



Development Variance Permit Application

Referral Form – RDCK File V2312F

Date: November 9, 2023

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO December 9, 2023). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

3034 Miller Road, Electoral Area 'F'
 LOT A DISTRICT LOT 788 KOOTENAY DISTRICT PLAN 13885 (PID 010-472-886)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The property is located in a residential area, and is currently vacant.

This Development Variance Permit application seeks to vary Section 605.5 of the RDCK's *Zoning Bylaw No. 1675, 2004*. The owner seeks to reduce the exterior (front) setback regulation from 4.5 metres to 0 metres to allow for the construction of a residential dwelling due to the property's "challenging topography".

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.53 hectares	n/a	Suburban Residential F (R1F)	Suburban Residential (SR)

AGENT:

Kai Korinth – Timber Grove Design

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Development 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.

**STEPHANIE JOHNSON, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input type="checkbox"/> AGRICULTURAL LAND COMMISSION <input type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input checked="" type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K ALTERNATIVE DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input checked="" type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input type="checkbox"/> APHC AREA F <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES
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<input type="checkbox"/> KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS)	<input type="checkbox"/> RDCK RESOURCE RECOVERY
<input type="checkbox"/> SCHOOL DISTRICT NO.	<input type="checkbox"/> RDCK REGIONAL PARKS
<input checked="" type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT	INSERT COMMENTS ON REVERSE . . .
<input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	

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: V2312F APPLICANT: KAI KORINTH

Name:

Date:

Agency:

Title:




RETURN TO: STEPHANIE JOHNSON, PLANNER
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-1585
Email: plandept@rdck.bc.ca

RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
Box 590, 202 Lakeside Drive,
Nelson, BC V1L 5R4
Phone: 1-800-268-7325 www.rdck.bc.ca
maps@rdck.bc.ca

Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre

Map Scale:

1:4,514

Date: November 2, 2023



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.

RDCK Map








Maxar



REGIONAL DISTRICT OF CENTRAL KOOTENAY
Box 590, 202 Lakeside Drive,
Nelson, BC V1L 5R4
Phone: 1-800-268-7325 www.rdck.bc.ca
maps@rdck.bc.ca

Legend

-  Lakes and Rivers
-  Streams and Shorelines
-  Electoral Areas
-  RDCK Streets
-  Cadastre

Map Scale:

1:2,257

Date: November 2, 2023



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RDCK Map



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Steep Creek Hazard Rating - 2020 Composite

Low

Legend

-  Flood Construction Levels - 1990
-  Electoral Areas
-  RDCK Streets
-  Cadastre

Map Scale:

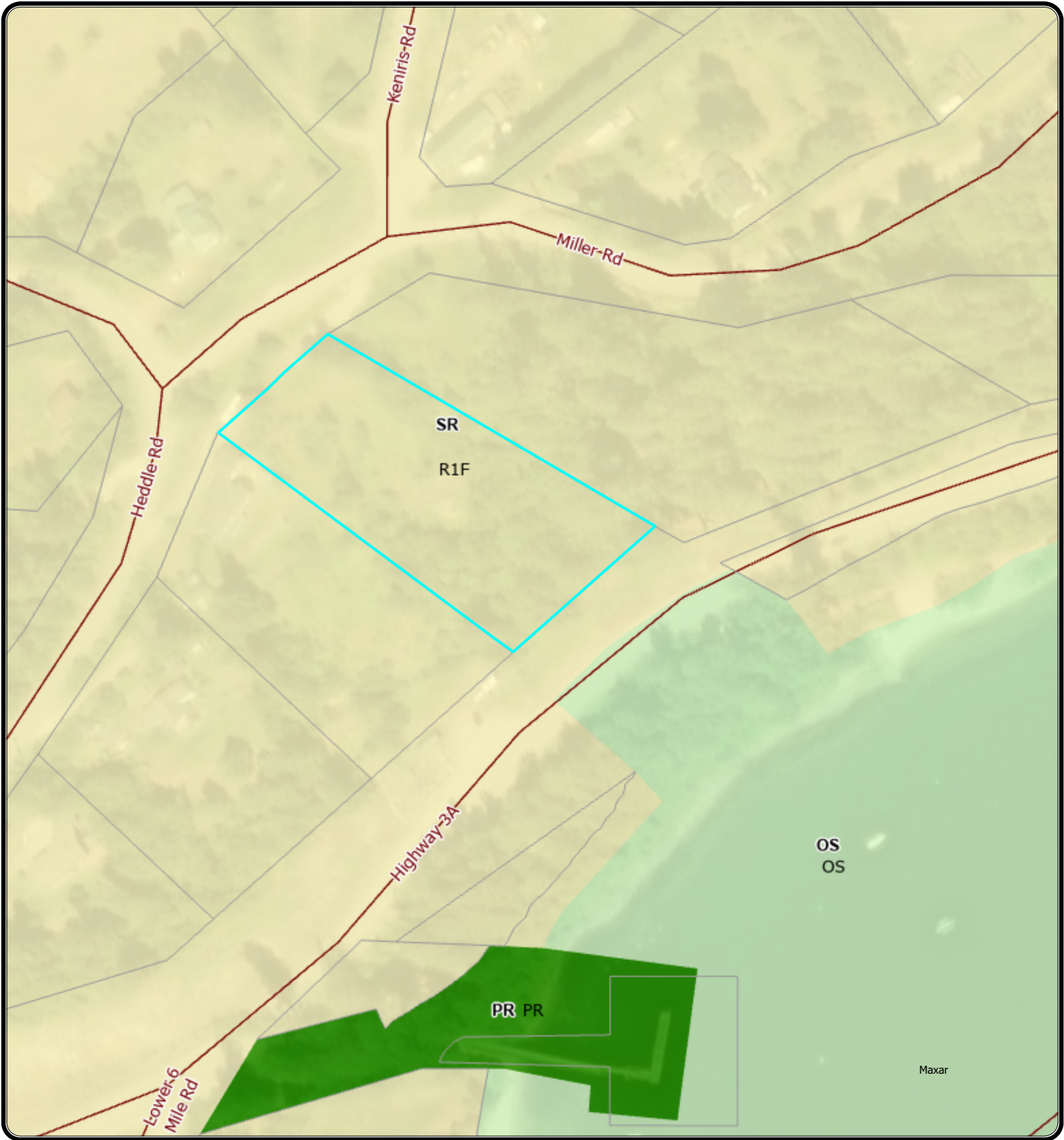
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RDCK Map



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Legend

Official Community Plan

- Open Space
- Parks and Recreation
- Suburban Residential

Zoning Class

- Open Space
- Parks and Recreation
- Residential 1
- Electoral Areas
- RDCK Streets
- Cadastre

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RDCK Map




Maxar






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Legend

 Valves

Water Systems

-  RDCK OWNED
-  Main Line
-  Service Connections

Hydrants

-  Stand Pipe
-  Electoral Areas
-  RDCK Streets
-  Cadastre

Map Scale:

1:4,514

Date: November 2, 2023



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778-233-5995
timbergrove.ca
kai@timbergrove.ca

2524 Perrier Lane
Nelson, BC
V1L 7C3

Development Permit Application – Proposal Summary

Property:

3034 Miller Road / Nelson B.C
Lot A, Plan NEP 13885
Kootenay Land District
PID: 010-472-886

Date: Nov. 2, 2023

Owner:

Walter Scotton
3034 Miller Road
Nelson, BC V1L 6Z8
604-888-6047
thescotton@gmail.com

Agent:

Kai Korinth – Timber Grove Design
2524 Perrier Lane
Nelson, BC V1L 7C3
778-233-5995
kai@timbergrove.ca

Proposal Overview:

We are requesting a variance to change the existing road setback of the property from 4.5 meters to a zero setback. The owner intends to build a residence on the land and steepness of the property would make building the house within the existing setback very difficult and expensive.

An identical variance was granted to the previous owner. The planning file number for that variance permit is V2105F-03595.005 DVP000211.

The front of the property does not face a public road, but a gravel access road. There is only one neighbouring house on the access road and that house is also built within the road setback.

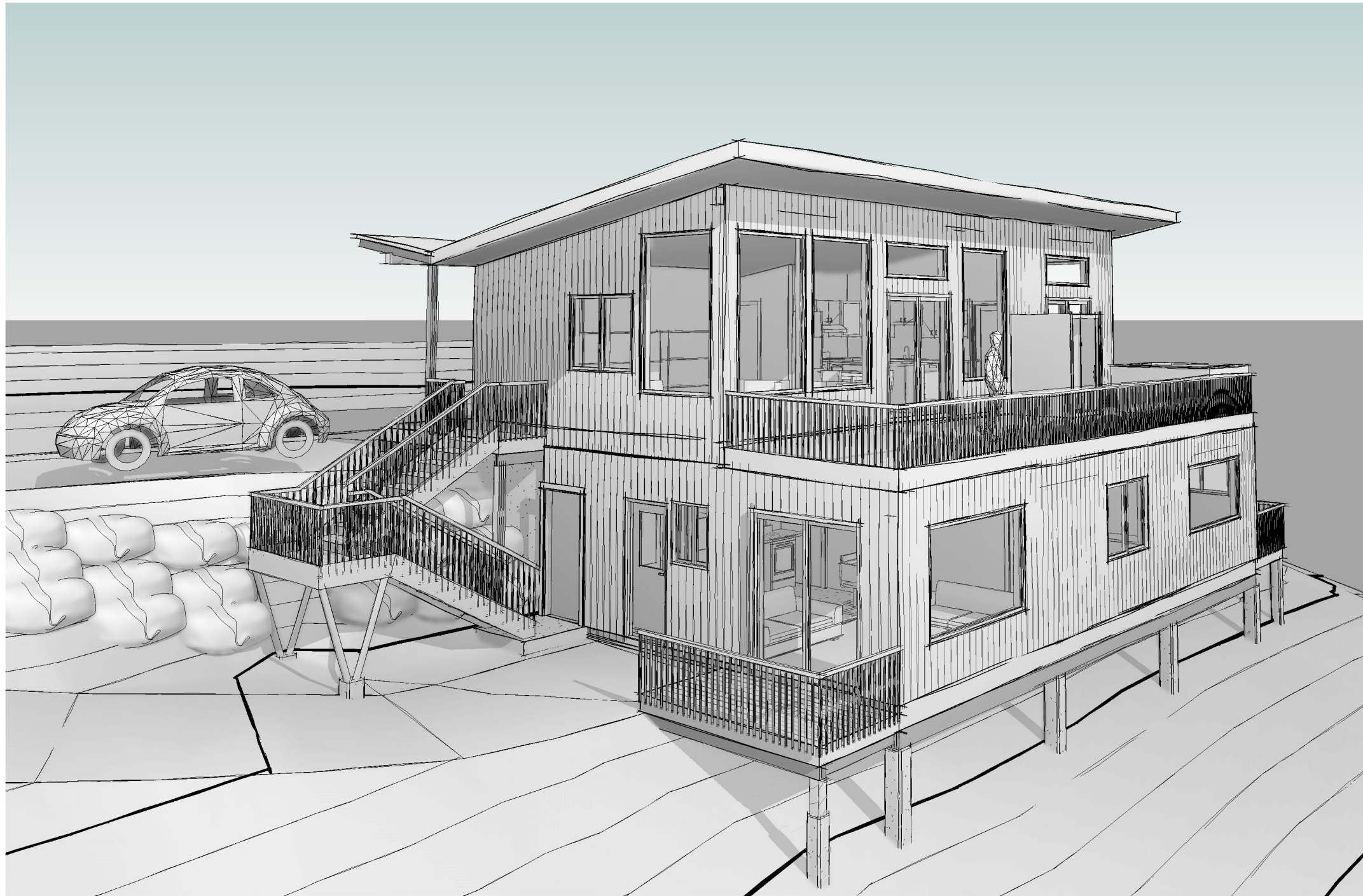
The proposed dwelling will be modest in size and height and we feel that building it close to the existing access road will have no detrimental effect on the neighbourhood.

Bylaw for which the Variance is requested:

Bylaw #1675 - Zoning Bylaw Area F

Sheet List			
Sheet #	Sheet Name	Drawn By	Checked By
A0.1	Cover Sheet	JT	KK
A1.1	Site Plan	JT	KK
A1.2	Site Details	JT	KK
A1.3	Foundation Plan	JT	KK
A1.4	Lower Level	JT	KK
A1.5	Main Floor	JT	KK
A2.1	North Elevation	JT	KK
A2.2	West Elevation	JT	KK
A2.3	South Elevation	JT	KK
A2.4	East Elevation	JT	KK
A3.1	Building Section	JT	KK
A4.1	Kitchen	KK	KK
A5.1	Schedules	JT	KK

Floor Area Schedule		
Type	Comments	Area
Exterior	Main Deck	400 SF
Exterior	Entry Deck	98 SF
Exterior	Suite Deck	51 SF
Exterior	Shop Deck	81 SF
Exterior: 4		630 SF
Interior	Main Floor	800 SF
Interior	Basement Slab	763 SF
Interior	Basement Floor	400 SF
Interior: 3		1963 SF
		2594 SF



① SW Perspective

Scotton Residence
3034 Miller Rd, Nelson, BC V1L 6Z8

General Notes

- Construction to comply with BCBC 2018 Part 9 and local zoning/building requirements.
- Contractor to verify dimensions and report discrepancies before starting construction.
- Exact building location to be determined by surveyor.
- Exact grading to be determined by contractor and surveyor.
- Structural engineer to be called for field reviews as needed.
- Glazed exterior doors to have double-paned safety glass.
- NRP hinges required for exterior out-swing doors.
- Door security to BCBC 2018 9.6.7; Window security to BCBC 2018 9.7.6
- Safety glass required for shower doors, enclosures, and deck glass partitions.
- Flash all exterior openings.
- Flash horizontal intersections of differing exterior wall finishes.
- 4" perimeter drain tile with minimum 6" drain rock and filter fabric, sloping as needed. Drain tile must be below concrete floor level.
- Ventilation to meet BCBC 2018 9.32.
- Smoke alarms to comply with CAN/ULC-S531, interconnected, on each floor's ceiling.
- Carbon monoxide alarms within 16 ft of bedrooms per BCBC 2018 9.32.4.2
- Two coats bitumen on below-grade concrete.
- Permeable weather barrier on framed exterior walls above grade.
- Exterior finish minimum 8" above grade.
- Insulation and condensation control to meet BCBC 2018 9.25 standards:
 - Attics: min R-50
 - Vaulted Roofs: min R-28
 - Foundation Walls: min R-16.9
 - Exterior Framed Walls: min R-24
 - Suspended Floors: min R-26.5
- Guards:
 - Interior guards min 36" high.
 - Exterior guards min 42" high if level change more than 5'11".
 - Exterior guards min 36" high if level change 2' to 5'11".
 - No horizontal members that would facilitate climbing between 4" and 36" in height.
 - Max 4" spacing between verticals.



② NE Perspective



TIMBER GROVE DESIGN

2524 Perrier Lane
Nelson, BC V1L 7C3

778-233-5995
timbergrove.ca

Scotton Residence
3034 Miller Rd, Nelson, BC V1L 6Z8

Cover Sheet

Issue Date 10-16-23

Drawn by JT

Checked by KK

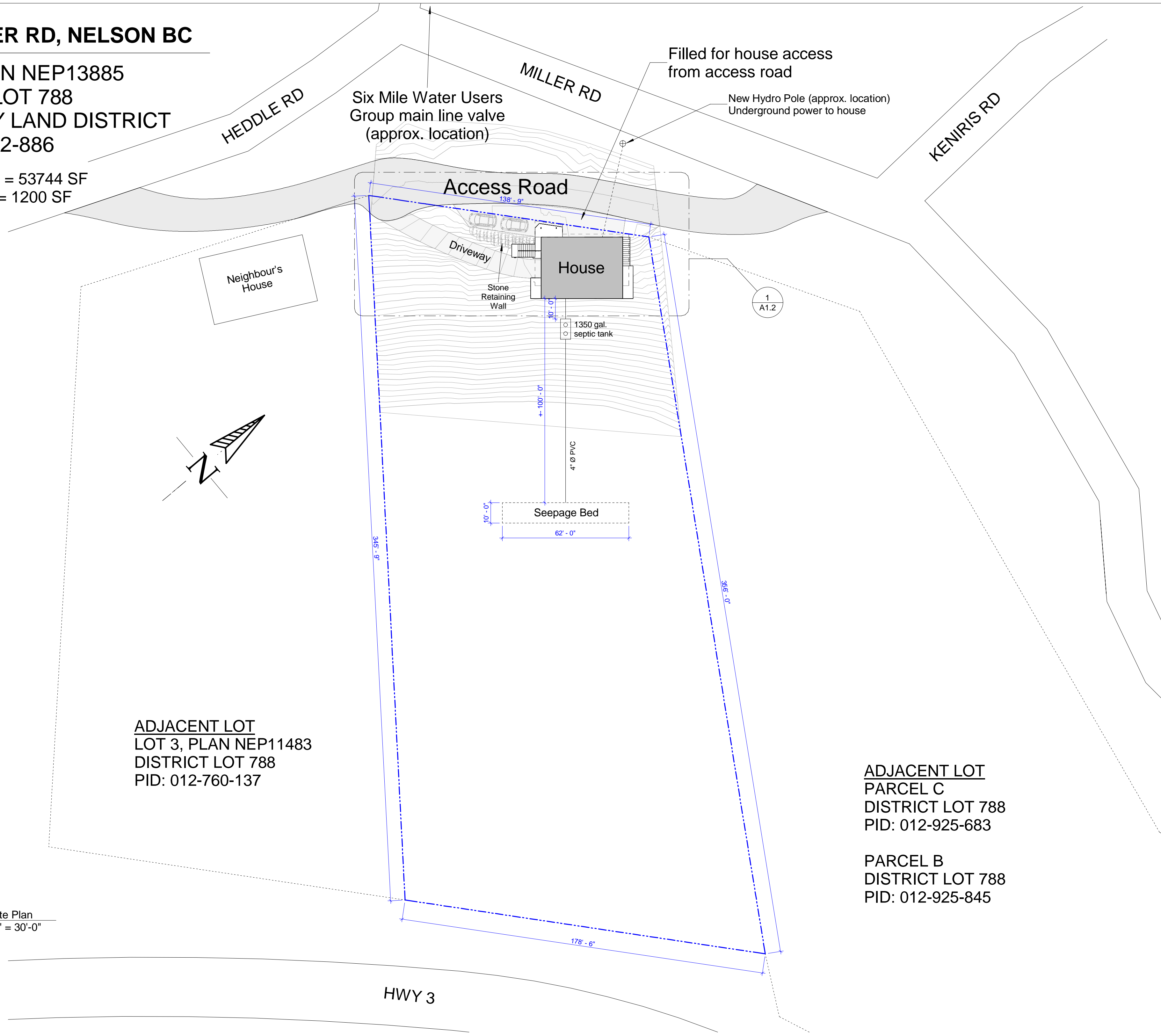
A0.1

Dwg.#

3034 MILLER RD, NELSON BC

LOT A, PLAN NEP13885
DISTRICT LOT 788
KOOTENAY LAND DISTRICT
PID: 010-472-886

PARCEL AREA = 53744 SF
HOUSE AREA = 1200 SF



ADJACENT LOT
LOT 3, PLAN NEP11483
DISTRICT LOT 788
PID: 012-760-137

ADJACENT LOT
PARCEL C
DISTRICT LOT 788
PID: 012-925-683

PARCEL B
DISTRICT LOT 788
PID: 012-925-845



TIMBER GROVE DESIGN

2524 Perrier Lane
Nelson, BC V1L 7C3
778-233-5995
timbergrove.ca

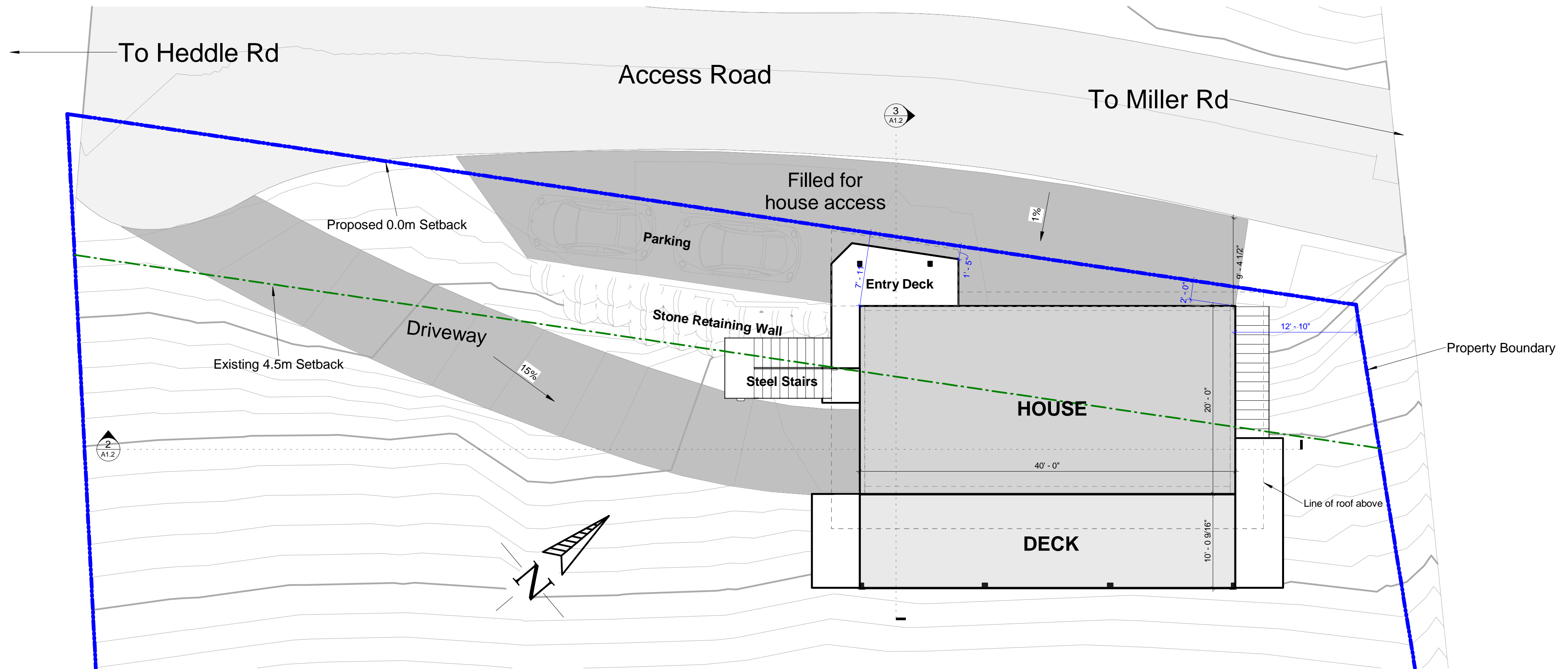
Scotton Residence
3034 Miller Rd, Nelson, BC V1L 6Z8

Site Plan

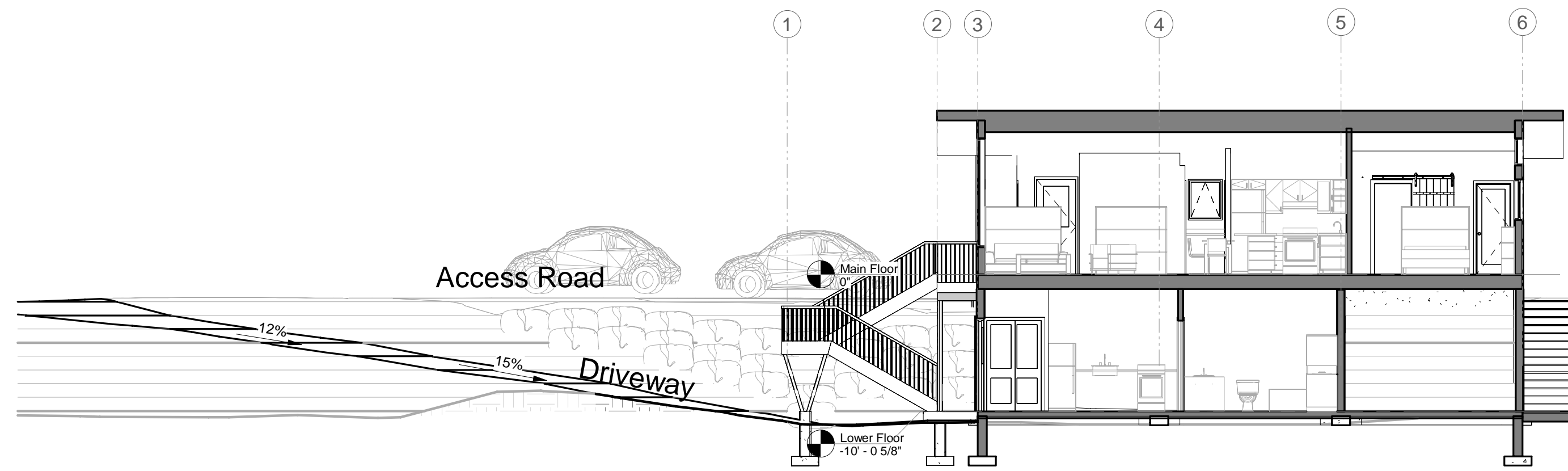
1 Site Plan
1" = 30'-0"

Issue Date 10-16-23
Drawn by JT Checked by KK

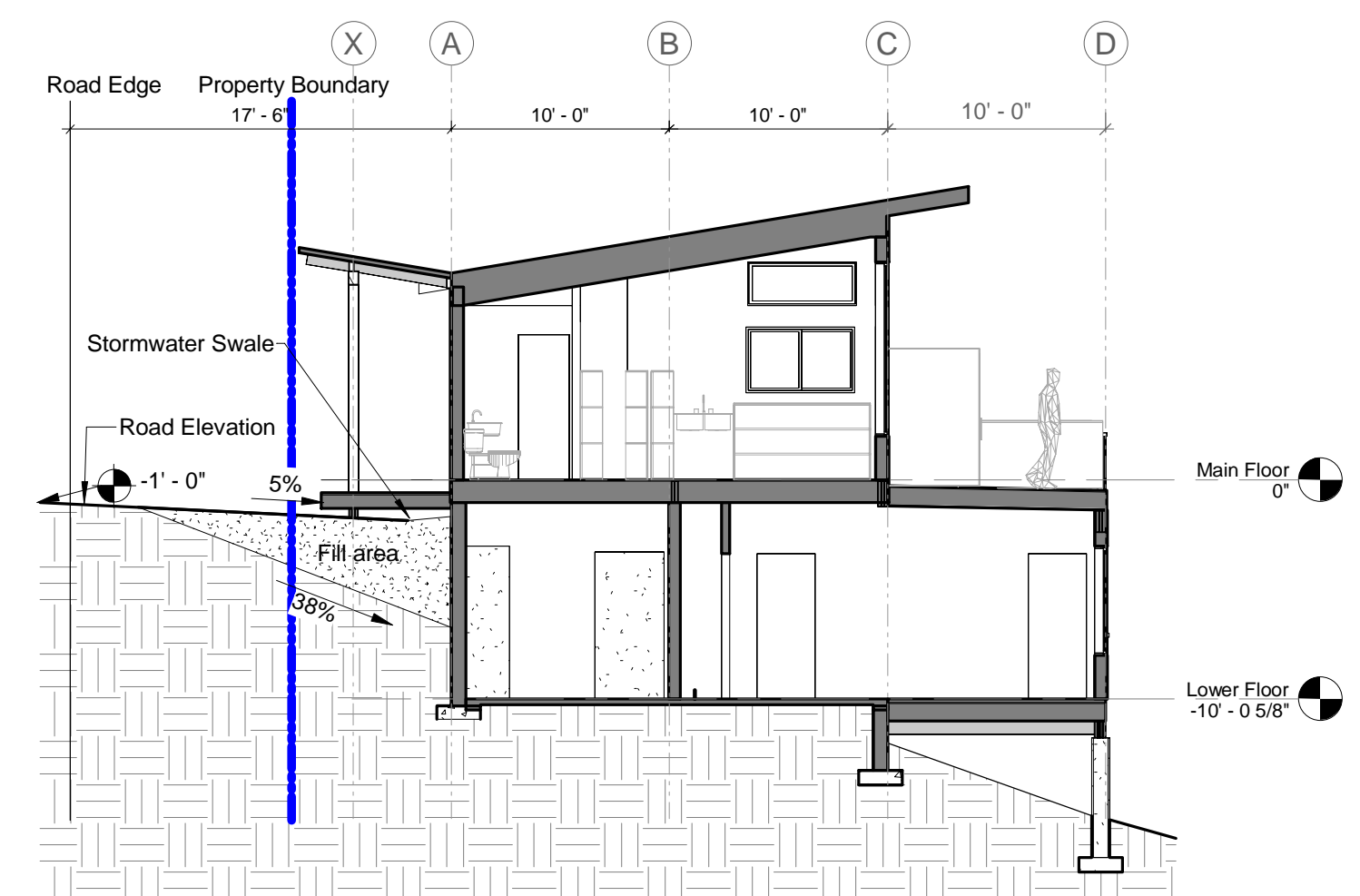
A1.1
Dwg.#




1 Site Details
1/8" = 1'-0"



2 Driveway Section
1/8" = 1'-0"



3 Site Section
1/8" = 1'-0"


TIMBER GROVE DESIGN
 778-233-5995
 timbergrove.ca
 2524 Perrier Lane
 Nelson, BC V1L 7C3

Scotton Residence
Site Details

Location	3034 Miller Rd, Nelson, BC V1L 6Z8	Issue Date	10/16/23	A1.2 Dwg.#
Issued For:	Review	Drawn by	JT	
Checked by	KK			

Setback Requirements

605

- 1 Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.
- 2 Despite Section 605(1), buildings and structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve boundary.
- 3 Unless otherwise stated no portable sawmill may be located within 100 metres from a property line.
- 4 Despite Section 605(1), on all lots having a residential zone and are less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres.

- 5 Despite Section 605(1), for all of Electoral Area F, unless otherwise stated in the zone, no principal or accessory building or structure except a fence may be located within 4.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.

Note: BC Building Code regulations may require greater setbacks than those identified in Section 605 and Section 606 of this bylaw.