



Development Variance Permit Application

Referral Form – RDCK File V2310J

Date: November 15, 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 16, 2023). If no response is received within that time, it will be assumed that your agency’s interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

25 Old Mill Road, Raspberry, BC, Electoral Area ‘J’
LOT 3 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN EPP71075 (PID: 030-632-447)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is a 1 hectare lot that is bordered by Robson Access Road, Old Mill Road, and adjacent Industrial properties to the west. The property is currently being used as a Trucking Depot and this application is associated with a Development Permit application (DP2310J) which has been submitted to authorize site improvements and the construction of an office building on the subject property.

This Development Variance Permit seeks to vary Section 611.13 of the RDCK *Zoning Bylaw No. 1675, 2004*. Section 611.13 requires that parking areas and maneuvering aisles in Industrial zones be surfaced with either asphalt or concrete pavement.

The applicants are requesting relief from the above regulation so that approximately 30% of the property (entrance, main traffic lane, fuel tank area, and exit) will be paved with asphalt. The approximate 70% remainder of the property that is used for vehicle and trailer parking areas are proposed to be surfaced with gravel with calcium chloride for dust control.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
1.0 hectare (2.47 acres)	N/A	Light Industrial (M1) in Zoning Bylaw No. 1675, 2004	Industrial (I) in Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

APPLICANTS:

Sutco Contracting Ltd.

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.

**ZACHARI GIACOMAZZO, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE

REGIONAL DISTRICT OF CENTRAL KOOTENAY
DIRECTORS FOR:

<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 checked="" type="checkbox"/> CITY OF CASTLEGAR <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input type="checkbox"/> KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS) <input type="checkbox"/> SCHOOL DISTRICT NO. <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input checked="" 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 type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input checked="" type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA J <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 <input type="checkbox"/> RDCK RESOURCE RECOVERY <input type="checkbox"/> RDCK REGIONAL PARKS INSERT COMMENTS ON REVERSE . . .
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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: V2310J APPLICANTS: SUTCO CONTRACTING LTD.

Name:

Date:

Agency:

Title:

RETURN TO: ZACHARI GIACOMAZZO, PLANNER
DEVELOPMENT AND COMMUNITY SUSTAINABILITY 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 Map



Esri Community Maps
 Contributors: Esri Canada,
 Esri, HERE, Garmin,
 SafeGraph,
 GeoTechnology, Inc.



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:

1:18,056

Date: October 26, 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







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Community Maps
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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre
-  Address Points

Map Scale:

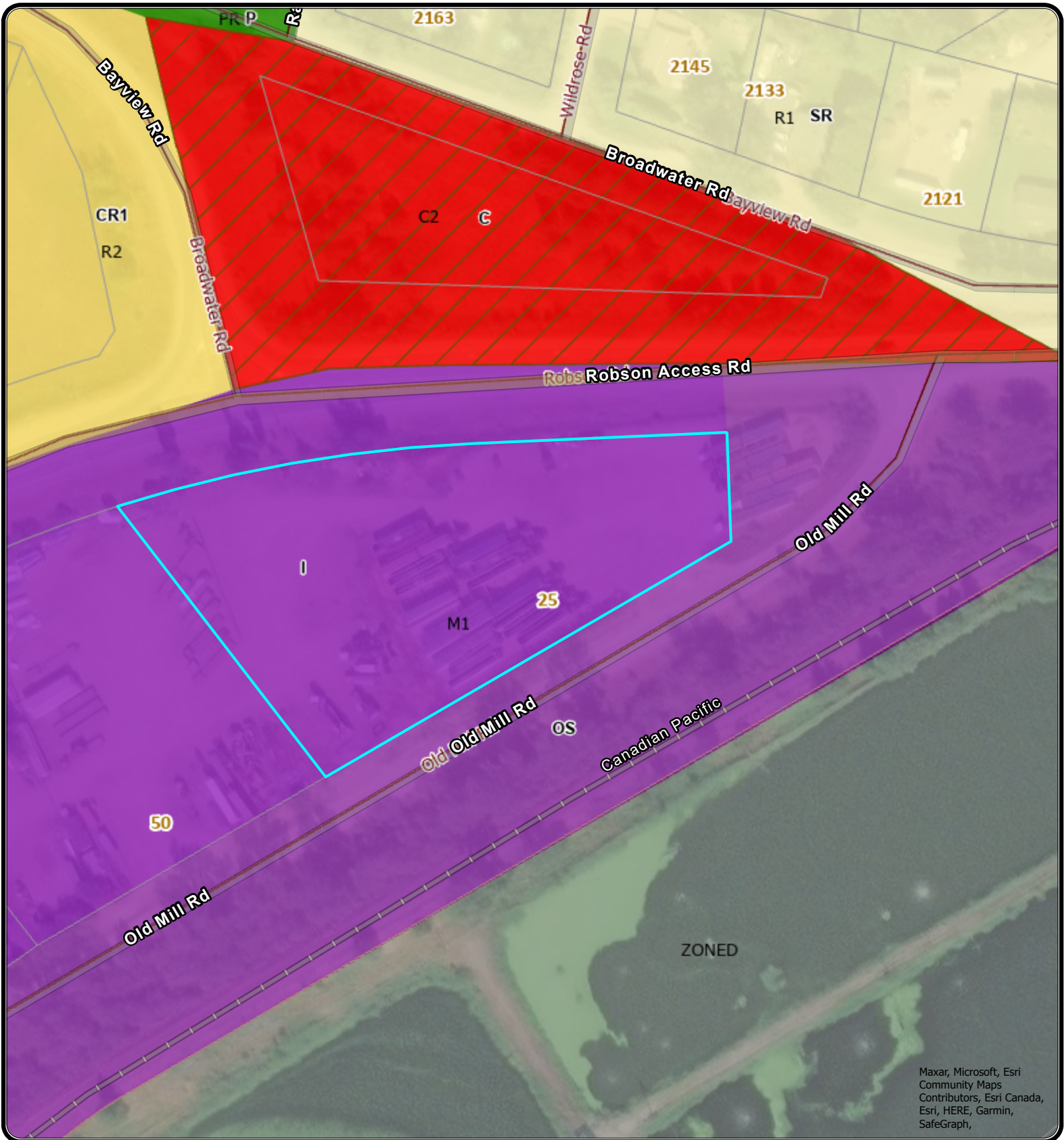
1:2,257

Date: October 26, 2023



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RDCK Map



Maxar, Microsoft, Esri
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Official Community Plan

- Commercial
- Country Residential
- Industrial
- Open Space
- Parks and Recreation
- Suburban Residential

Development Permit Areas

- Commercial, Industrial, Comprehensive
- Development, Gravel
- Extraction (Quarry) and High Density Residential

Zoning Class

- Commercial

- Industrial
- Parks and Recreation
- Residential 1
- Residential 2
- Zoned
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Map Scale:

1:2,257

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Proposal Summary, prepared by applicant.

Proposed site variance regarding Zoning Bylaw No. 1675 Section 611.13

Section 611.13 from Zoning Bylaw No. 1675

Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.

Sutco would like to apply for a variance regarding the requirement to pave the entire yard located to 25 Old Mill Road, Castlegar. We want to pave the main traffic area where the trucks access fuel storage, around the fuel tank and exit to Old Mill Road.

The proposed variance as follow:

Pave only the access to property, fuel tank surrounding and main service road going from one entrance to the other. (See drawing)

Rest of parking lot to be lined with 19mmCD material and treated with dust suppression product (calcium chloride)

Approximate area paved: 33,715 sqft

Approximate Gravel area: 75,185 sqft

Reason for variance:

Ministry of transportation require: [The property shall manage all drainage onsite,](#)

Lot at 25 Old mill Road is not served by a sewer system , paving the entire yard will create major issue with precipitation water and would put a major stress on surrounding ditch and culvert. Leaving a big part of the property on permeable soil will allow precipitation to percolate to the soil and mitigate the straight on the surrounding ditch and culvert.

The overall effect of this variance should be minimal since the access point to the property and main service road will be paved. Only the parking spot will be finished with permeable ground and vehicles only travel on these sections at low speed when parking units. The calcium chloride applied on these sections will limit the dust to a minimum.

Summary:

Sutco Contracting Ltd is requesting this variance on the development permit so we are able to process with the improvement of our yard. The improvement will benefit our team member and the surrounding property.



25 Old Mill Rd Raspberry
Legal- Lot 3 Plan EPP 71075 District Lot 237
PID- 030-632-447

Paved Section

ROBSON ACCESS RD
Gravel Section

Gravel Section
yard light

yard light

1.5m Grass Strip

1.5m Grass Strip

office trailer

power shed

Space Size:
5.8M x 2.6M

Curb Stop
1M from edge

OLD MILL RD

yard light

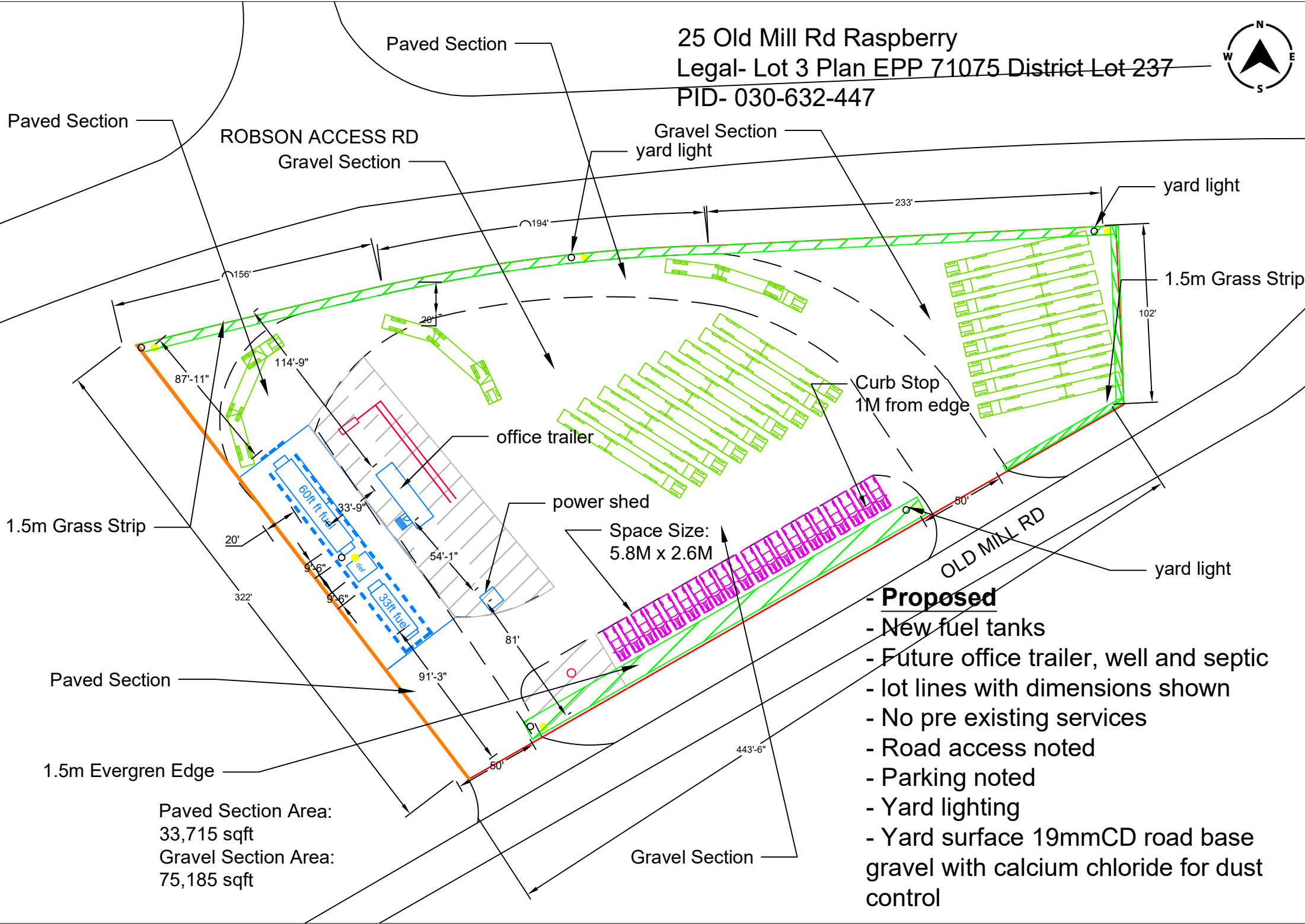
Paved Section

1.5m Evergren Edge

Paved Section Area:
33,715 sqft
Gravel Section Area:
75,185 sqft

Gravel Section

- **Proposed**
- New fuel tanks
- Future office trailer, well and septic
- lot lines with dimensions shown
- No pre existing services
- Road access noted
- Parking noted
- Yard lighting
- Yard surface 19mmCD road base gravel with calcium chloride for dust control



- d. unlimited in other zones.
- 2 Any shipping container used as an unattended utility building or structure is exempt from the provisions of Section 610A(1).
- 3 Any shipping container placed on a lot as an accessory building must comply with site coverage, siting, size and setback requirements for that zone.
- 4 Any shipping container used as an accessory building must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen or fencing of a height no less than 2.5 metres.

Recreational Vehicles

610B

- 1 A recreational vehicle may be parked or stored on a property to a maximum of two (2) vehicles.
- 2 A recreational vehicle may only be used as temporary living or sleeping quarters as per Accessory Tourist Accommodation, Temporary Guest Accommodation and Campground regulations, but can not be connected to services associated with the principal or an accessory dwelling.
- 3 Notwithstanding 610B(2) a recreational vehicle may be used to provide temporary accommodation on a property during construction of a principal or accessory dwelling on a lot, provided that:
 - a. a building permit has been issued for the principal or accessory dwelling and the dwelling is under construction; and
 - b. the occupancy of the recreational vehicle shall not continue beyond commencement of occupancy of the permanent dwelling.

Parking Space Requirements

- 611 Off-street parking spaces for each building and use shall be provided in accordance with the following:

Application of Regulations

The Ministry of Transportation and Infrastructure standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits.

Regional District standards will apply with respect to the location, design and construction of the parking spaces. Regional District standards with respect to the required number of spaces will also apply in any situations where the Ministry of Transportation and

Infrastructure standards are lower, or where the Ministry of Transportation and Infrastructure has no jurisdiction.

General Provisions

- 1 Space for the off-street parking and loading of motor vehicles in respect of a class of building or use under this bylaw must be provided and maintained in accordance with the provisions of this bylaw except where the buildings and structures are intended to be accessed exclusively by hiking, skiing, snowmobile, horseback, boat or aircraft.
- 2 The number of off-street parking and loading spaces for motor vehicles required for any use or class of building is calculated according to the table contained in this Section. In cases of mixed uses, the total requirements for off-street parking or off-street loading will be the sum of the requirements for the various uses calculated separately unless otherwise permitted. Required off-street parking spaces for one use will not be considered as required off-street parking spaces for any other use.
- 3 In reference to a building or use permitted under this bylaw which is not specifically referred to in the table below, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building or use that is listed.
- 4 Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.
- 5 Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5 m of length of such seating shall be deemed to be one seat.
- 6 Off-street parking and loading spaces must be located on the same parcel as the building or use they serve unless a suitably zoned site is located within 50 metres of the site.
- 7 Where some or all of the off-street parking is provided on a parcel other than that on which the use, building or structure being served is located, a covenant under Section 219 of the Land Title Act must be registered in the Land Title Office in favour of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.
- 8 Off-Street Parking Space Standards
- 9 Off-street parking spaces shall be a minimum of 17.0 square metres and shall have at all times convenient, vehicular access to a public thoroughfare.

- 10 Each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres and a height of not less than 2.2 metres.
- 11 Where a parking space abuts a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.
- 12 Access and manoeuvring aisles must not be less than 3.6 metres for one-way traffic and 6.6 metres for two-way traffic.
- 13 Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.
- 14 In all parking areas containing more than five (5) parking spaces, every off-street parking space must have curbs, or wheel stops, to prevent vehicles from overhanging parcel lines, landscaped areas or walking corridors.
- 15 All parking areas must contain adequate provisions so that vehicles may turn around on the parcel.
- 16 All parking areas shall be so designed that motor vehicles do not back out onto a public road.
- 17 The maximum slope for the required off-street parking in all Multi-Unit Residential, Commercial and Industrial zones to accommodate more than 3 spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.
- 18 Excepting recreational vehicles (maximum two) and farm vehicles, not more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg shall be permitted on a lot in a Residential or Agricultural zone at any time, except vehicles that are required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours.
- 19 Where off-street parking is required by this bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code and amendments thereto.
- 20 Where drive-through facilities are installed, there must be adequate magazine storage provided on the parcel to accommodate three (3) automobiles between the property line and the ordering station. Direct access to off-street parking spaces from the magazine storage is prohibited.