



Development Permit

DP2310J (Sutco Contracting Ltd.)

Date: March 21, 2024

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

1. This Development Permit is issued to 0889922 B.C. LTD., INC.NO. BC0889922 of Castlegar, BC 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 LOT 3 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN EPP71075 (PID 030-632-447) as shown on the attached Schedules 1, 2, 3 and 4, 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 'Industrial (I)' and are located within a Development Permit Area pursuant to the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996* as amended.
5. The Permittee has applied to the Regional District of Central Kootenay to construct a mobile office building, two above-ground fuel storage tanks, a DEF tank, a utility building, yard surfacing and landscaping and to use land and buildings situated on the said lands for this purpose of a Trucking Depot. 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 this purpose.
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 5 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, building height and building setback requirements of the 'Light Industrial' (M1) zone of the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 as amended.
 - 6.3 In accordance with Resolution 33/24 of the Board of Directors of the RDCK as carried on January 18, 2024, the permittee is granted variances from the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 to the extent specified in Section 6.3.1 below:

- 6.3.1 Section 6.11.13 of Zoning Bylaw No. 1675, 2004 is varied to allow approximately 30% of required parking and associated maneuvering aisles to be surfaced whereas the bylaw requires that all parking and maneuvering aisles be surfaced with either asphalt or concrete pavement.

Subject to:

- A. The main vehicle route through the property as shown in the site plan provided by the applicant as "Paved Section" and constituting an area of 3,132 m² is surfaced and maintained with asphalt paving;
- B. Measures to control and mitigate dust are implemented as per the Dust Control Plan that has been prepared by the applicant (See Schedule 3 of Development Variance Permit V2310J)

- 6.4 So as to form a continuous landscape buffer, the Permittee shall be required to install new landscape planting consisting of trees, shrubs or fencing to supplement the existing landscaping along the northern, eastern and southern property lines and in accordance with "Schedule 3: Sheet A-1, Planting Plan prepared by Flora + Fern Design, dated October 10, 2023".
- 6.5 Trees and shrubs associated with this Landscape/Planting Plan (Schedule 3) shall be planted in accordance with the applicable regulations in Sections 620 and 621 of Zoning Bylaw No. 1675.
- 6.6 All landscape planting shall be installed and inspected by Regional District of Central Kootenay staff prior to March 19, 2026. Furthermore, subject to Section 7, the Permittee shall be required to provide a Letter of Credit in the amount of \$14,236.49 to allow the Regional District to complete the required landscape buffer if necessary.
- 6.7 All yard lighting shall be unobtrusive and in scale with the surroundings.
- 6.8 All employee and visitor parking spaces shall be designed in accordance with the requirements of Section 611 of Zoning Bylaw No. 1675, 2004 and are subject to the following:
- 6.8.1 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.
 - 6.8.2 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.
 - 6.8.3 A minimum of one (1) accessible parking space designed in accordance with the "2020 Building Accessibility Handbook" shall be provided.
- 6.9 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 \$14,236.49 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 landscaping as herein above stated, according to terms and conditions of this permit within

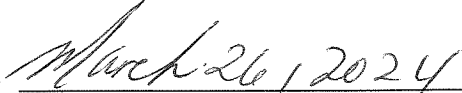
the time provided, the Regional District may use the Letter of Credit to complete the landscaping by servants, agents or contractors, and any surplus shall be paid over to the Permittee. If the amount of funds is insufficient to cover the actual cost of completing the works, then the Permittee shall pay such deficiency to the Regional District immediately upon receipt of the Regional District's bill for same.

- 7.2 The Permittee shall complete the landscaping works required by this Permit prior to March 19, 2026. Within this time period the required landscaping must be inspected and approved by the Regional District.
- 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 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 within 12 months of the date of the original inspection and approval was given to the landscaping. 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.



Sangita Sudan, General Manager of Development and Community Sustainability Services

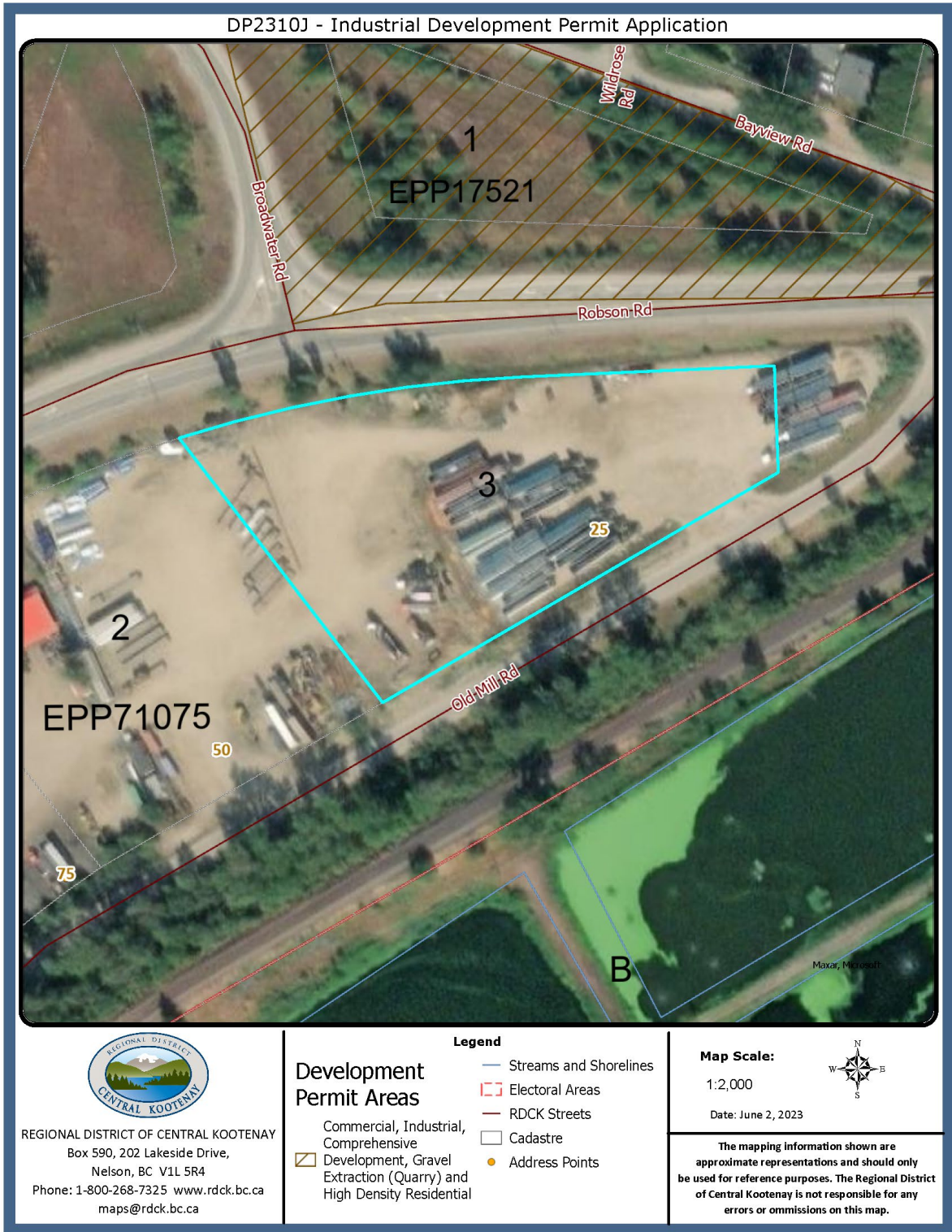


Date of Approval (date of review and approval)

APRIL 15, 2024

Date of Issuance (pending receipt of securities)

Schedule 1: Subject Property

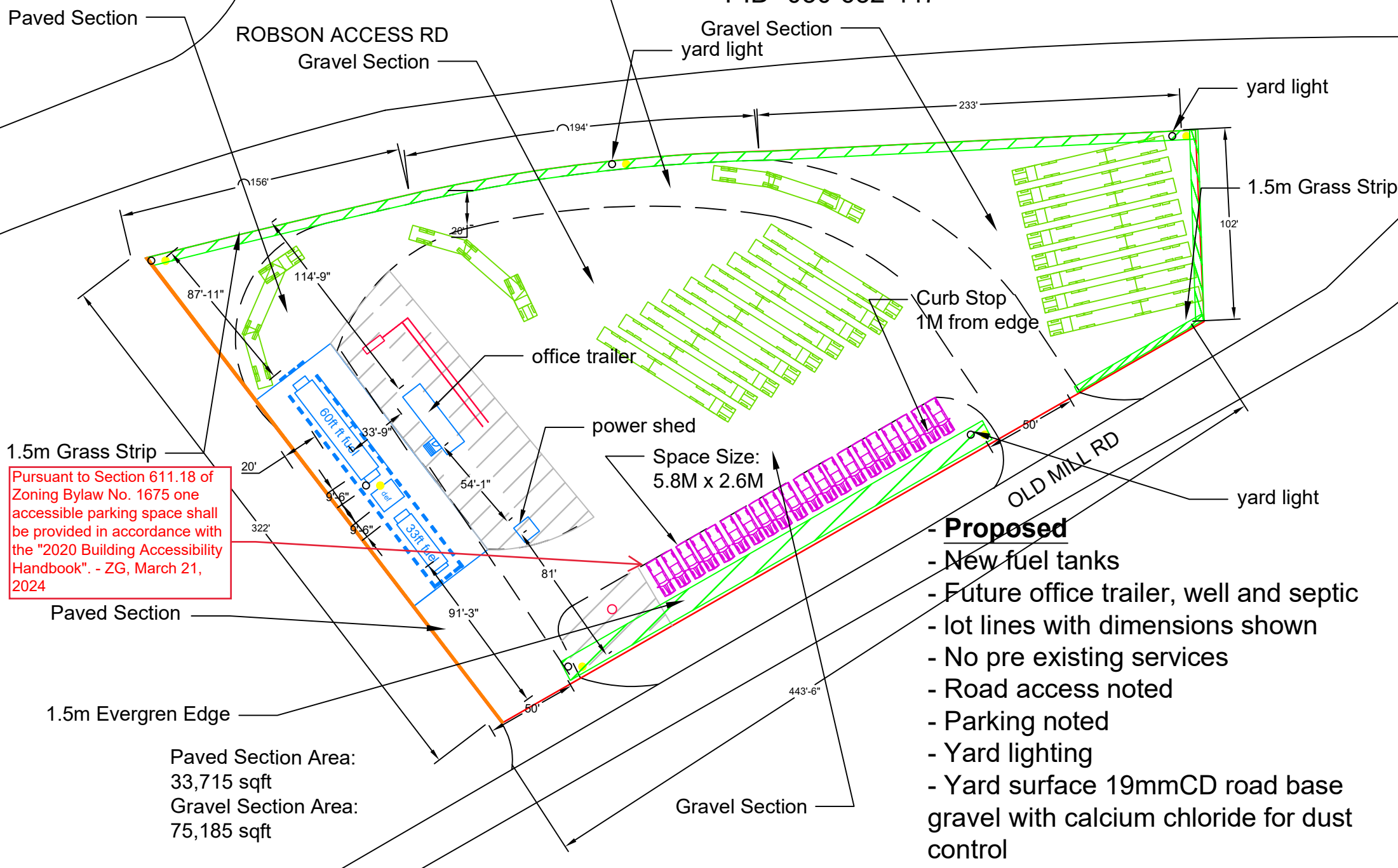


Schedule 2: Site Plan

(Full size drawing on following page)

Schedule 2: Site Plan

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



Pursuant to Section 611.18 of Zoning Bylaw No. 1675 one accessible parking space shall be provided in accordance with the "2020 Building Accessibility Handbook". - ZG, March 21, 2024

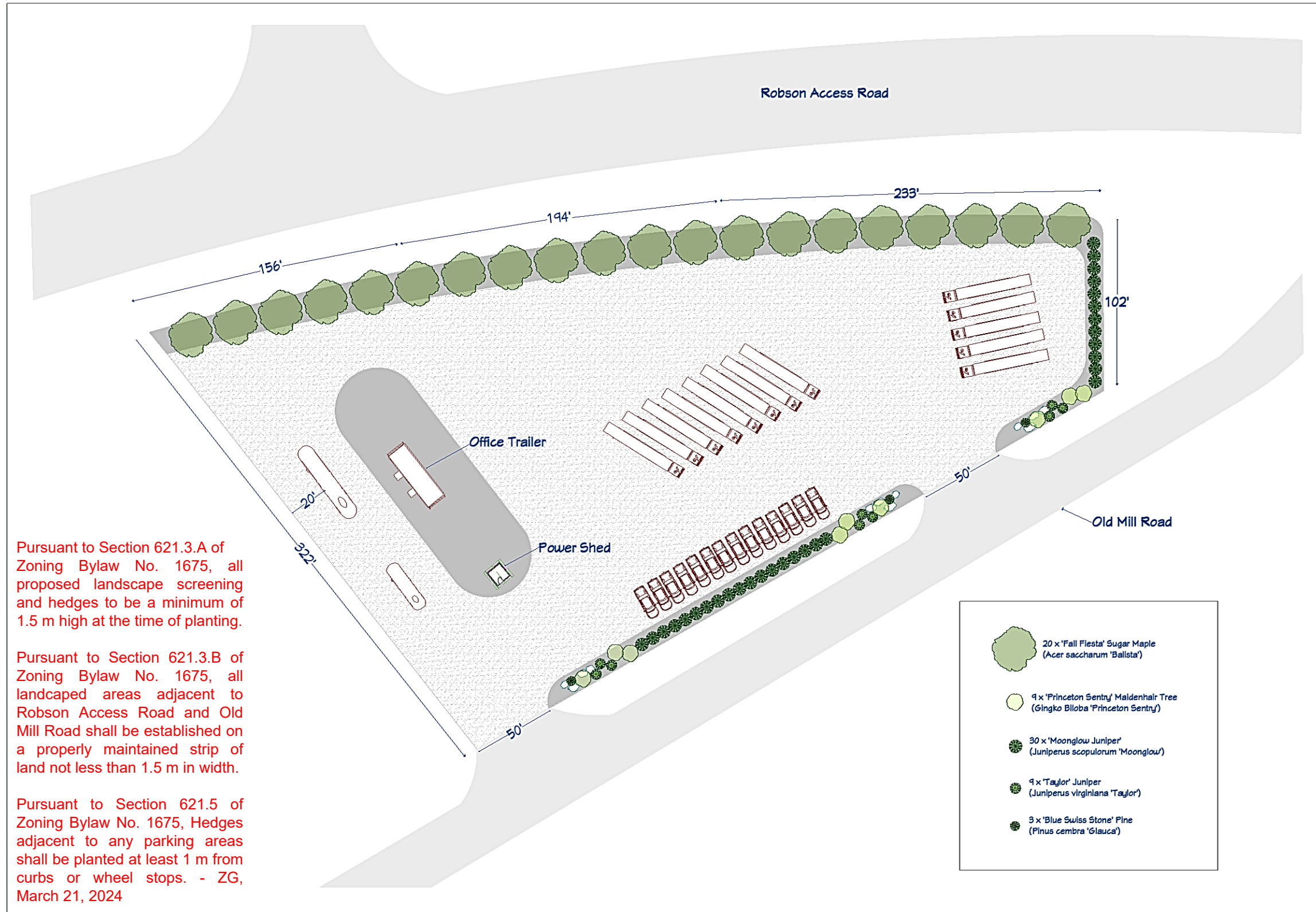
Paved Section Area:
 33,715 sqft
 Gravel Section Area:
 75,185 sqft

- **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

Schedule 3: Planting Plan

(Full size drawing on following page)

Schedule 3: Planting Plan



Pursuant to Section 621.3.A of Zoning Bylaw No. 1675, all proposed landscape screening and hedges to be a minimum of 1.5 m high at the time of planting.

Pursuant to Section 621.3.B of Zoning Bylaw No. 1675, all landscaped areas adjacent to Robson Access Road and Old Mill Road shall be established on a properly maintained strip of land not less than 1.5 m in width.

Pursuant to Section 621.5 of Zoning Bylaw No. 1675, Hedges adjacent to any parking areas shall be planted at least 1 m from curbs or wheel stops. - ZG, March 21, 2024

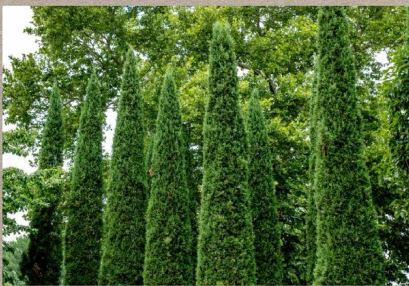
-  20 x 'Fall Fiesta' Sugar Maple (*Acer saccharum* 'Ballista')
-  9 x 'Princeton Sentry' Maidenhair Tree (*Ginkgo Biloba* 'Princeton Sentry')
-  30 x 'Moonglow Juniper' (*Juniperus scopulorum* 'Moonglow')
-  9 x 'Taylor' Juniper (*Juniperus virginiana* 'Taylor')
-  3 x 'Blue Swiss Stone' Pine (*Pinus cembra* 'Glauca')

| | | | | |
|--|--|-----------------------|----|------------|
| NO. | | DESCRIPTION | BY | DATE |
| | | REDLINE BY ROCK STAFF | ZG | 03/21/2024 |
| SHEET TITLE: Planting Plan | | | | |
| PROJECT DESCRIPTION: Sutco Yard | | | | |
| DRAWINGS PROVIDED BY: Flora + Fern Design | | | | |
| DATE: 10/10/2023 | | | | |
| SCALE: 1/4" = 10' | | | | |
| SHEET: A-1 | | | | |

Schedule 4: Landscape Details

SUTCO YARD LANDSCAPE DESIGN

Evergreens



'Taylor' Juniper
(*Juniperus virginiana* 'Taylor')



Blue Swiss Stone Pine
(*Pinus cembra* 'Glauca')



'Moonglow' Juniper
(*Juniperus scopulorum* 'Moonglow')

Trees



'Princeton Sentry' Maidenhair Tree
(*Ginkgo Biloba* 'Princeton Sentry')



'Fall Fiesta' Sugar Maple
(*Acer saccharum* 'Balista')