardscaping:** (50%) 204.8m<sup>2</sup> / 2205sq/ft

**Proposed Site Coverage + Hardscaping:** (34.8%) 142.5m<sup>2</sup> / 1534.7sq/ft

**Floor Areas**  
First Floor Area: 89m<sup>2</sup> / 958.4sq/ft  
Second Floor Area: 104.8m<sup>2</sup> / 1128sq/ft  
Third (Mezz.) Floor Area: 47.5m<sup>2</sup> / 511.9sq/ft

**Total Livable Floor Area:** 241.4m<sup>2</sup> / 2598.3sq/ft

**Garage:** 19.2m<sup>2</sup> / 206.4sq/ft  
**Second Floor Deck:** 10.8m<sup>2</sup> / 116.9sq/ft

REV	COMMENTS	DATE	BY
1			

**PROJECT**  
PROPOSED CHALET RESIDENCE  
Strata Lot 47 Plan KAS3134  
D.L. 4222, S.D.Y.D.  
400 Feathertop Way  
Big White, British Columbia

**SITE + FOUNDATION PLANS**

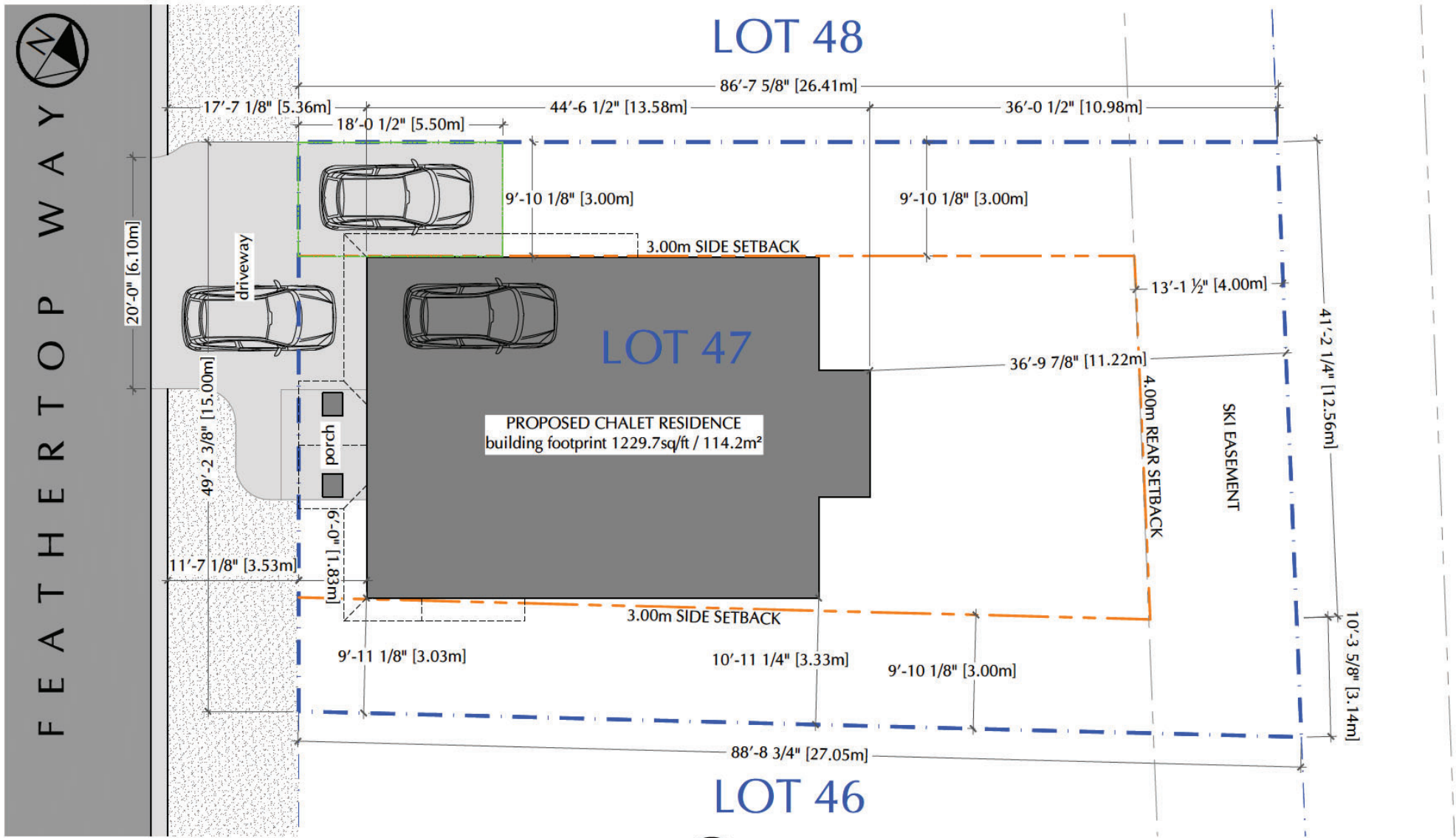
**SCALE**  
1/4" = 1'-0"  
**DATE**  
JAN 2021

**DRAWING NO.**  
2.01

**REV**  
/

**Yannis Inc.**





1 Proposed Site Plan  
1.01 3/32" = 1'-0"

LEGEND	
	Lot Boundary Lines
	Property Boundary
	Site Easements
CROSS SECTION MARKER	
	section identification
	direction of view
	sheet where drawn

ASSEMBLIES	
------------	--

PROPOSED CHALET RESIDENCE

Address: 400 Feathertop Way  
Civic: Big White, BC  
Legal: Strata Lot 47 Plan KAS3134  
PID: 026-906-201  
District Lot 4222 S.D.Y.D.

Civic Address: Feathertop Way  
Big White Ski Resort  
British Columbia

Zoning: R3 Chalet Residential 3

Lot Details:  
Lot Area: 409.7m² / 4410sq/ft

Lot Coverage (%):  
Permitted Lot Building Coverage: (40%) 163.8m² / 1764sq/ft

Proposed Lot Building Coverage: (27.8%) 114.2m² / 1229.7sq/ft

Proposed Hardscaping: 47.5m² / 511.7sq/ft  
Total Lot Hardscaping:

Permitted Site Coverage + Hardscaping: (50%) 204.8m² / 2205sq/ft

Proposed Site Coverage + Hardscaping: (34.8%) 142.5m² / 1534.7sq/ft

Floor Areas:  
First Floor Area: 89m² / 958.4sq/ft  
Second Floor Area: 104.8m² / 1128sq/ft  
Third (Mezz.) Floor Area: 47.5m² / 511.9sq/ft

Total Livable Floor Area: 241.4m² / 2598.3sq/ft

Garage: 19.2m² / 206.4sq/ft  
Second Floor Deck: 10.8m² / 116.9sq/ft

REV	COMMENTS	DATE	BY
1			

PROJECT: PROPOSED CHALET RESIDENCE  
Strata Lot 47 Plan KAS3134  
D.L. 4222, S.D.Y.D.  
400 Feathertop Way  
Big White, British Columbia

TITLE: SITE PLAN

SCALE	DATE
3/32"=1'-0"	FEB 2021

DRAWING NO.	REV
1.01	/

Yannis Inc.

**RDKB Planner**

---

**From:** brad pfenning [REDACTED] >  
**Sent:** March 4, 2021 1:30 PM  
**To:** RDKB Planner  
**Subject:** Re: Outstanding items from Big White Landscape Development Permit application for 400 Feathertop Way  
**Attachments:** 400 Feathertop Revised site plan.pdf; 400 Feathertop Revised Landscape.pdf; \_Agent's Authorization 1.jpg; owner's Auth.pdf; Kinnear Authorization.pdf

Hello Danielle,

As per our conversation earlier in the week, I have attached an updated site plan with revised parking, updated Landscape plan and the other 5 Owner's Authorizations. We had also talked about the overall height of building, is on the original set of plans I sent earlier...a bit difficult to see, I apologize!

As far as the Landscape Narrative is concerned, one of our owners' has a landscape company in Kelowna, and has come up with this:

The existing lot contains mostly boulders and blast rock. There is very little, to no soil or vegetation. The landscape plan we have provided, will entail hauling in top soil to plant the various plants and grasses, which have been chosen from the recommended species list on the RDKB list. Erosion will be minimal, as the majority of the lot is flat, and all plants will be surrounded with 1" landscape rock (rock mulch) which will provide for good rain water drainage into the plant soils underneath. All backfill and landscaping cover will have a gradual slope away from building, and toward the front of the property. The upper portion of the lot, at the back, is the skiers access, and has been in use for several years and is covered in natural grasses through the summer months. This area will be left as is, unless the owners decide more natural grass seeding is needed in the spring.

The group of owners will be doing all of the planting and irrigating of the landscape plan, and will maintain it through the years. This will include removing dead vegetation, to mitigate fire loads on the ground. The dead vegetation will be replaced with similar, new vegetation.

Any other questions, please feel free to contact me directly.

Thanks for your time,  
 Brad Pfenning  
 [REDACTED]

---

**From:** RDKB Planner <planner@rdkb.com>  
**Sent:** March 1, 2021 4:37 PM  
**To:** bpf27@hotmail.com [REDACTED]  
**Subject:** Outstanding items from Big White Landscape Development Permit application for 400 Feathertop Way

Good afternoon,





Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Development Permit – Kotler-Mackle (678-21D)		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	BW-4222-07500.840
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Liz Moore, Senior Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) has received an Alpine Environmentally Sensitive Landscape Reclamation Development Permit application for a property located at Big White Resort (see Attachments – Site Location map).

Property Information	
<b>Owner(s):</b>	David Kotler and Trisha Mackle
<b>Agent:</b>	Shauna Wizinsky, Weninger Construction & Design
<b>Location:</b>	Strata Lot 48, Feathertop Way (address TBA)
<b>Electoral Area:</b>	Electoral Area E/West Boundary
<b>Legal Description:</b>	Strata Lot 48, Plan KAS3134, District Lot 4222, SDYD
<b>Area:</b>	429.5 m <sup>2</sup> (0.106 ac)
<b>Current Use:</b>	Vacant
Land Use Bylaws	
<b>OCP Bylaw 1125:</b>	Medium Density Residential
<b>Development Permit Area:</b>	Commercial and Multiple Family (DP1) and Alpine Environmentally Sensitive Landscape Reclamation (DP2)
<b>Zoning Bylaw 1166:</b>	Chalet Residential 3 (R3) Zone

### History / Background Information

The subject property is part of a bare land strata. It is located on Feathertop Way abutting other properties also sharing the Chalet Residential 3 Zone (see Attachments – Subject Property Map). The subject property has a ski-in ski-out access easement.

While the subject property is located in the Commercial and Multiple Family Development Permit Area, the proposal is exempt from requiring a Commercial and Multiple Family Development Permit as it does not include a

commercial development or a multi-family dwelling (defined as three or more dwellings on a single parcel of land).

### **Proposal**

The applicant is requesting an Alpine Environmentally Sensitive Landscape Reclamation Development Permit, which is required prior to building the applicant's proposed single detached dwelling (see Attachments – Applicant Submission).

### **Implications**

The proposal features a stepped foundation and stacked rock retaining walls on this steep parcel. The applicant stated the natural grade provides the required site drainage. The driveway is planned to be asphalt. The proposal includes a concrete entry pad, hot tub patio, and a double car garage, with an exterior gravel parking spot.

The applicant's landscape reclamation letter states that the subject property was previously cleared of its original vegetation. The applicant intends to utilize the existing topsoil, if any, and bring in additional topsoil as needed.

The ski easement is clear of large plants and the snow storage areas are proposed to only use grass and wildflowers, due to potential vegetation damage from snow compression.

The applicant proposes to plant two spruce or fir trees, numerous shrubby cinquefoil, kinnick kinnick, arctic lupin, Karl Forrester feather reeds, and barberry shrubs and plans to liberally apply grass seed and wildflowers around these plantings.

The applicant states that they selected vegetation native to the area and appropriate for higher altitudes. Many of the listed species appear on RDKB's list of appropriate species for Big White. Staff have sent a list of the proposed species in the wildflower mixture to the Boundary Invasive Species Program to assess whether the proposed mix has any problematic species. The selected plantings will require hand watering for the first few seasons, after which the landscaping should be mostly maintenance free.

### **Preliminary Plan for Single Detached Dwelling**

Based on applicant's proposal, the proposed dwelling has a parcel coverage of 19.5% and a floor area ratio of 0.44, meeting the requirements of the R3 Zone, which allows a maximum parcel coverage and floor area ratio of 50% and 0.8, respectively. The average height of the dwelling is 8.7 m – 3.3 m below the maximum allowable height. The setbacks meet the requirements of the R3 Zone. Approval of an Alpine Environmentally Sensitive Landscape Reclamation Development Permit does not include approval of the building



design, which must meet zoning and building regulations at the building permit stage.

### **Advisory Planning Commission (APC)**

The Big White APC considered this application at their April 6, 2021 meeting. The APC provided a recommendation to support this application.

### **Recommendation**

That the staff report regarding the Development Permit application submitted by Shauna Wizinsky, Weninger Construction & Design, on behalf of owners David Kotler and Trisha Mackle, to construct a single family dwelling in Big White on the parcel legally described as Strata Lot 48, DL 4222, SDYD, Plan KAS3134, Big White, Electoral Area E/West Boundary, be received.

### **Attachments**

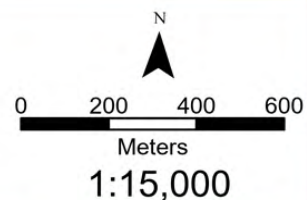
1. Site Location Map
2. Subject Property Map
3. Applicant Submission



Date: 2021-03-22

## Site Location Map

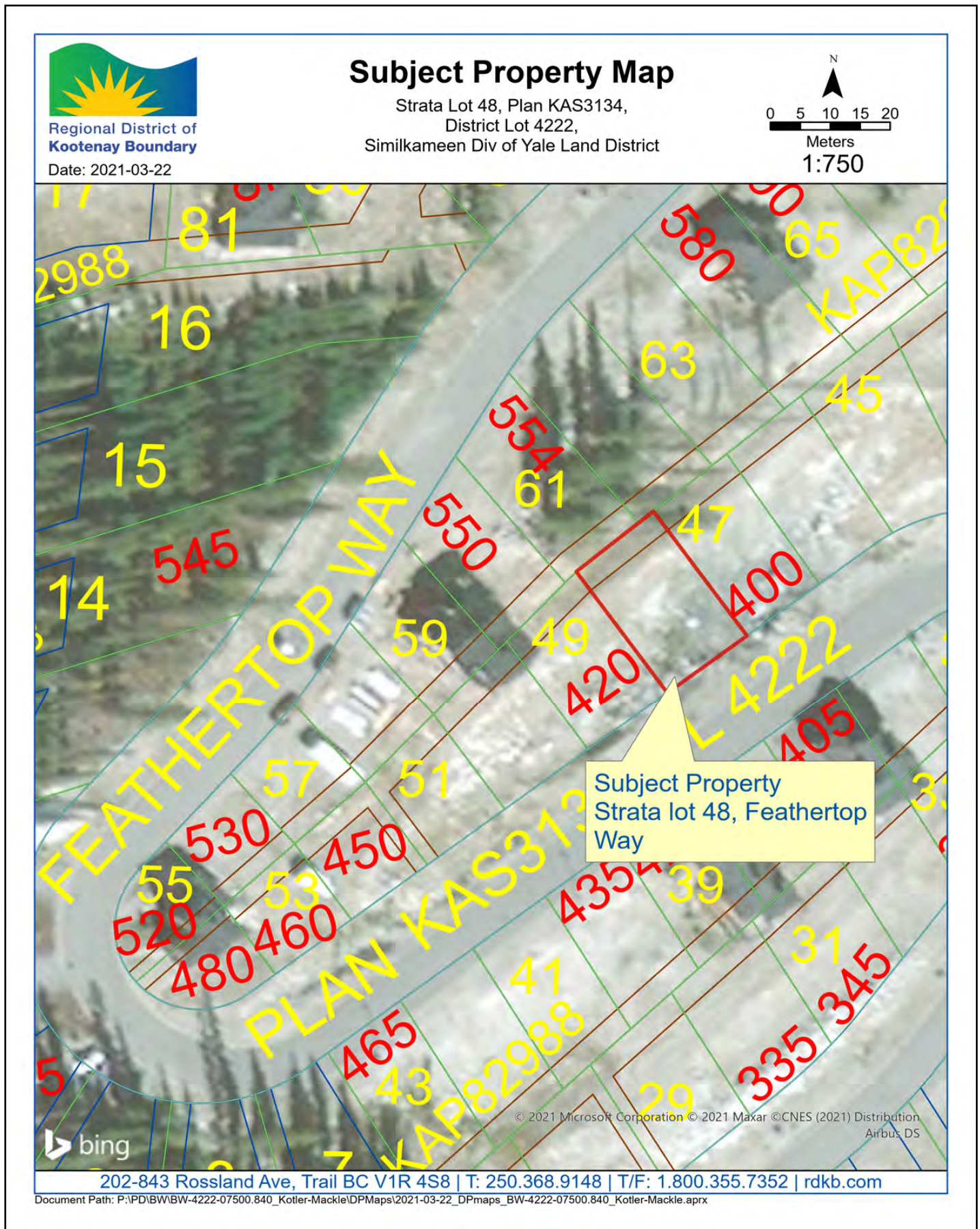
Strata Lot 48, Plan KAS3134,  
District Lot 4222,  
Similkameen Div of Yale Land District



202-843 Rossland Ave, Trail BC V1R 4S8 | T: 250.368.9148 | T/F: 1.800.355.7352 | [rdkb.com](http://rdkb.com)

Document Path: P:\PD\BW\BW-4222-07500.840 Kotler-Mackie\DPMaps\2021-03-22 DPmaps BW-4222-07500.840 Kotler-Mackie.aprx





Authentisign ID: 2733C24A-6315-491B-9CAF-6A6CF0B73EAE

## Applicant Submission

Industrial Development Permit Area:		
<input type="checkbox"/>	<u>Landscape Reclamation Plan</u>	
<input type="checkbox"/>	Building Design Plan	

Statements regarding requests for variance(s)	<input type="checkbox"/>	<p>A clear statement identifying which regulation within the Zoning Bylaw is proposed to be varied (Example: rear parcel line setback variance of 1.5m - from 4m to 2.5m). A narrative which describes if the proposed variance would:</p> <ul style="list-style-type: none"> <li>• Resolve a hardship</li> <li>• Improve development</li> <li>• Cause negative impacts to neighbouring properties</li> </ul>
Site Survey	<input type="checkbox"/>	<p>If the Regional District believes it to be necessary for the property boundaries and the location of improvements thereon to be more accurately defined due to uncertainty over natural boundaries of watercourses or other reasons, a sketch prepared by a British Columbia Land Surveyor may be required. The voluntary submission of such a sketch may prevent a possible delay in processing the application.</p>

**Required Section:** the space below is provided to describe the proposed development. Additional pages may be attached.

New Construction. Single Family Dwelling



## Applicant Submission



Mar 4, 2021

RE: Development Application for Lot 48, Strata KAS 3134, DL 4222 SDYD

To Whom It May Concern,

The proposed dwelling is situated on an undeveloped parcel which was previously cleared of vegetation during road construction.

The proposed landscaping scheme focuses on sustainability, consideration of fire protection, and species selection to an alpine moderate to high altitude. The vegetation that will be planted on the site is exclusively composed of species that grow naturally in the area and are accustomed to high altitudes. Because of this, maintenance of this vegetation will only be required for the first few years until it is firmly established. The necessary maintenance is minimal and only includes watering by hand as necessary. This maintenance will be completed by the owner. After the vegetation has established on the site, no further maintenance will be required.

It is unclear if there is enough topsoil remaining on site after road construction, if more is required it will be brought in.

This site does have a drop to it, because we are working with the natural incline there will be no drainage required. Areas of slope will receive a rock retaining wall as required to prevent topsoil displacement. Retaining walls are made from large stacked rocks, and to a maximum height of 4'. If required, a second wall will be placed at a distance of approximately 6'. We expect that at least 2 walls will be required on each side near the back of the dwelling. Areas with more than 20% grade will receive a stacked rock wall.

The selection of plants, as indicated on the enclosed plans, have been chosen to respect the short growing season. The landscaping design includes the side areas, and minimal plantings on the rear and front, leaving the ski easement clear of large plants.

As the annual snowfall can be heavy, the designated snow storage areas are generally clear of plants that could be damaged and crushed by the weight of cleared snow. The garage includes 2 parking spots and an exterior gravel parking spot is also included.

The landscaping scheme planting arrangement is finished by site coverage of liberal seeding of native grass and wildflowers.

The terrain directly beside the dwelling will receive a layer of gravel, intended to reduce splash back during melt season and minimize topsoil runoff.

Sincerely,

  
**Shauna Wizinsky**, Project Manager  
 Weninger Construction & Design Ltd

DESIGN ~ CONSTRUCT ~ DEVELOP

info@weningerconstruction.com

(250)765-6898

Fax(250)765-6078

#10 - 220 Neave Road, Kelowna, BC V1V 2L9





View from Road



View from Ski Easement

**Total Interior Space:** 2,583 sq.ft.  
**Including:**  
Garage: 521sq.ft.  
**Plus:**  
Covered Entries: 186 sq.ft.  
Exterior Storage: 14 sq.ft.

**Lower Floor: 900 sq.ft.**  
Including Entry, Bathroom, Laundry, Bedroom, and 2 Car Garage  
Plus Covered Entry

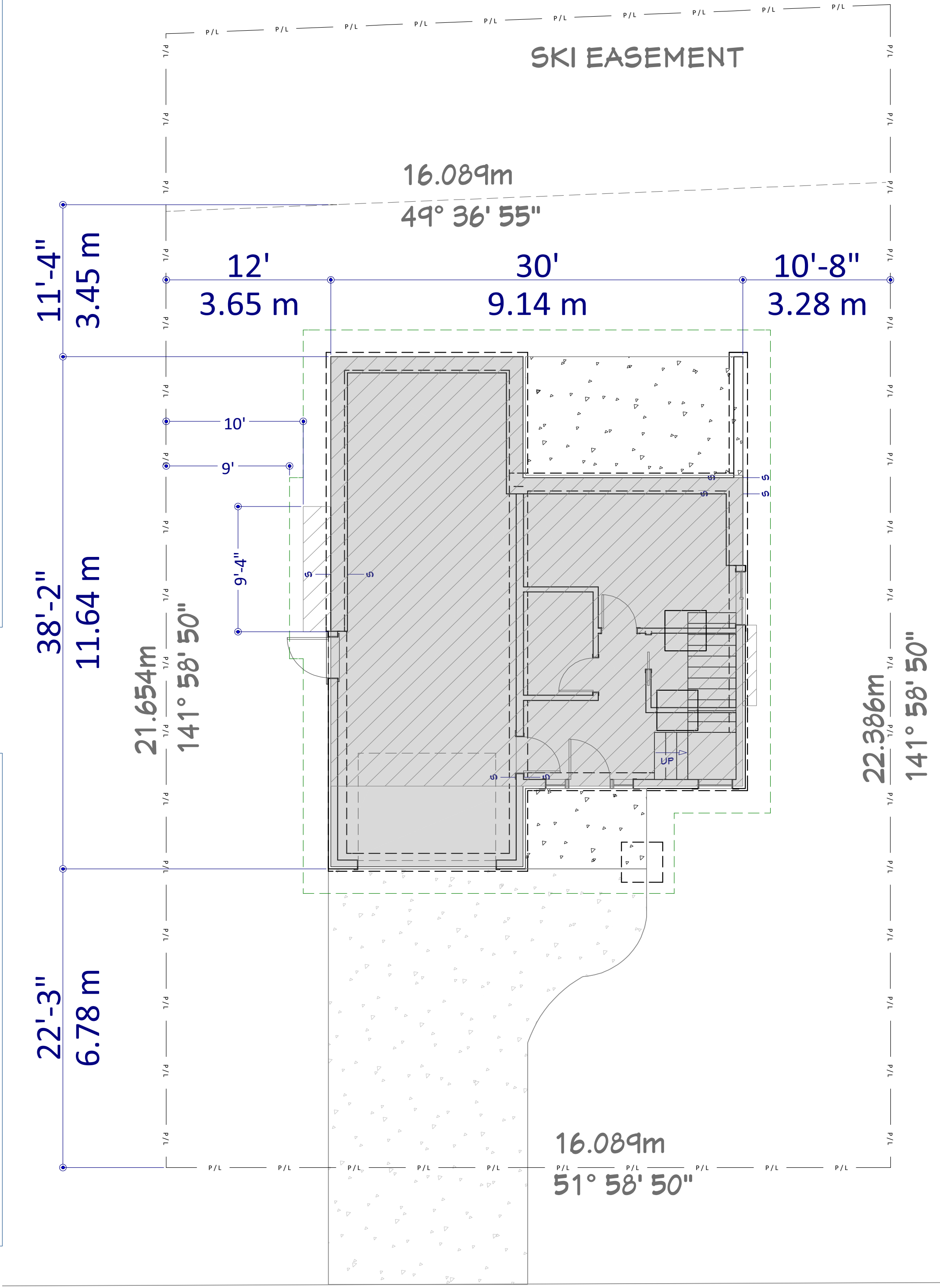
**Middle Floor: 835 sq.ft.**  
Including 3 Bedrooms, and 2 Bathrooms

**Top Floor: 848 sq.ft.**  
Including Entry, Powder Room, Kitchen, Living, and Dining Room  
Plus Exterior Covered Hot Tub Deck and Ski Locker

**FLOOR AREA RATIO:** 0.44  
**Parcel Size:** 429.5 m2 or 4,623 sq.ft.

**Gross Floor Area Above Ground: 2,048 sq.ft.**  
Lower Floor: 515 sq.ft. above ground (900sq.ft. total including garage)  
Middle Floor: 685 sq.ft. above ground (835sq.ft. total)  
Top Floor: 848 sq.ft. above ground

**PARCEL COVERAGE:** 19.5%  
**Parcel Size:** 4,623 sq.ft.  
**Building Footprint:** 900 sq.ft.



SITE PLAN

REVISION TABLE		
NUMBER	DATE	REVISION DESCRIPTION
1	03/03/2021	SW & MW DP SET

PROJECT LOCATION	410 FEATHERTOP
DRAWN BY	Marlin Meninger Shauna Mzinsky
PROJECT	Weninger Construction & Design Ltd. #10-220 NEAVE RD. Kelowna, BC V1Y 2L4 Tel: (250) 765-6618 Fax: (250) 765-6078

KOTLER CHALET
LOT 48
SITE PLAN

DRAWINGS PROVIDED BY:	CO CORAL DESIGN
DRAWINGS PROVIDED BY:	WCD WENINGER CONSTRUCTION & DESIGN LTD.

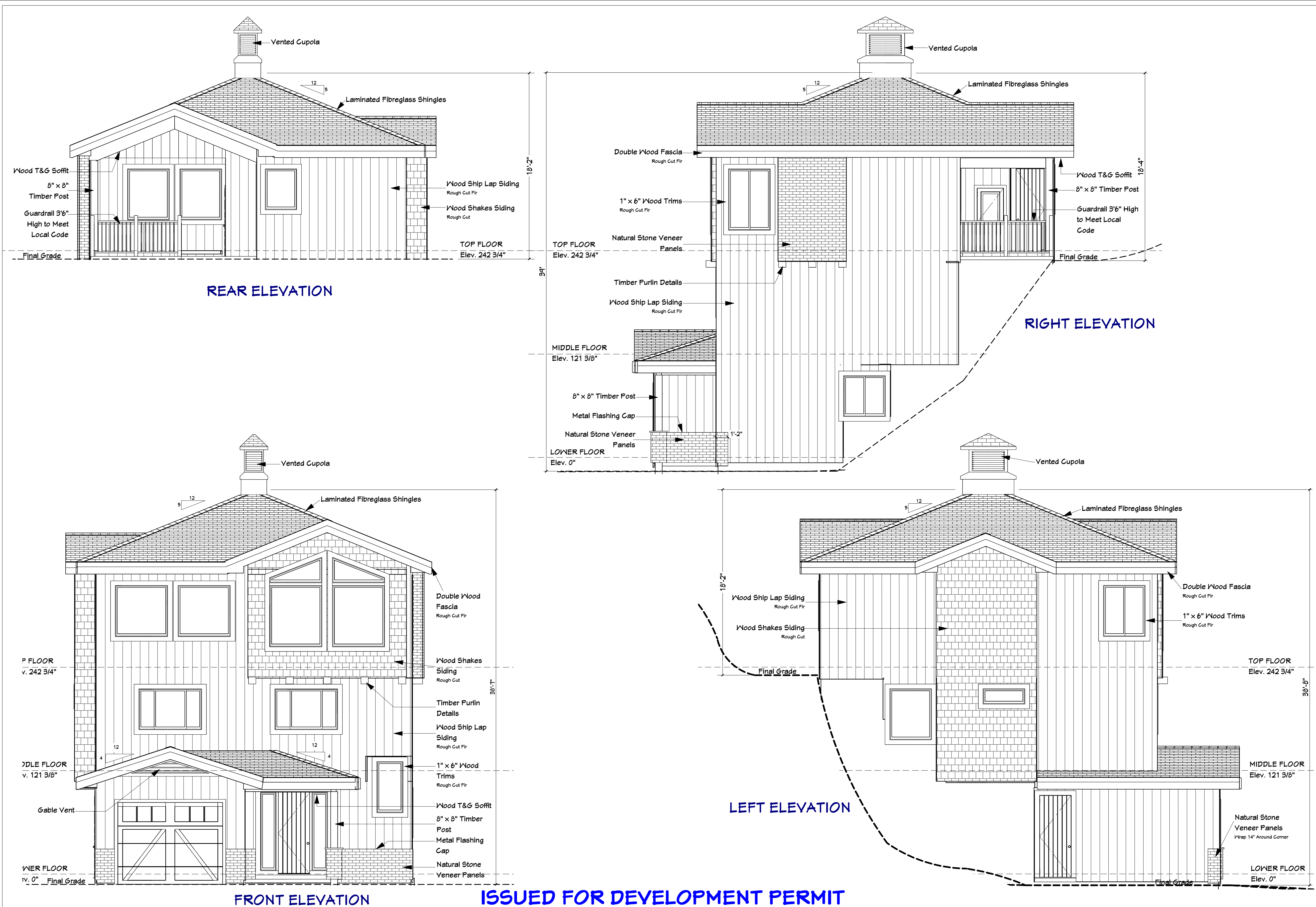
DATE:
05/03/2021

SCALE:
3/16" = 1' 0"

SHEET:
1

ISSUED FOR DEVELOPMENT PERMIT





REVISION TABLE	
NUMBER	DATE
1	05/03/2021

PROJECT LOCATION	410 FEATHERTOP
DRAWN BY	Marlin Weninger Shauna Mizinsky
PROJECT TITLE	KOTLER CHALET LOT 48 ELEVATIONS

DRAWINGS PROVIDED BY:

DATE:

05/03/2021

SCALE:

1/4" = 1' 0"

SHEET:

4

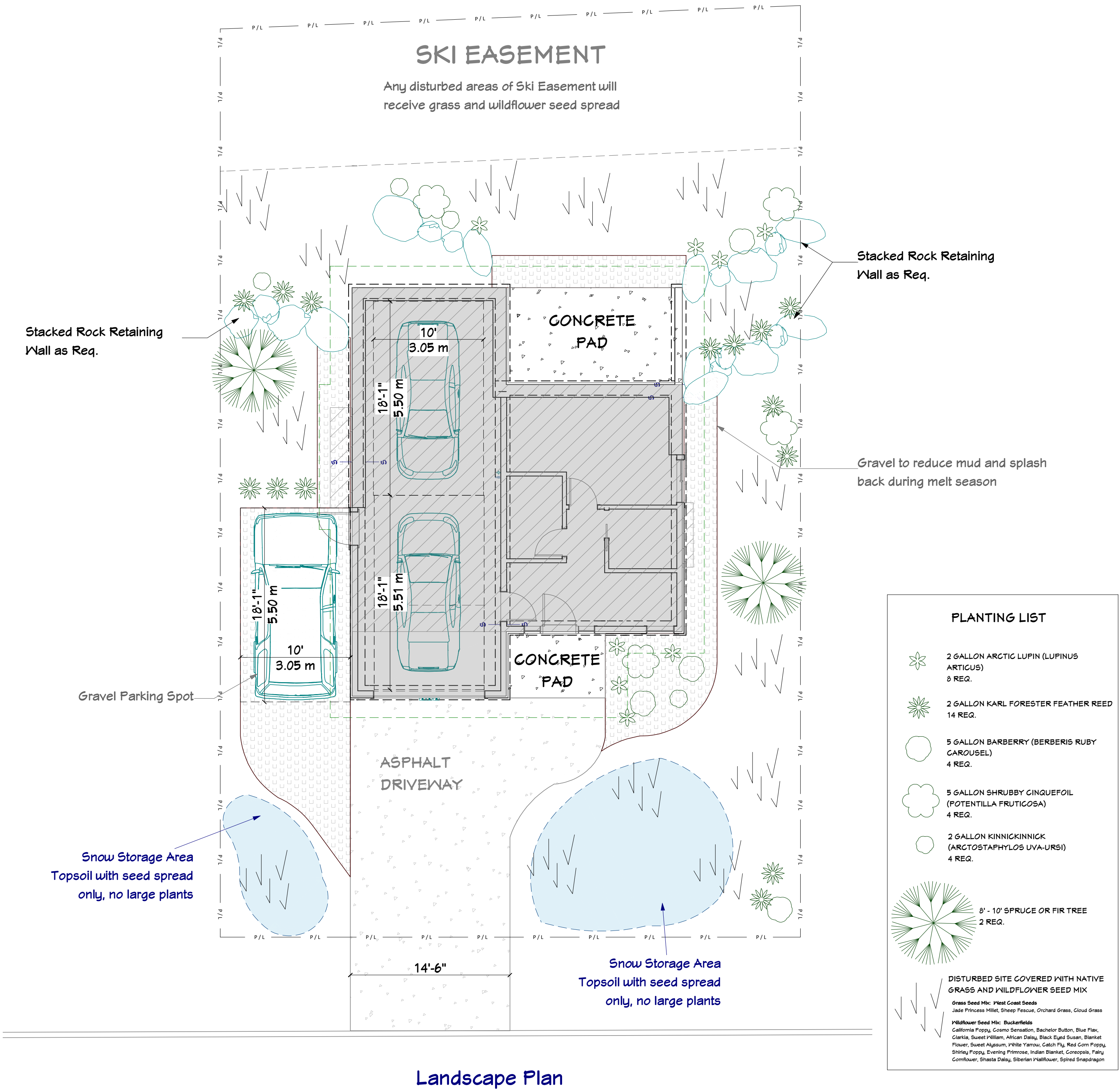




Landscape Side View



Landscape Rear View



Landscape Plan

ISSUED FOR BUILDING PERMIT

REVISION TABLE		
NUMBER	DATE	REVISED BY DESCRIPTION
1	09/03/2021	SW & MW DP SET
2	12/03/2021	MW & SW BP SET

PROJECT LOCATION	410 FEATHERTOP
DRAWN BY	Marlin Meninger Shauna Mzinsky
DESIGNED BY	Meninger Construction & Design Ltd. #10-220 NEAVE RD Kelowna, BC V1Y 2L4 Tel: (250) 765-6618 Fax: (250) 765-6078

KOTLER CHALET	LOT 48
LANDSCAPING PLANS	



DATE:  
23/03/2021

SCALE:  
1/4" = 1'0"

SHEET:  
8





## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	Ministry of Transportation and Infrastructure – Subdivision – Protech Consulting		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	E-1322-04733.040
<b>To:</b>	Chair Grieve and members of the EAS Committee		
<b>From:</b>	Danielle Patterson, Planner		

### Issue Introduction

The Regional District of Kootenay Boundary (RDKB) received a referral request from the Ministry of Transportation and Infrastructure (MoTI) for a proposed subdivision located in the Beaverdell area (see Attachment 1 – Maps).

Property Information	
<b>Owner:</b>	Protech Consulting
<b>Agent:</b>	Grant Maddock, Protech Consulting
<b>Location:</b>	5535 Highway 33
<b>Electoral Area:</b>	Electoral Area E/West Boundary
<b>Legal Description:</b>	District Lot 3307, Similkameen Division of Yale Land District, Except Plan H9293, & EXC PI EPP34890
<b>Area:</b>	18.86 ha (46.61 ac)
<b>Current Use(s):</b>	Recreational/Cabin/Storage
Land Use Bylaws	
<b>OCP Bylaw No.:</b>	NA
<b>DP Area:</b>	NA
<b>Zoning Bylaw No.:</b>	NA
Other	
<b>ALR:</b>	NA
<b>Waterfront/Floodplain:</b>	West Kettle River
<b>Service Area:</b>	NA

### History / Background Information

The subject property is located at 5535 Highway 33, abutting the West Kettle River to the west and Highway 33 to the east. The property has two septic fields, two cabins, a shop, and a well (see Attachment 2 – Application Submission).

There is a covenant on the subject property related to the RDKB Floodplain Bylaw. There is an easement for the "last 20 feet of land" on the south interior lot line of the subject property for the installation, removal, and/or upgrading of electrical lines and telephone lines. There are additional Right-of-Ways for utility companies. There are also

undersurface mining rights issued for the subject property that have been in place since the 1960s.

Based on the RDKB's Interactive Mapping System, a fragment of the subject property, along the West Kettle River may be in the Agricultural Land Reserve (ALR) but that is not definitive.

### **Proposal**

The property owner is proposing a conventional two lot subdivision, as follows:

- Remainder Lot: 13.76 ha (34 ac); and
- Proposed Lot A: 3.27 ha (8.1 ac).

### **Advisory Planning Commission (APC)**

At their April 5, 2021 meeting, the Electoral Area E/West Boundary-Big White APC reviewed the application and recommended its support.

### **Implications**

Electoral Area E/West Boundary does not have any land use bylaws, policy directives, or regulations for this area with regard to land use. The RDKB's Floodplain Bylaw applies to the subject property, which lists the required setback at 30 m from the natural boundary of the West Kettle River and the floodplain elevation at 3 m above the natural boundary of the West Kettle River. The Floodplain Bylaw is addressed via an existing covenant on the Title for the subject property.

Best practice is for properties without community water or sewer services to be no less than one hectare in area. Both of the proposed lots exceed this minimum guideline.

While there is uncertainty from the RDKB Interactive Mapping System as to whether a sliver of the subject property is in the ALR that will be captured and reviewed by the MoTI's subdivision review process.

### **Recommendation**

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed two lot conventional subdivision, for the parcel legally described as District Lot 3307, Similkameen Division of Yale Land District, Except Plan H9293, & Exc Plan EPP34890, located in Electoral Area 'E'/West Boundary be received.

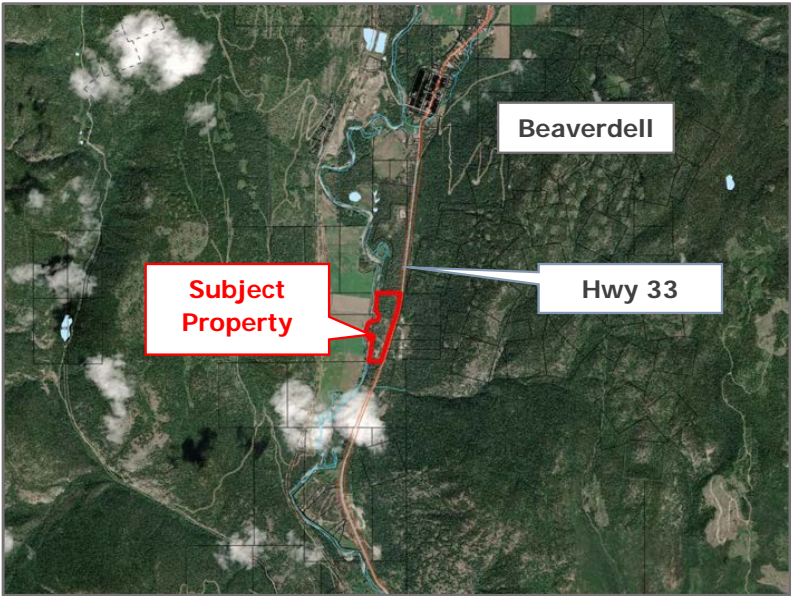
### **Attachments**

1. Maps
2. Applicant Submission

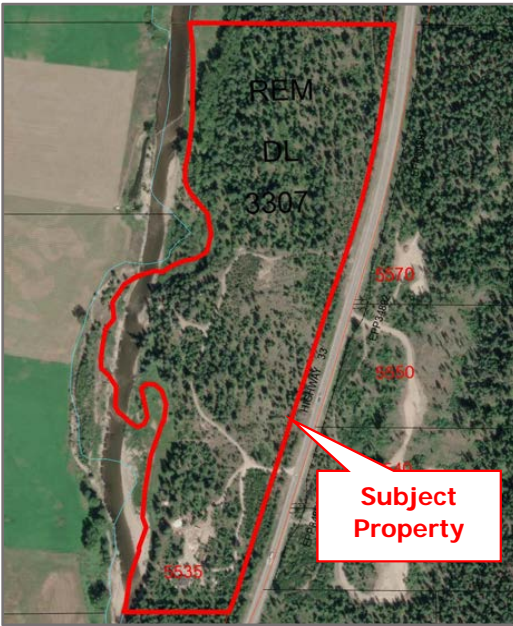


Attachment 1

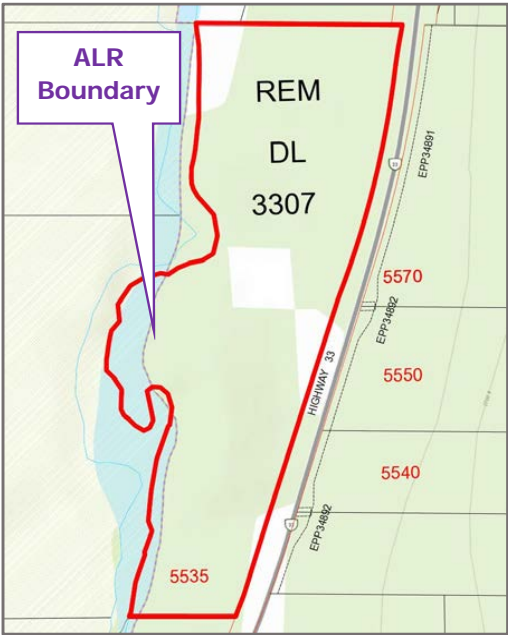
Site Location Map

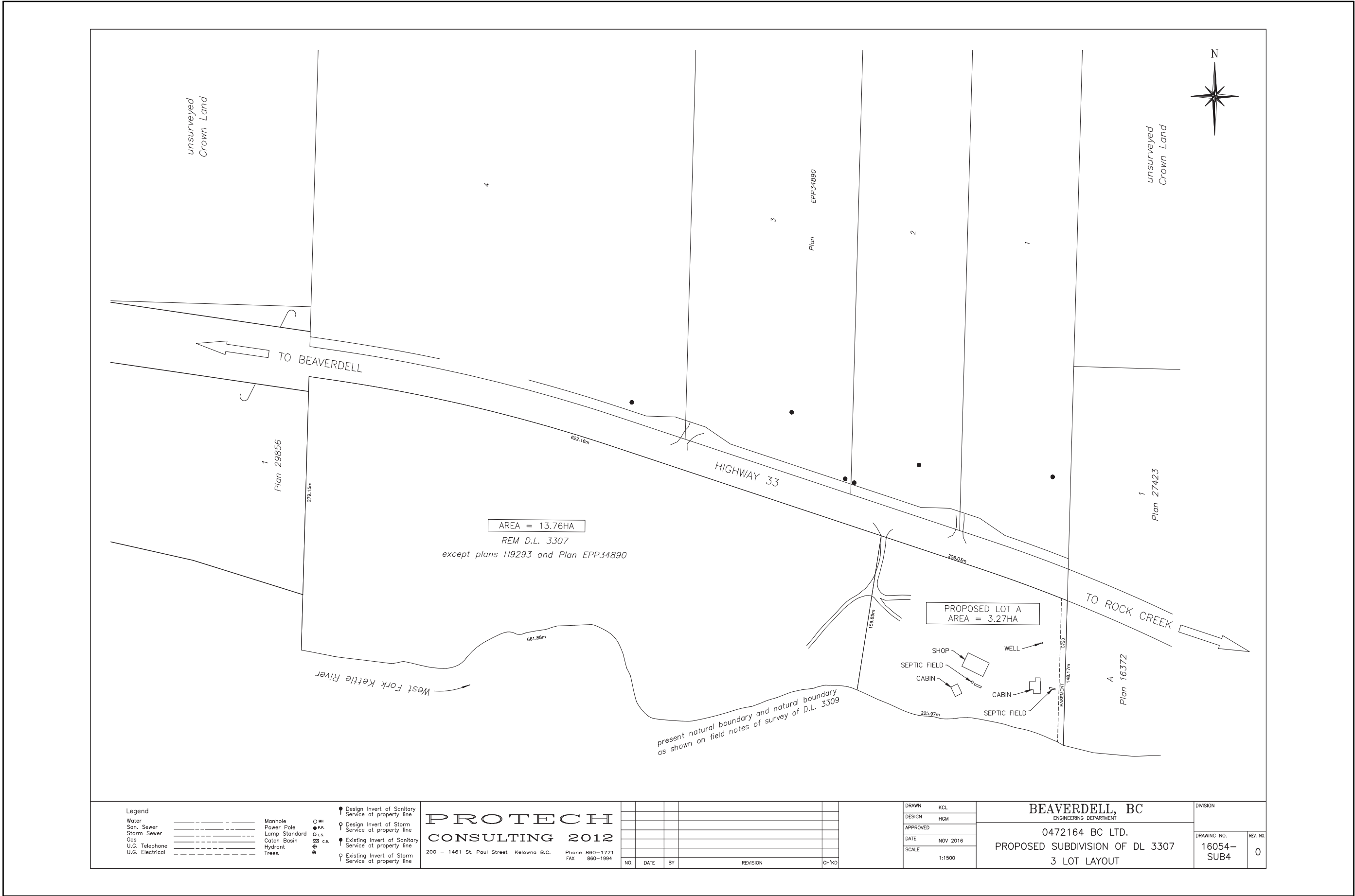


Subject Property Map




Agricultural Land Reserve Boundary Map







This document is identical to that adopted in 2012 with the exception of formatting and annotations.

 <p>Regional District of Kootenay Boundary</p>	<h2 style="text-align: center;">Electoral Area Services Committee</h2> <h3 style="text-align: center;">Terms of Reference</h3>
Effective Date	February 23, 2012
Review	Every Three Years
Revised	
<p>The Electoral Area Services Committee shall provide a forum for the discussion of issues, and where necessary, development of recommendations related to issues and matters that relate to the Electoral Areas alone.</p>	
Members:	<p>The Electoral Area Services Committee shall consist of the Electoral Area Directors. The Chair of the Electoral Area Services Committee shall be named by the Board Chair. The Vice Chair shall be elected by the Committee.</p>
<p>Staff:</p> <div data-bbox="280 1108 516 1234" style="border: 1px solid orange; border-radius: 10px; padding: 5px; display: inline-block;"> <p>Titles to be updated</p> </div>	<p>The Director of Planning and Development, Director of Corporate Administration and Director of Finance shall be responsible for providing policy advice and recommendations, together with necessary background information for the Committee's consideration.</p>
Duties:	<p>The Committee shall:</p> <ul style="list-style-type: none"> <li>❖ Review, comment on and recommend approval, with or without amendment, of the following Five Year Financial Plans: <ul style="list-style-type: none"> <li>▪ <i>Electoral Area Administration</i></li> <li>▪ <i>Planning and Development</i></li> <li>▪ <i>Grant-in-Aid</i></li> <li>▪ <del><i>Christina Lake Recreation Commission</i></del></li> <li>▪ <del><i>Christina Lake Recreation Facilities</i></del></li> <li>▪ <del><i>Grand Forks Community Centre</i></del></li> <li>▪ <del><i>Grand Forks Museum Service</i></del></li> <li>▪ <del><i>Area C Regional Parks &amp; Trails</i></del></li> </ul> </li> </ul>

<p>Planning &amp; Development and Electoral Area Services</p>	<ul style="list-style-type: none"> <li>▪ <del>Christina Lake Fire Protection</del></li> <li>▪ <del>Anaconda Fire Protection</del></li> <li>▪ <del>Beaverdell Fire Protection</del></li> <li>▪ <del>Big White Fire Protection</del></li> <li>▪ <del>Big White Refuse</del></li> <li>▪ <del>Big White Security Service</del></li> <li>▪ <del>Christina Lake Mosquito</del></li> <li>▪ <del>Area A, Columbia Gardens Noxious Weed</del></li> <li>▪ <del>Christina Lake Milfoil</del></li> <li>▪ <del>Areas D &amp; E Weed Control</del></li> <li>▪ <del>Big White Street Lighting</del></li> <li>▪ Areas A &amp; C House Numbering</li> <li>▪ <del>Area D House Numbering</del></li> <li>▪ <del>Area B House Numbering</del></li> <li>▪ <del>Area E House Numbering</del></li> <li>▪ <del>Area E Library</del></li> <li>▪ <del>Columbia Gardens Water Supply</del></li> <li>❖ Review, comment on and recommend approval of applications to use the Gas Tax money.</li> <li>❖ Review, comment on and recommend approval of applications related to programs that apply to the Electoral Areas only (i.e. UBCM Tourism funds).</li> <li>❖ Review, comment on and recommend action to the Board of Directors on matters of rural interest.</li> <li>❖ Review, comment on and recommend approval, with or without an amendment, of annual departmental work programs.</li> <li>❖ Receive, review and consider technical reports from staff and consultants related to planning and development. Provide the Board with necessary recommendations as policy may require.</li> </ul>
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Director Ali Grieve, Electoral Area 'A'		Grants-In-Aid 2021		
Balance Remaining from 2020				11,741.64
2021 Requisition				46,159.00
Less Board Fee 2021				(1,524.00)
<b>Total Funds Available</b>				<b>\$ 56,376.64</b>

RESOLUTION	DATE	RECIPIENT	DESCRIPTION	AMOUNT
57-21	28-Jan	JL Crowe Secondary School	RDKB Area 'A' Fallen Firefighters Memorial Award	750.00
57-21	28-Jan	The Village of Fruitvale	Candy Cane Lane Expenses	1,500.00
57-21	28-Jan	The Village of Fruitvale	Harvest Central Community Garden Tool Shed	3,000.00
57-21	28-Jan	The Village of Fruitvale	Remembrance Day Luncheon	500.00
57-21	28-Jan	The Village of Fruitvale	BV Age Friendly Program	1,000.00
128-21	25-Feb	Beaver Valley Blooming Society	Flower Tubs & Ground Plantings Fruitvale	2,500.00
197-21	31-Mar	PAC Fruitvale Elementary	Garibaldi Polished Stone & Concrete Benches	10,000.00
<b>Total</b>				<b>\$ 19,250.00</b>
<b>Balance Remaining</b>				<b>\$ 37,126.64</b>

Electoral Area 'B' /Lower Columbia-Old Glory		Grants-In-Aid 2021	
Balance Remaining from 2020			6,887.02
2021 Requisition			34,464.00
Less Board Fee 2021			(1,138.00)
<b>Total Funds Available</b>			<b>\$ 40,213.02</b>

RESOLUTION	DATE	RECIPIENT	DESCRIPTION	AMOUNT
57-21	28-Jan	JL Crowe Secondary School	RDKB Area 'B' Fallen Firefighters Memorial Award	750.00
197-21	31-Mar	Casino Recreation	Casino Recreation Lands Surveying Costs	5,000.00
197-21	31-Mar	Kootenay Columbia Learning Centre	Graduating Student Bursary	750.00
<b>Total</b>				<b>\$ 6,500.00</b>
<b>Balance Remaining</b>				<b>\$ 33,713.02</b>



Electoral Area 'C'/Christina Lake		Grants-In-Aid 2021		
Balance Remaining from 2020				35,278.15
2021 Requisition				75,180.00
Less Board Fee 2021				(2,482.00)
<b>Total Funds Available</b>				<b>\$ 107,976.15</b>

RESOLUTION	DATE	RECIPIENT	DESCRIPTION	AMOUNT
24-21	13-Jan	Christina Lake Arts & Aritisans Society	Replacement of Revenue Cost to COVID-19 Cancellations	4,000.00
57-21	28-Jan	Boundary Multi 4-H Club	Program Costs	500.00
128-21	25-Feb	Boundary Youth Soccer Association	Funds to Run Program & Equipment	1,000.00
153-21	10-Mar	Grand Forks Farmers Market	BC Farmers Market Coupon Program	1,000.00
197-21	31-Mar	Boundary Horse Association	Riding Arena Rebuild	1,000.00
<b>Total</b>				<b>\$ 7,500.00</b>
<b>Balance Remaining</b>				<b>\$ 100,476.15</b>

Electoral Area 'D'/Rural Grand Forks		Grants-In-Aid 2021		
Balance Remaining from 2020				24,694.28
2021 Requisition				55,803.00
Less Board Fee 2021				(1,843.00)
<b>Total Funds Available</b>				<b>\$ 78,654.28</b>

RESOLUTION	DATE	RECIPIENT	DESCRIPTION	AMOUNT
24-21	13-Jan	Boundary Metis Community Association	Wilgress Lake Fishing Derby Family Day Prizes	500.00
24-21	13-Jan	Phoenix Mountain Alpine Ski Society	Replacement of Hand Held Radio Devices	5,000.00
57-21	28-Jan	Boundary Multi 4-H Club	Program Costs	500.00
87-21	10-Feb	Boundary Youth Soccer Association	Program Costs	1,500.00
128-21	25-Feb	Grand Forks Flying Association	Pilot Courtesy Car Maintenance, Insurance, Repairs	3,500.00
153-21	10-Mar	Grand Forks Farmers Market	BC Farmers Market Coupon Program	5,000.00
197-21	31-Mar	Boundary Helping Hands Feline Rescue Society	Temporary Cat Shelter Liability Insurance	500.00
197-21	31-Mar	Boundary Horse Association	Riding Arena Rebuild	1,500.00
<b>Total</b>				<b>\$ 18,000.00</b>
<b>Balance Remaining</b>				<b>\$ 60,654.28</b>



Electoral Area 'E'/West Boundary		Grants-In-Aid 2021
Balance Remaining from 2020		61,034.95
2021 Requisition		86,248.00
Less Board Fee 2021		(2,848.00)
<b>Total Funds Available</b>		<b>\$ 144,434.95</b>

RESOLUTION	DATE	RECIPIENT	DESCRIPTION	AMOUNT
24-21	13-Jan	Greenwood Community Association	Christmas Dinner Hampers & Take-Out Meals	300.00
24-21	13-Jan	Trails to the Boundary Society	Kettle River Echo Seed Money	5,000.00
24-21	13-Jan	West Boundary Community Services Co-Op	Mileage for Economic Development Consultant, Sandy Mark	750.00
87-21	10-Feb	Boundary Youth Soccer Association	Program Costs	1,500.00
197-21	31-Mar	Kettle River Food Share Society	Package Insurance Policy	1,689.00
197-21	31-Mar	Midway Public Library	Contribution for Residents' Membership	4,000.00
197-21	31-Mar	Trails to the Boundary Society	Bookkeeping for 2021	2,400.00
197-21	31-Mar	Trails to the Boundary Society	Riverside Centre Rental	10,725.00
				<b>\$ 26,364.00</b>
<b>Balance Remaining</b>				<b>\$ 118,070.95</b>



Regional District of  
Kootenay Boundary

## Electoral Area Services (EAS) Committee Staff Report

<b>RE:</b>	ALR Exclusion Application Policy Development		
<b>Date:</b>	April 15, 2021	<b>File #:</b>	A-3
<b>To:</b>	Chair Grieve and Members of the EAS Committee		
<b>From:</b>	Liz Moore, Senior Planner		

### Issue Introduction

The purpose of this report is to review policy options and gain direction on how to address Agricultural Land Reserve (ALR) exclusions, in response to changes to the *Agricultural Land Commission Act* (ALCA) (see Attachments).

### Background

On September 30, 2020, the ability for a private land owner to submit an application to exclude land from the ALR was removed through Bill 15, *Agricultural Land Commission Amendment Act, 2015*. Going forward, only local and First Nation governments or prescribed bodies may submit an exclusion application to the Agricultural Land Commission (ALC). The following is the direction provided by the ALC for local governments:

- A local government should only submit applications that it independently and objectively supports;
- There is a \$750 application fee to the ALC, to be paid by the local government;
- A public hearing is required; and
- The local government bears the cost of satisfying application requirements (i.e. signage, proof of application, public hearing (i.e. newspaper ads), and any supplemental reports).

Up to the point this change came into effect, ALR exclusion applications submitted by property owners have been referred to the Planning and Development Department. On average, we have received one application for exclusion from the ALR per year. These applications were reviewed against our land use planning policies and a staff report with the application was provided to the Advisory Planning Commission (APC) and then the Board of Directors with a recommendation to support or deny. Electoral Area E/West boundary was an exception, where applications were forwarded without a



recommendation. Appendix A is attached to this report and details all of the exclusion applications referred to RDKB since 2009 along with a brief summary of the decisions made.

#### ALR Policy in Official Community Plan and Zoning Bylaws

In RDKB's land use bylaws, we consider the ALR in a number of ways. In three of our Electoral Areas (Areas A, B and D), we have land use designations and zoning that reflect the ALR boundary, usually named as Agricultural Resource designations and zones. Any adjustment of the ALR boundary through exclusion would likewise need to be considered with an Official Community Plan (OCP) and zoning amendment. Each of these three areas also have varying policy approaches to ALR exclusions, which are included in Table 1 below.

Electoral Area C/Christina Lake land use bylaws do not have land use designations nor zones that correspond with the ALR boundary. The OCP is under review and the proposed policies that are being discussed through this review process are listed in Table 1 below.

Most of Electoral Area E/West Boundary does not have land use bylaws. The areas with planning in Area E are Bridesville Townsite, Mount Baldy and Big White. These OCPs do not address the ALR in their policy statements as there is no ALR land within their plan areas. The Rural Bridesville Land Use Plan is in development. The proposed policies for this draft land use plan that relate to ALR exclusions are included in the Table 1 below.

Table 1: Policy for ALR in RDKB Official Community Plans

Land Use Designations and Zones corresponding with ALR Boundary	
Electoral Area A	<p>One policy concerning the ALR in Area A's OCP is under the Agricultural Resource 1 and 2 land use designations:</p> <p>Policy 16.7.1.6:</p> <p><i>The Board will consider conducting a review of ALR lands including an inventory of the Plan Area in conjunction with ALC staff and the Ministry of Agriculture and Lands to determine if there are some properties that should be removed from and/or added to the ALR;</i></p>
Electoral Area B/Lower Columbia-Old Glory	<p>Other policies concerning the ALR in Area B includes two OCP policies that address ALR lands under the Agricultural Resource 1 and 2 land use designations.</p>

	<p>Policy 19.11.1.6 states:</p> <p><i>If the ALC excludes lands in the 'Agricultural Resource 1' designation from the ALR, the Regional District may consider re-zoning such lands for other land uses and parcel sizes with an amendment to this Plan.</i></p> <p>Policy 19.11.2.5 states:</p> <p><i>If the ALC excludes lands in the 'Agricultural Resource 2' designation from the ALR, the Regional District may consider re-zoning such lands for other land uses and parcel sizes with an amendment to this Plan.</i></p>
Electoral Area D/Rural Grand Forks	<p>Policies concerning the ALR are in Section 11: Agricultural Resources, including:</p> <p>Policy 11.11.1</p> <p><i>Support a study(s) to refine the boundary of the ALR based on agricultural suitability taking into consideration that ALR land can support non-soil based agricultural activities such as greenhouses and processing facilities.</i></p> <p>Further to this, Area D's OCP has two policies that address ALR lands under the Agricultural Resource 1 and 2 land use designations.</p> <p>Policy 19.4.3 states:</p> <p><i>Consider amending this Plan to reflect changes in the ALR boundary.</i></p> <p>Policy 19.4.7 states:</p> <p><i>While ALR exclusion applications will generally not be supported, consider supporting applications for non-farm use and exclusion from the ALR if the proposed land use supports and is beneficial to agriculture and no other suitable land is available.</i></p>



No Land Use Designations nor Zones corresponding to ALR	
Electoral Area C/Christina Lake	<p>Area C does not have land use designations nor zones that correspond with the ALR boundary. The Electoral Area C/Christina Lake OCP has one policy addressing exclusion of land from the ALR. Policy 2.5.3.5 states:</p> <p><i>5. Land excluded from the Agricultural Land Reserve is still subject to this Plan and all implementing bylaws.</i></p>
Proposed ALR Policies for land use bylaws under review or being developed	
Electoral Area C/Christina Lake OCP Review	<p>A couple of policies regarding exclusion of land from the ALR have been considered by the OCP Review Steering Committee and will be reviewed by the public at upcoming public meetings. These proposed policies are as follows:</p> <ul style="list-style-type: none"> <li>- <i>ALR exclusion applications will generally not be supported. However, consideration for supporting applications for non-farm use and exclusion from the ALR will be given if the proposed land use supports and is beneficial to agriculture and no other suitable land is available.</i></li> <li>- <i>The ALR boundaries are established by the Provincial government and alteration to those boundaries can occur without amending this Plan.</i></li> </ul>
Rural Bridesville Land Use Plan - draft	<p>The draft Land Use Plan proposes to have an Agricultural Resource land use designation and an Agricultural Resource 1 Zone that will correspond with the ALR boundary. If enacted, this will mean that any adjustment of the ALR boundary through exclusion would likewise need to be considered with an Official Community Plan (OCP) and zoning amendment, as in Areas A, B, and C. This is outlined in Policy 4.2.c:</p> <ul style="list-style-type: none"> <li>- <i>Consider amending this Plan to reflect changes in the ALR boundary.</i></li> </ul>

	<p>The following policy has also been proposed to be included as an OCP policy in the Plan:</p> <p>Policy 4.2.f)</p> <ul style="list-style-type: none"> <li>- <i>While ALR exclusion applications will generally not be supported, consider supporting applications for non-farm use and exclusion from the ALR if the proposed land use supports and is beneficial to agriculture and no other suitable land is available.</i></li> </ul>
Areas without land use bylaws	
Remainder of Electoral Area E/West Boundary	No policy statements have been enacted by the Board of Directors giving direction on ALR lands or exclusion considerations.

#### Boundary Area Food and Agriculture Plan (BAFAP)

The *Boundary Area Food and Agriculture Plan* states as part of *Goal 1: Protect and Support Farmland for Future Generations* of *Appendix B: Boundary Food and Agriculture Report Card*, that there be no decrease in the total area of ALR. This report card is to set up "to measure progress towards goals of the BAFAP" and that it is to act as "a snapshot indication of how the region is doing in-terms of real change on the ground" (BAFAP, pg. 69).

#### Neighbouring Regional Districts

Other jurisdictions, including neighbouring Regional Districts, have considered a variety of approaches to address the change in legislation, including:

- Considering requests for exclusion from the ALR as part of an Official Community Plan review process;
- Considering requests for exclusion as part of an agricultural planning process;
- On behalf of landowners on an ad hoc basis or at specified intervals (annually or once every few years);

## Implications

With these legislative changes, the local government is left to determine how ALR exclusion will be considered going forward, either in the form of requests from individual property owners or through a broader planning process. Policy is needed to provide guidance indicating to property owners, staff and elected officials when and how exclusion requests will now be dealt with. This will assist with consistent service provision and transparency.

Considering the variety of the policy direction throughout our Electoral Areas, different approaches may be required depending on where in the regional district the exclusion is being considered.

Since some of our Electoral Areas (A, B, and D) align land use designations and zoning with the ALR boundary, the OCP/Zoning amendment process provides one form of a framework through which exclusion requests from individual land owners could be assessed. Incorporating an exclusion application as part of an OCP and Zoning Amendment application provides one option to allow the assessment of proposals, while also meeting the requirements laid out by the ALC for public notification and holding of a public hearing.

The current wording of the policies in these areas, however, presents an issue as they propose the consideration for amending the zoning as coming after the province has already made a decision, wherein this new approach would require the consideration of an amendment prior to forwarding the application to ALC for their decision.

A separate approach is needed for Areas C and E as they do not have the corresponding land use designations and zoning that would allow for an exclusion application to be considered through an OCP/Zoning Amendment application. Also, Area C's OCP currently has limited policy direction with regard to how ALR exclusion applications should be considered, while Area E currently does not have any policy direction concerning this.

Area D is the only area that currently includes a policy specific to exclusion applications and how they should be considered. This policy presents a general stance of non-support for exclusion applications, while maintaining an openness to application from individual property owners who can demonstrate that the proposed land use supports agriculture and no other land is available.

Based upon the goal set out in the *Boundary Area Food and Agriculture Plan* regarding retention of land in the ALR, it would fit to consider a policy that encompassed the Boundary electoral areas that dissuades exclusions as much as possible.



There are also considerations for the cost associated with exclusion applications to the ALC as a result of this legislative change. An exclusion application is \$750, the cost of which now rests with the local government. There would also be costs associated with staff time used in the review and processing of applications as well as costs from holding of public hearings. There are limited avenues by which this cost could be recuperated by the local government for processing individual applications to exclude land from the ALR, which would result in payment of these costs coming from public funds.

Local Governments have the ability to charge fees for access to services that they provide and for applications in our *Fees and Procedures Bylaw* for processes outlined in Part 14 of the *Local Government Act*. This might allow for a fee associated with an OCP/Zoning amendment application that considers the exclusion of land from the ALR. This would require an amendment to the fees and procedures bylaw. However, there does not appear to be a method by which a fee could be charged separate from an amendment application. Thus in areas where there are no land use designations and zoning associated with the ALR boundary, or no land use planning, there would be no method to recoup the cost of an exclusion application from individual property owners.

Due to the complexity of the policy environment addressing exclusion of land from the ALR across the five electoral areas, Staff consider an overarching policy that applies across the RDKB as the best route forward. This approach is being recommended as it will provide the most consistency across the regional district. It allows for individual property owners to have their requests considered with a comparable timeline and expense, while providing Staff the opportunity to assess requests in the light of broader planning goals.

Further refinement into a policy will happen following direction given at this meeting. The draft policy will be referred to the ALC, Ministry of Agriculture and local agricultural groups for comment prior to being sent to the Board of Directors for approval.

#### Recommended Approach

The following steps are recommended to be included in a policy addressing how to process requests from individual property owners to exclude land from the ALR, regardless of which Electoral Area it is located in:

1. Staff should encourage property owners to consider other methods available to them by which they could accomplish the objective of their request, such as applying for non-farm use, or for a non-adhering residence.

2. Should other processes not suffice, then the following approaches are recommended:
- a. That an application to exclude land from the ALR be considered as part of the development of an OCP or during an OCP review process, or as part of a broader agricultural planning process;
  - b. That, in areas without an OCP, an application to exclude land from the ALR be considered once a number of requests have been compiled from individual land owners with the Regional District covering the application fee; and
  - c. That requests from individual property owners to exclude land from the ALR will not be considered on an ad hoc basis.

### **Recommendation**

That Electoral Area Services Committee review the above recommended approach and alternatives to a policy on applications to exclude land from the ALR and provide direction.

### **Attachments**

- Appendix A: Past ALR Exclusion Applications
- ALC Policy-Lab on Exclusion Applications: Frequently Asked Questions

## Appendix A: Past ALR Exclusion Applications

Our application lists began being compiled in 2009, giving an overview of 12 years of application data for when ALR exclusion applications were applied for and for what properties. Of the 14 applications from that 12 year period, 8 were approved and 6 were refused.

The majority of applications were from Electoral Area E (8 applications). These were forwarded without recommendation from the Board due to the lack of policy direction for the area resulting from no Land Use Planning (discussion of this can be found in the Board minutes discussing the 2009 exclusion application for E-2764s-06857.000). Of these eight applications from Area E, five were approved and three were refused.

There have been four application for exclusion that came from properties in Electoral Area B. Two of the applications were forwarded to the ALC with a recommendation of support from the Board of Directors were approved by the ALC, while a third was refused. One of these applications was forwarded without the support of the board and the ALC approved this application.

One application was received for a property in Area D, from David Reid. This application was forwarded to the ALC with a recommendation of support from the Board of Directors. The ALC refused this application.

One application came from Area C, for Ponderosa Estates. The Board did not support approval for this application and it was refused by the ALC.

These are summarized in the table below. The reasoning given behind the approvals or refusals are provided in a table below.

Year	Applicant	Board Resolution	Result from ALC	Number
2009	Ogierman (Area E) E-163s-01980.000	Without recommendation	Approved	3
	Champion Lake Estates B-7187-08838.200	Non-support	Approved	
	Tuzo Creek MFG. E-2764s-06857.000	Without recommendation	Approved	
2010	New Growth Capital (Area E) E-488s-02955.000	Without recommendation	Refused	1
2011	None	-	-	0
2012	West K Concrete (Area B) B-7163-08839.025	Support	Approved	2



	0472164 BC Ltd. (Area E) E-1250-04687.000	Without recommendation	Refused	
2013	None	-	-	0
2014	Furniss (Area E)	Without recommendation	Approved	1
2015	0472164 BC Ltd. (Area E)	Without recommendation	Approved	2
	Davies (Area B)	Support	Approved	
2016	None	-	-	0
2017	Ponderosa Estates (Area C)	Non-support	Refused	3
	Kettle River Concrete (Area E)	Without recommendation	Refused	
	Scott (Area E)	Without recommendation	Approved	
2018	Reid (Area D)	Support	Refused	1
2019	Hinchcliffe (Area B)	Support	Refused	1
2020	None	-	-	0
			Total	14
			Approved	8
			<b>Yearly Average</b>	<b>1.2</b>

#### Reasons applications were approved

In the context of the exclusion applications reviewed for this report, the ALC often will approve applications where the Commission believes there to be limited agricultural capability. They generally base this off of agricultural capability ratings developed using the Canada Land Inventory. Occasionally an applicant has provided an agrologist's report that discusses capability of the soil. However, in a number of cases, determinations of the agricultural capability of land proposed for exclusion is based on a site visit by Commission members. The table below summarizes some of the deciding factors as to why the application was approved.

<b>Year</b>	<b>Applicant</b>	<b>Reasons Given by ALC</b>
2009	Ogierman (Area E) E-163s-01980.000	<ul style="list-style-type: none"> <li>- Commission believed that the land has little agricultural capability (Class 6 &amp; 7 with topography and rockiness limitations).</li> <li>- Neighbouring properties have limited agricultural potential, so residential</li> </ul>

		development will not impact agriculture.
	Champion Lake Estates	<ul style="list-style-type: none"> <li>- Commission believed that the land has very little capability (Class 5, topography, stoniness and seasonal moisture deficiency), or suitability for agriculture. The soil is gravelly and land does not support any substantive vegetation.</li> <li>- That the exclusion application would not impact agriculture on surrounding lands.</li> </ul>
	Tuzo Creek MFG. E-2764s-06857.000	<ul style="list-style-type: none"> <li>- Commission believed that the land has very little capability (Class 5, stoniness and seasonal moisture deficiency), or suitability for agriculture, because of poor soils, the small ALR area on the property and the debilitation resulting from the historic sawmill use.</li> </ul>
2012	West K Concrete (Area B) B-7163-08839.025	<ul style="list-style-type: none"> <li>- Commission believed that the land has limited agricultural capability (Class 5, stoniness and seasonal moisture deficiency).</li> <li>- It's an isolated pocket of ALR and there is no agricultural production on surrounding properties. Therefore no negative effect on agriculture</li> </ul>
2014	Furniss (Area E)	<ul style="list-style-type: none"> <li>- Little to no agricultural utility. Steep hillside where the ALR portion of the property is situated and area has class 6 &amp; 7 capability.</li> </ul>
2015	0472164 BC Ltd. (Area E)	<ul style="list-style-type: none"> <li>- Area proposed for exclusion has extremely limited capability for agriculture and is not appropriately designated.</li> <li>- Another portion of the property is not appropriately designated as non-ALR lands, and as a condition of this approval, that area must be included in the ALR.</li> </ul>
	Davies (Area B)	<ul style="list-style-type: none"> <li>- In 2005, the ALC concluded that the area had no significant agricultural suitability and</li> </ul>

		<p>it would be amenable to the property owner applying for exclusion.</p> <ul style="list-style-type: none"> <li>- Application brought forward in 2015, and CEO was able to approve it based on previous planning exercise.</li> </ul>
2017	Scott (Area E)	<ul style="list-style-type: none"> <li>- Limited agricultural capability, small amount of the property within the ALR and location of the property in proximity to the existing ALR Boundary.</li> </ul>

#### Reasons applications were refused

Much as with the table above, this table provides some of the reasons the Commission provided for why they refused the application for exclusion. One thing to note: the inclusion of what the agricultural capability ratings are have not been consistently included with the reasons below. This could be an area of further exploration.

<b>Year</b>	<b>Applicant</b>	<b>Reasons Given by ALC</b>
2010	New Growth Capital (Area E) (subdivision proposed post exclusion as extension of Regal Ridge developments.	<ul style="list-style-type: none"> <li>- The land is appropriately designated as ALR.</li> <li>- That the proposal will impact agriculture and is inconsistent with the objectives of the ALCA to preserve agricultural land.</li> </ul>
2012	0472164 BC Ltd. (Area E) E-1250-04687.000	<ul style="list-style-type: none"> <li>- The land has agricultural capability and there are not external factors that would render the land unsuitable for agricultural use. Exclusion would reduce these options.</li> </ul>
2017	Ponderosa Estates (Area C)	<ul style="list-style-type: none"> <li>- Property has agricultural capability with the most prominent limitation being moisture deficiency.</li> <li>- Property is suitable for agricultural use and could support a range of agricultural uses.</li> <li>- No evidence received stating that there is a demand for residential growth, nor that it must occur on lands suitable for agriculture.</li> </ul>
	Kettle River Concrete (Area E)	<ul style="list-style-type: none"> <li>- Unauthorized gravel pit in ALR (started after 1973 without permission)</li> </ul>



		<ul style="list-style-type: none"> <li>- Stripped topsoil is no longer available on the property</li> </ul>
2018	Reid (Area D)	<ul style="list-style-type: none"> <li>- Capability ratings provided in agrologist's report did not show that the proposal area could not be improved to support soil based crops.</li> <li>- Due to situation in residential area, and the narrow belt of ALR that the proposal area is a part of that connects the ALR north and south of the property, exclusion on this property would erode the integrity of the ALR and contribute to further intrusion of residential uses.</li> </ul>
2019	Hinchcliffe (Area B)	<ul style="list-style-type: none"> <li>- Panel not agreeable to further ad hoc adjustment to the ALR boundary to accommodate Applicant's desire for additional residential development.</li> <li>- Retaining the property in the ALR will better preserve the integrity of the ALR Boundary.</li> </ul>



## ALC POLICY-LAB ON EXCLUSION APPLICATIONS: FREQUENTLY ASKED QUESTIONS

Published August 6, 2020

**BACKGROUND:** Effective September 30, 2020, Bill 15-2019 removes the ability for a private landowner to submit an application for exclusion to the Agricultural Land Commission (ALC). On the week of July 20-24, ALC staff held six regionally based policy-labs to discuss the implications of this change, and the process for submitting a local or First Nation government initiated exclusion application, or a prescribed body initiated exclusion application. The following questions were raised by the local government attendees of the policy-labs.

### APPLICATIONS

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#### **Q1: How does a local government submit an exclusion application?**

Applications are submitted on the ALC application portal found here: <http://a100.gov.bc.ca/pub/oatasp/list?execution=e1s1>. The portal prompts the applicant with a set list of questions that must be completed before the application may be submitted. In order to submit an application, a local government must log into its BCeID business account. Please contact the ALC if your local government does not currently have an account, as the ALC must assign a local government 'role' to every BCeID used to submit a local government application.

More information about the exclusion application process can be found in the ALC's Exclusion Application Guide available on the ALC's website.

#### **Q2: Can a local government initiated application include multiple parcels?**

Yes, a single application may include multiple parcels and there is no requirement that the parcels be contiguous or located within the same area. However, notice requirements, such as the posting of a sign, may apply to each parcel if they are not contiguous. Please contact the ALC if you have any questions related to notice/signage requirements.

#### **Q3: Can a single exclusion application be submitted for parcels in multiple jurisdictions/ local governments (i.e. a regionally based application)?**

No, parcels in an application must be located within one local government's area of jurisdiction. However, local governments may submit simultaneous exclusion applications for review by the ALC at the same time.

*ALC Policy-Lab on Exclusion Applications FAQ***Q4: Are additional reports required as part of the application submission (e.g. an agrologist report)?**

No, there is no legislative requirement to submit documents besides those required on the ALC application portal. However, the Commission in a written hearing process governed by the *Administrative Tribunal Act* (otherwise known as the application process) is only able to consider the body of evidence before it and therefore relies on the written information provided in the application. Should the local government feel additional reports or information are necessary to clarify the proposal, they should be uploaded with the application.

**Q5: Would a soils agrologist report strengthen a local government's case for exclusion?**

Not necessarily. The ALC relies on the soil capability ratings found within the Canada Land Inventory (CLI) or British Columbia Land Inventory (BCLI). Should an agrologist report identify the same improved agricultural capability rating as the BCLI or CLI, the agrologist report would not provide additional information that would affect the ALC's decision-making. For information on the preparation of agricultural capability assessments see [ALC Policy P-10: Criteria for Agricultural Capability Assessments](#).

**Q6: How will applications in stream on September 30, 2020 be handled by the ALC?**

A private landowner will be able to submit an exclusion application on the ALC's application portal until September 29, 2020. All applications submitted to the local government in the portal before midnight on September 29, 2020 will be considered by the ALC if the local government resolves to forward them.

Exclusion applications with an "In Progress" status (i.e. the applicant is still in the process of filling out the forms/uploading documents) in the ALC application portal on September 30, 2020 cannot be accepted by the local government.

**Q7: What is required as part of the public hearing?**

As part of the exclusion application process, a public hearing must be held. The public hearing must be held in accordance with s. 465 of the *Local Government Act* and must also meet the requirements of s. 9 of the ALR General Regulation, including:

- All persons must be afforded an opportunity to speak
- Public hearing may be adjourned from time to time
- A Council/Board member who did not attend public hearing may vote on the application if provided with a written or oral report of public hearing



*ALC Policy-Lab on Exclusion Applications FAQ*

Notice for the public hearing must be given in accordance with s. 15 (local or First Nation governments) or s. 17 (prescribed bodies) of the ALR General Regulation.

Note: These sections of the ALR General Regulation (BC Reg. 57/2020) come into force and effect September 30, 2020. See [OIC 131/2020](#) for text until BC Laws is updated

## RECONSIDERATIONS

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### **Q8: How will reconsideration requests proceed for landowners who have received a decision on an exclusion application before September 30, 2020?**

Amendments made as part of Bill 15-2019 have impacted the reconsideration process.

#### For decisions made before March 12, 2020:

An applicant or person affected will have one year from the release of the decision to submit a request for reconsideration in accordance with [ALC Policy P-08: Requests for Reconsideration](#). However, it should be noted that Bill 15-2019 proposes to limit the time period for requesting reconsideration to 90 days from the date of the decision. **This has not yet been brought into force and effect.** As a result, an applicant or person affected by a decision will have one year from the date of the decision's release to request reconsideration of the decision or 90 days from the date the legislative change takes effect (date unknown at this time), whichever comes sooner.

The request for reconsideration will be sent to the original decision-making body; which may be the Executive Committee or a Panel. The ALC may reconsider a decision if the original decision-making body determines that there has been no previous request for reconsideration and meets the criteria for reconsideration as described in s. 33(1) of the ALC Act as it was before March 12, 2020:

- (a) evidence not available at the time of the original decision becomes available; or*
- (b) Evidence demonstrating that either all or part of the original decision was based on evidence that was in error or false;*

#### For decisions made after March 12, 2020:

An applicant or person affected will have one year from the release of the decision to submit a **single request** for reconsideration, or until such time as s. 33(2)(a) in Bill 15-2019 takes effect which contemplates a 90 day time limit, whichever date is sooner. The request for reconsideration will be sent to the original decision-making body. The ALC may reconsider a decision if the decision-making body determines that:

- (a) New evidence has become available that was not available at the time of the original decision that could not have been obtained earlier through the exercise of due diligence; ALCA: s. 33(2)(c)(i); or*

*ALC Policy-Lab on Exclusion Applications FAQ*

*(b) Evidence demonstrating that either all or part of the original decision was based on evidence that was incorrect or was false; ALCA: s. 33(2)(c)(ii).*

More information about the reconsideration process may be found in [Information Bulletin 08: Request for Reconsideration](#).

## FEES

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**Q9: Can a local government prescribe fees for an exclusion application (either for the notice requirements, or for the submission of the application) under s. 194 of the *Community Charter*?**

There is no provision under the ALC Act that enables a local government to prescribe fees for ALC applications.

The ALC is aware that municipalities can only charge fees related to the following and regional districts can only charge for 1 and 2:

1. Services of the municipality (e.g. street lighting, sidewalks)
2. Use of municipal property
3. Work done to land or improvements
4. In the exercise of authority to regulate, prohibit or impose requirements.

Because of this, the ALC recommends that you speak to your legal counsel to determine whether the charge of a fee could be completed under a provision of the *Community Charter*.

**Q10: If the local government must pay for the application, and chooses to make an application on behalf of a landowner who happens to be a business/company, will a local government face issues under s. 25 of the *Community Charter*?**

Local governments will need to consult with their legal counsel to determine whether the local government may face challenges under s. 25 of the *Community Charter*.

**Q11: Who pays for the associated application materials (e.g. agrologist report, advertising/notice requirements) for a local government initiated application?**

All associated exclusion application fees are paid by the local government. Local government should only submit applications that it independently and objectively supports. The ALC recommends that local governments speak to their legal counsel to determine whether charging fees could be completed under a provision of the *Community Charter*.

*ALC Policy-Lab on Exclusion Applications FAQ***Q12: What is the change in fees for exclusion applications effective September 30, 2020?**

On June 26, 2020, Order in Council No. 353, 2020 was approved and ordered; it amends the ALR General Regulation to increase the portion of the ALC application fee which goes to a local or First Nation government. As of September 30, 2020, local and First Nation governments will receive 50% of the application fee for prescribed body initiated exclusion applications (equivalent to \$750). Local or First Nation governments are required to pay \$750 for an exclusion application they initiate.

A prescribed body must pay the \$1500 application fee – \$750 of which is paid directly to the local or First Nation government, and \$750 of which is paid to the ALC, should the local or First Nation government authorize the application to proceed to the ALC.

**DECISION-MAKING****Q13: What is the ALC's decision-making criterion for exclusion applications?**

As with all ALC applications, the ALC considers the merits of the proposal under its s. 6(1) ALC Act mandate, which includes the following:

- *to preserve the agricultural land reserve;*
- *to encourage farming of land within the agricultural land reserve in collaboration with other communities of interest;*
- *to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of land within the agricultural land reserve and uses compatible with agriculture in their plans, bylaws and policies.*

As of March 12, 2020 with the implementation of portions of Bill 15-2019, under s. 6(2) of the ALC Act the ALC must also now give priority to protecting and enhancing:

- *the size, integrity and continuity of the land base of the agricultural land reserve;*
- *the use of the agricultural land reserve for farm use.*

More information about ALC decision-making considerations can be found here:

<https://www.alc.gov.bc.ca/alc/content/applications-and-decisions/what-the-commission-considers>

**Q14: If an application is submitted for multiple parcels, does the ALC have discretion to approve some parcels for exclusion and refuse others?**

Yes, the ALC has the discretion to determine which, if any, parcels may be supported for exclusion. The ALC also has discretion to approve an exclusion application with conditions (e.g. rezoning), or may approve an alternate land use such as a non-farm use.



*ALC Policy-Lab on Exclusion Applications FAQ***Q15: How long does the application process take?**

The application timeline varies substantially. Applications which require local or First Nation government review can take several months of review prior to the ALC even receiving the application. Once the application has been received by the ALC, the ALC strives to release its decisions within 60 business days of an application and the required fee being received; and the majority of its decisions within 90 business days. Please be advised that the 60 and 90 business day application process timeline may not be consecutive given the specifics of an application; the ALC may “pause” the business day timelines should any of the following be required:

- an exclusion meeting with the applicant
- a site visit
- a request for additional information (from an applicant, local government or any other person considered appropriate)

An applicant may also ask the ALC to pause the processing of an application at any time. These business day timelines are specific to the ALC’s component of the application process; it does not include time associated with the local or First Nation government component of the application process. Generally speaking, an application may take approximately 4-6 months, however the application timeline may also be affected by the number of parcels included in and the complexity of the application.

**Q16: How will previously endorsed parcels be submitted to and reviewed by the ALC?**

As private landowners will no longer be able to make exclusion applications as of September 30, 2020, the local or First Nation government could potentially make an exclusion application for those parcels previously endorsed by the ALC. When a parcel has a previous endorsement by ALC resolution, the exclusion application may be expedited through the ALC’s Chief Executive Officer’s (CEO) delegated decision-making authority.

**POLICY CONSIDERATIONS**

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**Q17: Are you aware of any local governments considering a regional approach for the submission of local government initiated exclusion applications?**

Not at this time. However, in the Okanagan, there have been discussions about holding a session for multiple local governments to discuss a regionally based strategy. Due to COVID-19, this meeting was postponed.

The ALC encourages you to reach out to your adjacent local governments and to the ALC to discuss such an approach.

*ALC Policy-Lab on Exclusion Applications FAQ***Q18: Are ALC staff able to provide feedback on any proposed local government policies/options for exclusion applications?**

Yes, ALC Regional Planners can assist in the review of draft policies/options for exclusion applications. Please feel free to contact your applicable regional planner, and/or review the [ALC's Bylaw Reviews: A Guide for Local Governments](#) for more information.

- Interior, Okanagan, North: Sara Huber ([Sara.Huber@gov.bc.ca](mailto:Sara.Huber@gov.bc.ca))
- Island, Kootenay: Martin Collins ([Martin.Collins@gov.bc.ca](mailto:Martin.Collins@gov.bc.ca))
- South Coast: Shannon Lambie ([Shannon.Lambie@gov.bc.ca](mailto:Shannon.Lambie@gov.bc.ca))

**ALC BYLAW REVIEW PROCESS****Q19: Can a local government designate ALR land for a non-agricultural use (e.g. commercial, residential, etc.)?**

Land within the ALR cannot be designated for non-agricultural use without a resolution from the ALC to support the redesignation.

Should a local or First Nation government wish to designate ALR lands for non-agricultural use by bylaw, the local or First Nation government must refer their bylaw to the applicable ALC Regional Planner, who will prepare the referral for the Commission's review. The process is outlined in the [ALC's Bylaw Reviews: A Guide for Local Governments](#). The ALC considers the merits of the proposal under its s. 6(1) mandate and s. 6(2) decision-making priorities in the ALC Act, as it would with an application.

Designations for non-agricultural use in local government bylaws that have not been endorsed by the Commission are of no force and effect.

Note: The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALC Act, the Regulations, or any Orders of the Commission.

**Q20: What does an area "endorsed" by the ALC look like?**

An endorsed area would have a previous resolution of the ALC which states that it is supported for a specific use (e.g. industrial). The resolution will specify the type of application that must be submitted in order to undertake the use (e.g. non-farm use, subdivision, or exclusion) or may include other conditions. When the application is submitted to the ALC, it may be reviewed by the ALC's CEO through an expedited decision-making process.



March 12, 2021

To: Chief Administrative Officers

Re: Strengthening Communities Services Program and Local Government Development Approvals Program funding

Dear CAOs:

As you may be aware, the Province of British Columbia and the Government of Canada signed a Canada-BC Safe Restart Agreement to help B.C. communities address local challenges compounded by COVID-19. Through the Safe Restart funding, the Province is providing \$270 million in matched funding towards a \$540 million federal/provincial funding package for local governments.

As part of this agreement, two application-based funding programs launched in Spring 2021: the [Strengthening Communities' Services Program](#); and the [Local Government Development Approvals Program](#) (previously referred to as the Development Services Program). Both Programs are administered on behalf of the Province by the Union of British Columbia Municipalities (UBCM).

***Strengthening Communities' Services Program:***

Under the Strengthening Communities' Services Program, \$100 million in grants is available to help local governments and modern Treaty First Nations address the impacts of homelessness, support people and strengthen community health and safety.

Launched on Feb 18, 2021, the Program will accept applications until April 16, 2021, with approvals expected later in spring 2021.

Applicants must show their projects respond to a demonstrated need in the community and are a temporary-surge response to immediate needs. Evaluators will also be looking for demonstrated partnership and engagement with Indigenous partners, collaboration with community stakeholders, and plans to include perspectives of people with lived experience. Funding requests from two or more eligible applicants for regional projects may be submitted as a single application for eligible collaborative projects.

Local governments and Treaty First Nations are encouraged to learn more about the program, direct questions and submit applications for this funding through UBCM's [website](#).

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Ministry of Municipal Affairs    Local Government

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Chief Administrative Officers

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***Local Government Development Approvals Program:***

The \$15 million Local Government Development Approvals Program is intended to support local governments in implementing established best practices and testing innovative approaches to improve development approvals processes. In addition to increasing the effectiveness and efficiency of development approvals while meeting local government planning and policy objectives, the outcomes from the Program will support non-profit housing organizations, developers, and other stakeholders to deliver the different types of housing people need across the province.

Launched on March 5, 2021, the Program will accept applications until May 7, 2021, with approvals expected in summer 2021.

Applicants are encouraged to submit proposals in a range of areas that would result in improvements to the development approvals process, including conducting internal reviews of current development processes, updating internal approvals procedures, facilitating collaboration or coordination with external partners, or improving information technology to facilitate development application processing.

Local governments and the Islands Trust are encouraged to learn more about the program, direct questions and submit applications for this funding through UBCM's [website](#).

Thank you,

Thank you again for writing.

Sincerely,

A handwritten signature in black ink, appearing to read 'T Faganello', with a stylized flourish at the end.

Tara Faganello  
Assistant Deputy Minister