



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**  
**DEVELOPMENT PERMIT**  
**DP1608A (Canadian Forest Products)**

Date: April 13<sup>th</sup>, 2017

Issued pursuant to Section 490 and 491 of the *Local Government Act*

1. This Development Permit is issued to Canadian Forest Products Ltd. (Incorporation No. BC0623717) (Wynn Wood Operations) of 100-1700 West 75<sup>th</sup> Avenue, Vancouver, British Columbia as the registered owner (hereinafter called the "Permittee") and shall only apply to those lands within the Regional District of Central Kootenay, in the Province of British Columbia legally described as follows:
  - a. A portion of Lot A District Lot 191 Kootenay Land District Plan NEP6207 and District Lot 9552, 13566 (PID 014-154-960);
  - b. Lot C District Lot 191 Kootenay Land District Plan NEP2249 (PID 015-463-931);
  - c. Lot B District Lot 191 Kootenay Land District Plan NEP2249 (PID 015-463-681);
  - d. Lot A District Lot 191 Kootenay Land District Plan NEP2249 (PID 012-238-881);
  - e. Block 149 District Lot 9551 Kootenay Land District Parcel A (SEE 1585371) (PID 013-078-020);
  - f. Block 149 District Lot 9551 Kootenay Land District Exc. Parcel A (SEE 1585371) (PID 016-456-891);
  - g. Lot A District Lot 191 Kootenay Land District Plan NEP80931 (PID 026-664-089);  
and
  - h. Lot 1 District Lot 191 Kootenay Land District Plan NEP80324 and District Lot 9551 (PID 026-581-353)

as shown on the attached Schedules 1 and 2, forming part of this Permit, referred to hereafter as the "said lands".

2. This Development Permit is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay applicable thereto, except as specifically varied or supplemented by this Permit.
3. This Development Permit shall not have the effect of varying the use or density of land as specified in the applicable Zoning Bylaw of the Regional District of Central Kootenay, nor a Floodplain Specification under Section 524 of the Local Government Act.
4. The said lands have been designated 'Medium Industrial' and are located within a Development Permit Area pursuant to the Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315 as amended.
5. The Permittee has applied to the Regional District of Central Kootenay to expand saw mill operations through the establishment of a log sort and storage area in accordance

with the 'Site Plan' being 'Schedule 2' and 'Schedule 3' attached to and forming part of this Development Permit and to use land and buildings situated on the said lands for this purpose. Pursuant to this Development Permit and subject to the terms and conditions herein contained, as well as all other applicable Regional District Bylaws, the Regional District of Central Kootenay hereby authorizes the use of the said lands for the purposes of wood product manufacturing.

6. The Permittee is required to obtain approval in writing from the Regional District of Central Kootenay prior to the construction any new buildings, external additions to existing buildings or for any deviation from the development authorized under Section 6.0 of this Development Permit. Furthermore, the Permittee is hereby advised of the following requirements:
  - 6.1 The Regional District of Central Kootenay Building Department requires that the Permittee obtain a demolition permit and/or building permit prior to the removal of any existing buildings and structures, the renovation, expansion or alteration of any existing building and the construction of any new building.
  - 6.2 Unless otherwise stated all buildings and structures shall comply with the site coverage, height of building and building setback requirements of the Medium Industrial (M2) zone of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315 as amended.
  - 6.3 So as to form a continuous landscape buffer; the Permittee shall be required to maintain landscape plantings along the northern property boundary of Lot 1 District Lot 191 Kootenay Land District Plan NEP80324 and District Lot 9551 (PID 026-581-353) and the portion of Lot A District Lot 191 Kootenay Land District Plan NEP80931 (PID 026-664-089) adjacent to those properties zoned Country Residential (R2) along the southeastern boundary.
  - 6.4 In addition to the above, the Permittee will be required to install new landscape planting consisting of trees and/or shrubs and/or installation of a landscaped berm to supplement the existing landscaping along the entire eastern boundary of Lot A District Lot 191 Kootenay Land District Plan NEP6207 and District Lot 9552, 13566 (PID 014-154-960) adjacent to properties designated Country Residential (R2) to the east. Trees and shrubs associated with the supplemental landscape planting shall be a minimum of 1.5 metres (5 feet) at the time of planting and spaced no more than 1.5 metres (5 feet) apart.
  - 6.5 All supplemental landscape planting and the proposed berm associated with Phase One of the project shall be installed and inspected by Regional District of Central Kootenay staff prior to **April 13<sup>th</sup>, 2018**.
  - 6.6 All supplemental landscape planting and the proposed berm associated with Phase Two of the project shall be installed and inspected by Regional District of Central Kootenay staff prior to **April 13<sup>th</sup>, 2020**.
  - 6.7 To ensure the safety of the public; log storage areas adjacent to public roads shall be limited to six (6) metres in height.
  - 6.8 In order to minimize potential conflict with adjacent land uses; prior to further expansion of sawmill operations beyond that authorized by the RDCK and as

attached as 'Schedule 2' and 'Schedule 3' shall require a comprehensive landscape plan for the entire perimeter of the sawmill operation.

- 6.9 With respect to illumination of work areas; such lighting shall be designed and installed as to reduce light glare off-site to the extent possible while still meeting the safety requirements of employees.
  - 6.10 With respect to dust control, the Permittee is encouraged to continue with watering and the use of calcium chloride on un-paved surfaces and work areas.
  - 6.11 The Permittee will continue to work toward the closure of Winlaw Road and the re-routing of industrial traffic in a manner as to reduce the impact of such traffic on adjacent property owners; including but not limited to installation of a cul-de-sac and landscaping at the entrance to Mill Road and re-routing of industrial traffic from Wigen Road.
  - 6.12 The Permittee will develop and submit a Site Drainage Plan for industrial operations to ensure proper drainage from on-site does not cause undue impact to adjacent properties by **April 13th, 2018**.
  - 6.13 A building permit shall be required prior to any construction involving land in this location at which time the Permittee shall be required to address sewage disposal issues to the satisfaction of the Interior Health Authority and Regional District of Central Kootenay Senior Building Official.
7. As a condition of the issuance of this Permit, the Regional District shall hold an irrevocable Letter of Credit submitted by the Permittee in the amount of \$40,000 for the purposes of Phase One of the project (*this amount will be retained to address requirements under Phase Two of the project*) to ensure the landscaping requirements as set forth in Section 6 are completed and in accordance with the following provisions:
- 7.1 A condition of the posting of the Letter of Credit is that should the Permittee fail to carry out the works and services as herein above stated, according to terms and conditions of this permit within the time provided, the Regional District may use the Letter of Credit to complete these works or services by servants, agents or contractors, and any surplus shall be paid over to the Permittee. If the amount of funds is insufficient to cover the actual cost of completing the works, then the Permittee shall pay such deficiency to the Regional District immediately upon receipt of the Regional District's bill for same.
  - 7.2 The Permittee shall complete Phase One of the landscaping works required by this Permit prior to April 13th, 2018. Within this time period the required landscaping must be inspected and approved by the Regional District. Subsequent inspections may be required to ensure landscaping requirements are in compliance with the issuance of this Development Permit.
  - 7.3 If the landscaping is not approved within this time period, the Regional District has the option of continuing to renew the Letter of Credit until the required landscaping is completed or has the option of drawing from the Letter of Credit to complete the required landscaping. In this event, the Regional District or its

agents have the irrevocable right to enter into the property to undertake the required landscaping for which the Letter of Credit was submitted.

- 7.4 If the landscaping is approved within this time period without the Regional District having to draw the on the Letter of Credit, 90% of the original amount of the Letter of Credit shall be returned to the Permittee.
- 7.5 A hold back of 10% of the original amount of the Letter of Credit shall be retained until a final inspection is undertaken following completion of Phase Two of the proposed development. If the landscaping receives approval at final inspection, the 10% hold back will be returned to the Permittee. If after the final inspection, approval of the landscaping is not given, the Regional District has the option of continuing to renew the Letter of Credit until the required landscaping is approved or has the option of drawing on the Letter of Credit the funds to complete the required landscaping. In this event, the Regional District or its agents have the irrevocable right to enter onto the property to undertake the required landscaping for which the Letter of Credit was submitted.
8. The said lands shall be developed strictly in accordance with the terms and conditions of this Development Permit and the requirements of all applicable Regional District Bylaws as well as any plans and specifications which may, from time to time, be attached to this Permit shall form a part thereof.
9. In accordance with the Local Government Act, if the development authorized by this Development Permit is not commenced within two years of the date of this Permit, this Permit shall lapse.
10. In accordance with the Local Government Act, 'Notice' shall be filed in the Land Title Office that the said lands are subject to this Development Permit.
11. The terms of this Development Permit including subsequent amendments, are binding on all persons who acquire an interest in the said lands associated with this Permit.
12. It is understood and agreed that the Regional District has made no representations, covenants, warranties, guarantees, promises, or agreement (verbal or otherwise) with the Permittee other than those in this Development Permit. It is solely the responsibility of the Permittee to ensure that the requirements of all other applicable government agencies are satisfied.
13. This Development Permit does not constitute a building permit.
14. This Development Permit shall come into force and effect 14 days after the date of issuance unless a Waiver of Appeal is received from the Permittee at which time the Development Permit shall be deemed to be issued upon receipt of the Waiver of Appeal. OR If a Notice of Appeal is received the Development Permit shall be suspended until such time as the Board of the Regional District of Central Kootenay has decided the Appeal.



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Sangita Sudan, General Manager of Development Services

*April 13, 2017*

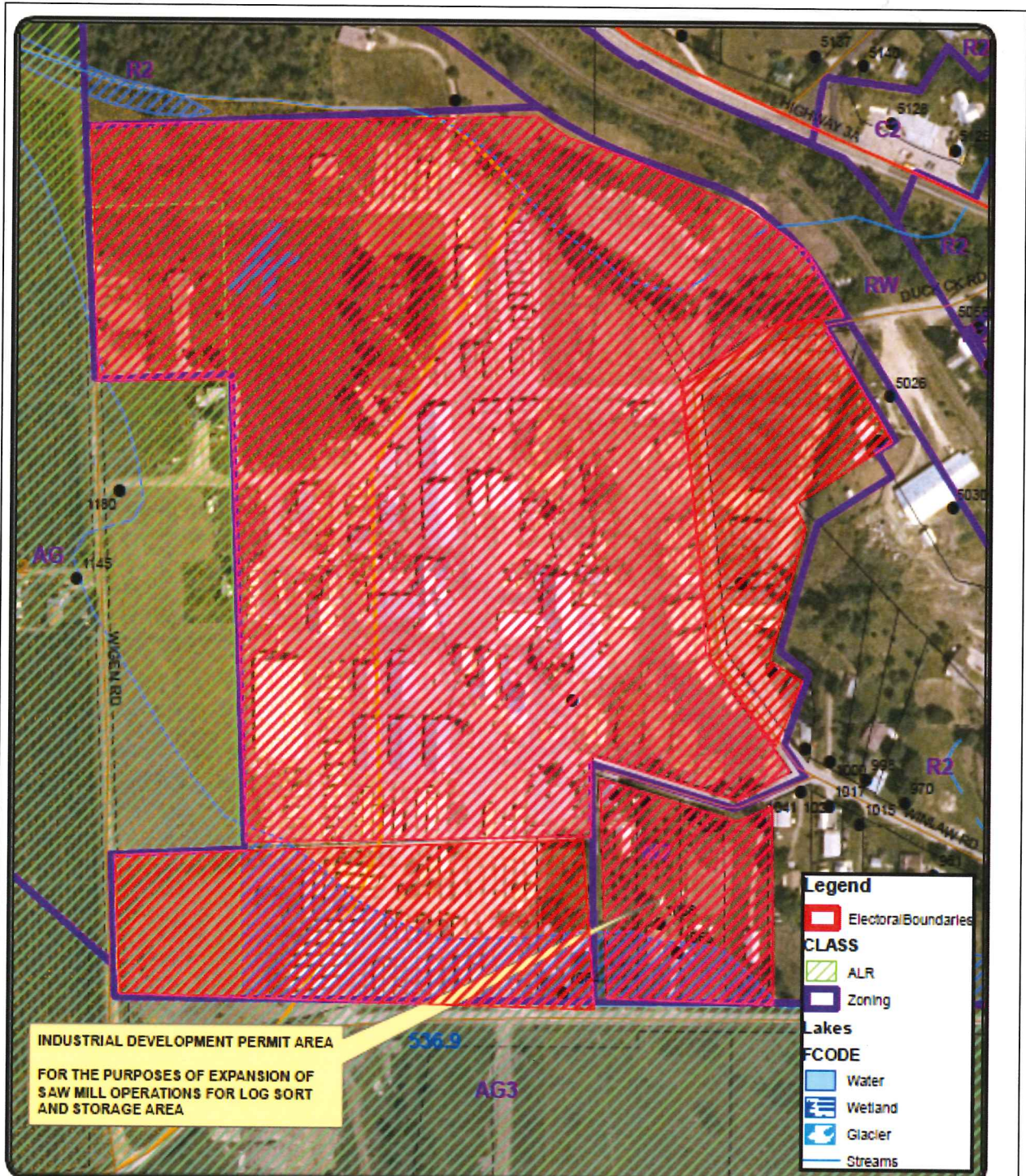
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Date of Approval (*prior to waiver period*)

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Date of Issuance

Schedule 1: Subject Property



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

**DEVELOPMENT PERMIT FILE Z1606A  
 CANADIAN FOREST PRODUCTS**

**993 DUCK LAKE ROAD  
 1071 MILL ROAD  
 1066 DUCK LAKE ROAD  
 1055 MILL ROAD  
 1140 WINLAW ROAD**

**Map Scale**

Map Projection: UTM Zone 11 Map Datum: NAD83  
 Date Plotted: December-15-16

**Data Sources**

The following sources of data are updated as changes occur:  
 Electoral List: Surveyed Subdivisions of Land  
 Boundaries: Crown Land Registry Services and RDCCK  
 District List: Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCCK  
 TRIM Data: Primarily Unimproved Roads, Contours, Source: Ministry of Water, Land & Air Protection, A.R., Agricultural Land Reserve, Source: BC Land Reserve Commission  
 Zoning: Rural Land Use, Land Use, Zoning Bylaws, where bylaws are in place, Source: RDCCK  
 Roads: Road centerline compiled 2009, Source: RDCCK

Schedule 2: Site Plan



16-133-160829SK

Schedule 3: Development Plan

