



REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax: 250-352-9300
 email: plandept@rdck.bc.ca

REFERRAL FORM
FLOODPLAIN EXEMPTION APPLICATION
RDCK Planning File: F2101F
Date: January 25, 2021

You are requested to comment on the attached FLOODPLAIN EXEMPTION for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO February 26, 2021). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

1275 Highway 3A, Electoral Area 'F'
 LOT 2 DISTRICT LOT 7705 KOOTENAY DISTRICT PLAN 9963 (PID 011-627-603)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The property is currently vacant. The owner would like to build a two family dwelling. Due to the shape and size of the property, there is no way to build a dwelling without a relaxation to the floodplain specifications identified in the RDCK Floodplain Management Bylaw, 2080.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.17 hectares (0.42 acres)	N/A	Rural Residential (R3) RDCK Zoning Bylaw 1675	Rural Residential (RR) Area 'F' OCP

APPLICANT: Curtis Jones

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Development Variance Permit application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

Please fill out the Response Summary on the back of this form. If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this permit.

Eileen Senyk, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION
 West Kootenay District Office, Nelson
 HABITAT BRANCH
 FRONT COUNTER BC (FLNRORD)
 Nelson
 Cranbrook
 AGRICULTURAL LAND COMMISSION
 REGIONAL AGROLOGIST
 ENERGY & MINES
 MUNICIPAL AFFAIRS & HOUSING
 INTERIOR HEALTH
 HBE Team, Nelson
 KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS)

- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
 ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
 APC AREA
 RDCK FIRE SERVICES
 District Chief Nora Hannon – Kaslo, Balfour, Harrop, North Shore & Ymir
 District Chief George Hamm – Pass Creek, Ootischenia, Robson, Tarry's & Beasley
 District Chief Gord Ihlen – Crescent Valley, Passmore, Winlaw, Slokan & Blewett
 RDCK EMERGENCY SERVICES
 RDCK BUILDING SERVICES
 RDCK UTILITY SERVICES
 RDCK RESOURCE RECOVERY
 RDCK REGIONAL PARKS

- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO,
COLUMBIA POWER)

INSERT COMMENTS ON REVERSE . . .

The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

RESPONSE SUMMARY
FILE: F2101F APPLICANT: CURTIS JONES

Name:

Date:

Agency :

Title:






RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-8190
Email: plandept@rdck.bc.ca

RDCK File No. F2101F

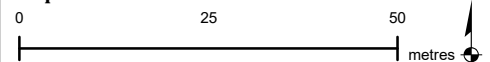


Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
Phone: (250) 352-6665 Toll-Free 1-800-268-7325 (BC)
Fax: (250) 352-9300 Internet: www.rdck.bc.ca

The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

-  Civic Address
-  Subject_Property
-  Roads
-  Streams
-  Lot Lines

Map Scale



Map Projection: UTM Zone 11 Map Datum: NAD83
Date Plotted: Monday, January 25, 2021

Data Sources

The following sources of data are updated as changes occur:
Cadastral Lot - Surveyed lots/parcels of land;
Sources: Crown Land Registry Services and RDCK
District Lot; Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCK
TRIM Data - Planimetry, Unsurveyed Roads, Contours; Source: Ministry of Water,
Land & Air Protection ALR - Agricultural Land Reserve; Source: BC Land Reserve Commission
Zoning - Rural Land Use, Land Use, Zoning Bylaws, where bylaws are in place; Source: RDCK
Roads - Road centerline compiled 2003; Source: RDCK

DIVISION 15 RURAL RESIDENTIAL (R3)

Permitted Uses

1500 Land buildings and structures in the Rural Residential (R3) zone shall be used for the following purposes only:

Dwellings:

One-Family

Two-Family

Horticulture

Veterinary Clinics

Accessory Uses:

Accessory Buildings and Structures

Accessory Tourist Accommodation

Home Based Business

Keeping of Farm Animals

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Sale of Site Grown Farm Products

Portable Sawmills for processing of material harvested on site only

Site Specific – Part E ½ of N ½ of DL 11917 Animal Physical Rehabilitation Facility

Development Regulations

1501

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The keeping of farm animals shall comply with the requirements of section 613.
- 4 One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of section 1501(1).
- 5 Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6 Portable sawmills shall be located a minimum of 30 metres from any property line.
- 7 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

- 8 An animal rehabilitation facility shall be limited to a parcel no less than 8 hectares (20 acres); no more than 15 animals on the premises at any time; and animals are to be confined within a building between the hours of 9:00 pm and 6:00 am.
- 9 The maximum height of any accessory building or structure shall not exceed 8 metres.
- 10 The maximum footprint of any accessory building or structure shall not exceed 250 square metres.
- 11 The cumulative gross floor area of all accessory buildings or structures shall not exceed 500 square metres.
- 12 Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
- 13 Cannabis micro cultivation, cannabis micro processing or cannabis nursery shall not be permitted in a dwelling place.

Lasca Group Technical Services

618 Front Street

Nelson BC V1L4B7 tednunngeneral@shaw.ca

(604) 649-3543

Flood Site Exemption Letter for 1275 Highway 3A, Nelson BC

15 December 2020

The purpose of this letter is to inform the RDCK Planning Department that a variance is requested to move the Edwards Creek setback from 15 metres to 5 metres for 1275 Highway 3A. The legal description and property information is:

Owner: 425026 BC Ltd
Description: Lot 2 Plan NEP 9963 DL77705 KD
PID 011-627-603
UTM coordinates: 49,5328°N -117.26518°W
Zoning: 1675 R2
UTM Coordinate: 483174 E 5490975 N (NE surveyed pin)
Area: 0.175 ha

Attached to this letter are location maps detailing the proposed project area and the surrounding properties. This letter has been prepared for the RDCK as a precondition of the issuance of a site specific exemption as per Section 11.2 of the RDCK Floodplain Management Bylaw 2080 for the Natural Boundary setback.

This letter has been prepared for and at the expense of the owner of the subject property and that I have not acted for or as an agent of the Regional District of Central Kootenay in the preparation.

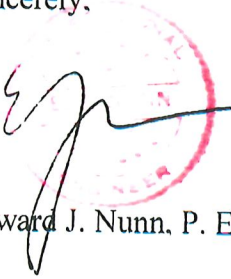
The property is not in the ALR. There is a community plan. The property has a creek floodplain but no alluvial fan. The east of the property is near the West Arm of Kootenay Lake.

The 150 square metre (1600 square feet) residence site is planned to be located within the area shown in the attached plan. To achieve an area to build on this lot only can happen if the floodplain setback is decreased from 15 metres to 5 metres. The FCL is not a concern since the actual minimum depth is 1.5 metres plus there is no historical evidence of flooding. A partial length of this creek is within a culvert which is greatly oversized at 500 mm diameter (Edwards Creek Hwy 3A culvert is only 450 mm plus it drains a large volume because of highway ditching water). The creek is only seasonal and is often dry for one half of a year. The south west corner of this planned building area is the location where the variance to 5 metres is required. There are no flooding risks at 1275 Highway 3A therefore Lasca Group Technical Services verifies that the land may be used safely for the use intended as required under Section 56 of the Community Charter.

Since there is no a flooding issue, it is recommended to approve a relaxed natural boundary to 5 metres from 15 metres. This relaxation would allow the project to proceed since a proposed building would have no area constraints.

If you have any questions, please telephone Edward J. Nunn at (604) 649-3543 or email me at tednunngeneral1@shaw.ca.

Sincerely,



Edward J. Nunn, P. Eng.

