



Development Variance Permit Application

Referral Form – RDCK File V24191

Date: November 14, 2024

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 November December 16, 2024). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

1918 Makayev Road, Brilliant (Electoral Area 'I')
 LOT 7 BLOCK 1 DISTRICT LOT 9 KOOTENAY DISTRICT PLAN 2938 (PID: 015-118-894)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is 0.26 hectares (ha) and has an existing residence. The applicant is requesting two variances to facilitate the development of a two-storey accessory building.

This Development Variance Permit (DVP) seeks to vary Sections 701.7 and 701.8 of *RDCK Zoning Bylaw No. 1675, 2004* as follows:

- **Section 701.7** To permit an accessory building that is 6.2 metres in height (measured from average finished grade) whereas the bylaw states that the maximum height of any accessory building or structure shall not exceed 6 metres
- **Section 701.8** To permit an accessory building with a gross floor area of 171 square meters whereas the bylaw states that the maximum gross floor area of any accessory building or structure shall not exceed 100 square metres

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.26 ha (0.6 acres)	no	Suburban Residential (R1)	Suburban Residential (SR)

APPLICANT:

Rodney Kosiancic and Hilary Cole

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.

**ZACHARI GIACOMAZZO, 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	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 type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" 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 type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA I <input checked="" type="checkbox"/> RDCK FIRE SERVICES
---	--

<input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING	<input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES
<input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM	<input checked="" type="checkbox"/> RDCK BUILDING SERVICES
<input type="checkbox"/> KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS)	<input type="checkbox"/> RDCK UTILITY SERVICES
<input type="checkbox"/> SCHOOL DISTRICT NO.	<input type="checkbox"/> RDCK RESOURCE RECOVERY
<input checked="" type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT	<input type="checkbox"/> RDCK REGIONAL PARKS
<input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	INSERT COMMENTS ON REVERSE . . .
<input checked="" type="checkbox"/> ARCHAEOLOGY BRANCH	

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: V2419I APPLICANT: Rodney Kosiancic and Hilary Cole

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



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 - Property Lines

Map Scale:

1:18,056

Date: October 16, 2024



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



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 - Property Lines
- Address Points

Map Scale:

1:4,514

Date: October 16, 2024



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



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

Zoning Class

- Institutional
- Parks and Recreation
- Residential 1
- Residential 2

Legend

- Zoned
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:4,514

Date: October 16, 2024



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.

Proposal Summary for BP 28605
1918 Makayev Road
Castlegar BC

Oct 15/24

We would like to build a workshop adjacent to the north side of the existing house. The finished footprint will be 85.5square meters, less than the maximum allowable 100 square meters.

However, because of the elevation differences front to back on the property, a supporting foundation of equal size is structurally required. This will thus double the ground floor calculations according the the building code, exceeding the maximum allowable ground floor area.

As a result, we are required to apply for this Variance Permit according to the Zoning Bylaws for Brilliant: Bylaw section 701 (8).

Additionally we have collected 10 letters of support from all of our 10 surrounding neighbours. Please refer to the attached signed originals.

Thank you in advance for all your time, patience and kind assistance in preparing and processing this permit request.

Sincerely,

Handwritten signatures of Rod Kosiancic and Hilary Cole in black ink.

Rod Kosiancic and Hilary Cole

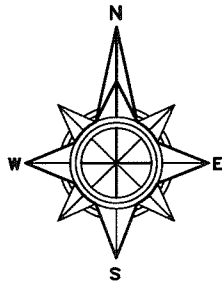
**B.C. LAND SURVEYOR'S
CERTIFICATE OF LOCATION OF:**

LEGEND



Distances are in metres Scale 1: 300

- Denotes standard iron post ●
- Denotes 1.2m Wood stake ×
- Denotes Spot elevation ○



Elevations are Geodetic, based on GNSS elevations derived from single point positioning using Precise Point Positioning (PPP) service of Natural Resources Canada (CSRS-PPP V 3.54.2) NAD 83 (CSRS)(2002.0)

ALL CRITICAL ELEVATIONS MUST BE CONFIRMED.

REGISTERED DOCUMENTS WHICH MAY AFFECT TITLE

RESERVATION	V18720
RIGHT OF WAY	48402D
RIGHT OF WAY	48403D
EASEMENT	52551D

This plan is for the exclusive use of **RODNEY KOSIANGIC AND HILARY COLE**

Any use which a third party makes of this document, or any reliance on or decisions to be made based on it, are the responsibility of such third parties.

This document is NOT TO BE USED FOR RE-ESTABLISHING BOUNDARIES, PROPERTY CORNERS, CONSTRUCTION PURPOSES, OR FOR LITIGATION.

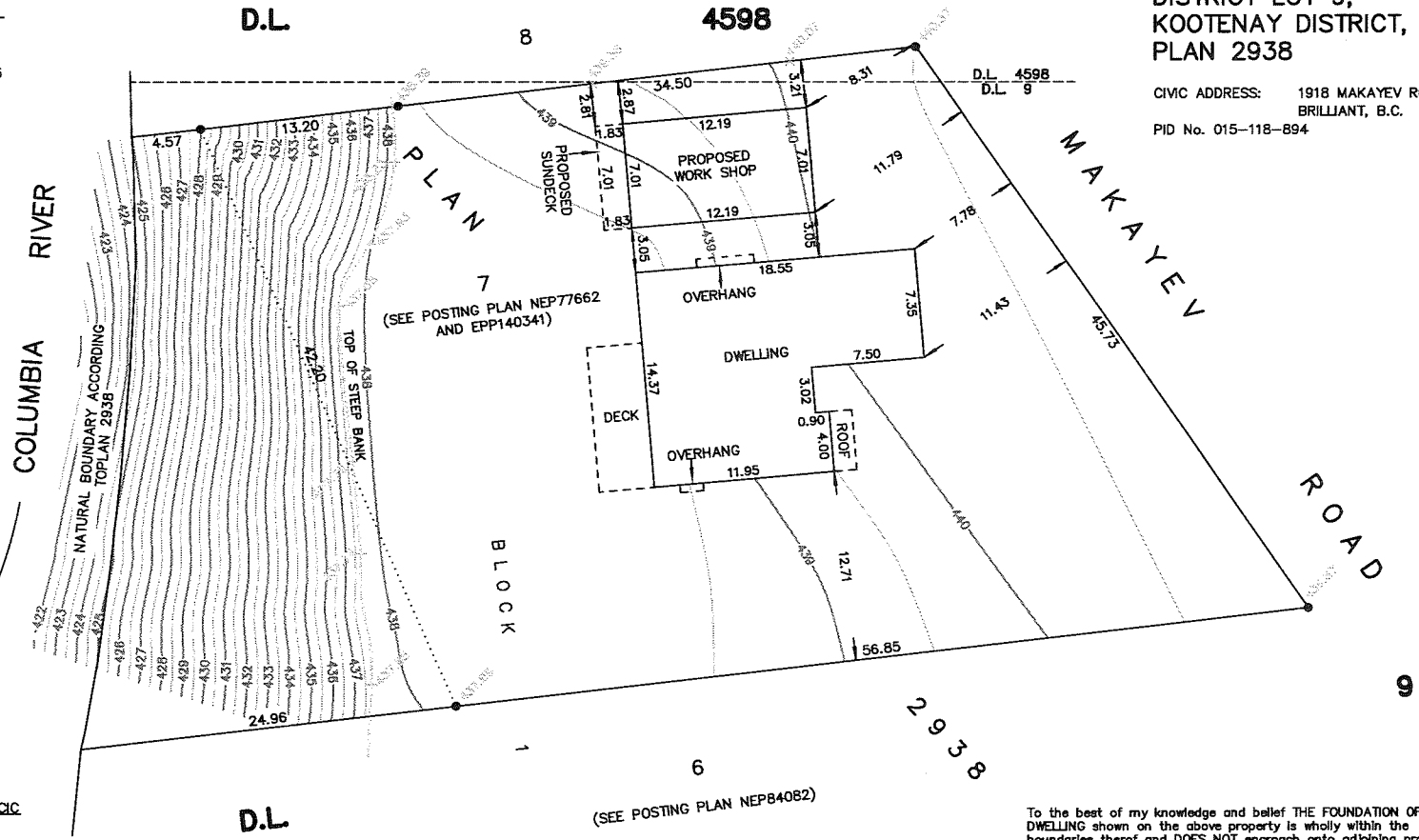
This document is NOT VALID UNLESS originally signed and sealed. Stamp colour is RED.

HinterLand Surveying
& Geomatics Inc.
CANADA & B.C. LAND SURVEYORS
1540 Second Ave., Trull, B.C.
Tel: 250-364-144

File 24-7034_CERT_PROPOSED FB 261 pg 85

**LOT 7, BLOCK 1,
DISTRICT LOT 9,
KOOTENAY DISTRICT,
PLAN 2938**

CIVIC ADDRESS: 1918 MAKAYEV ROAD
BRILLIANT, B.C.
PID No. 015-118-894



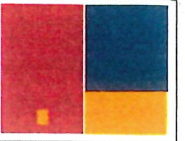
To the best of my knowledge and belief THE FOUNDATION OF THE DWELLING shown on the above property is wholly within the boundaries thereof and DOES NOT encroach onto adjoining property or road.

The information is based on a field survey and Land Title records. Unregistered interests have not been included or considered.

Dated at Trail this 28th day of AUGUST, 2024.

Milos J. Hinterberger, BCLS, CLS

© Copyright HinterLand Surveying - All Rights Reserved.
Reproduction, Alteration or Distribution prohibited without consent



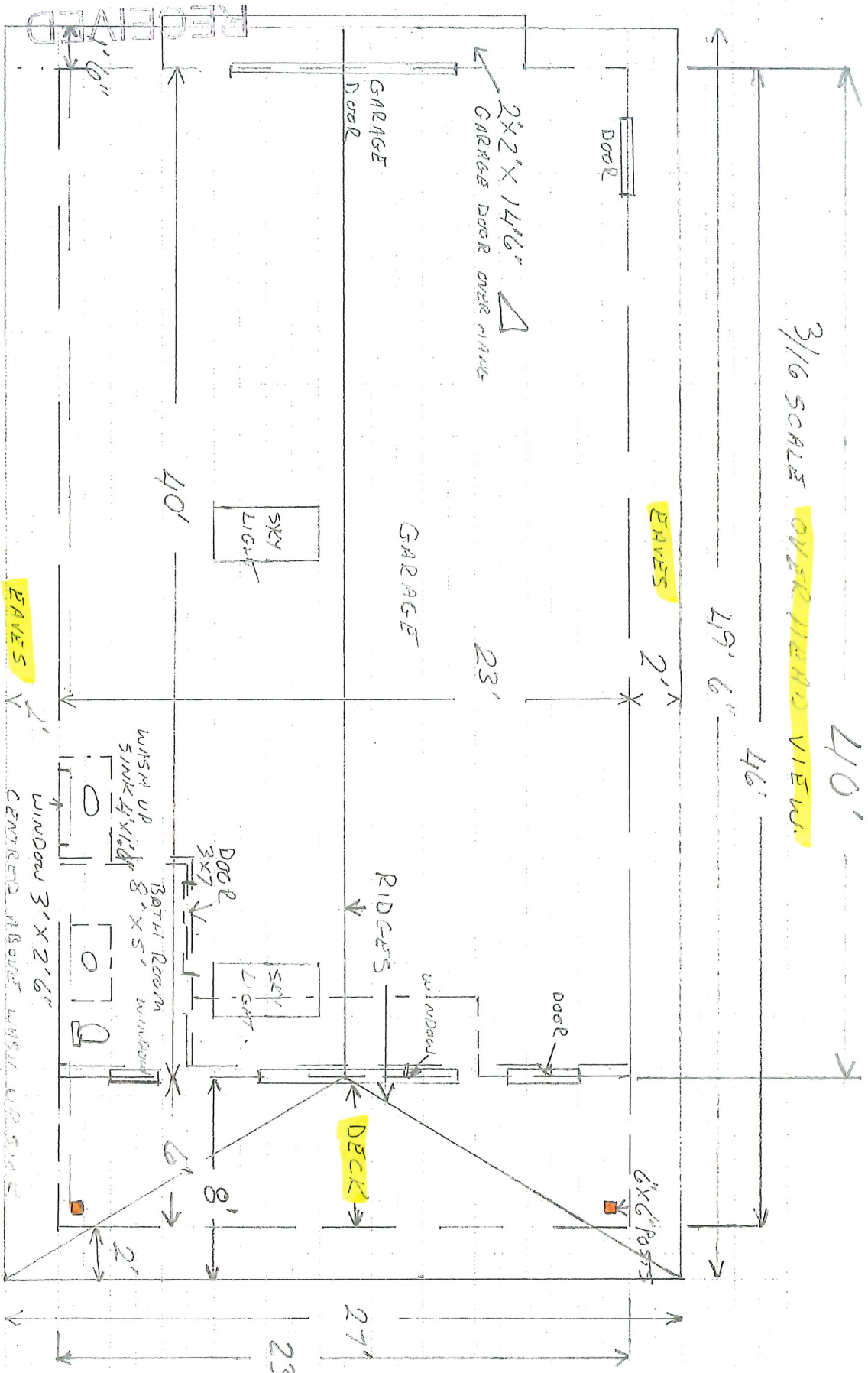
MEPPO - MODERN MEDICINE

For your medical communications

Villeneuve-Loubet - France - Tel: +.33.93 22 83 80 - Fax: +.33.93 22 83 88

REGIONAL DISTRICT OF
CENTRAL KOOTENAY
NELSON, B.C.

OCT 17 2024



RECEIVED

3/16 SCALE SOUTH EXPOSURE

EAST

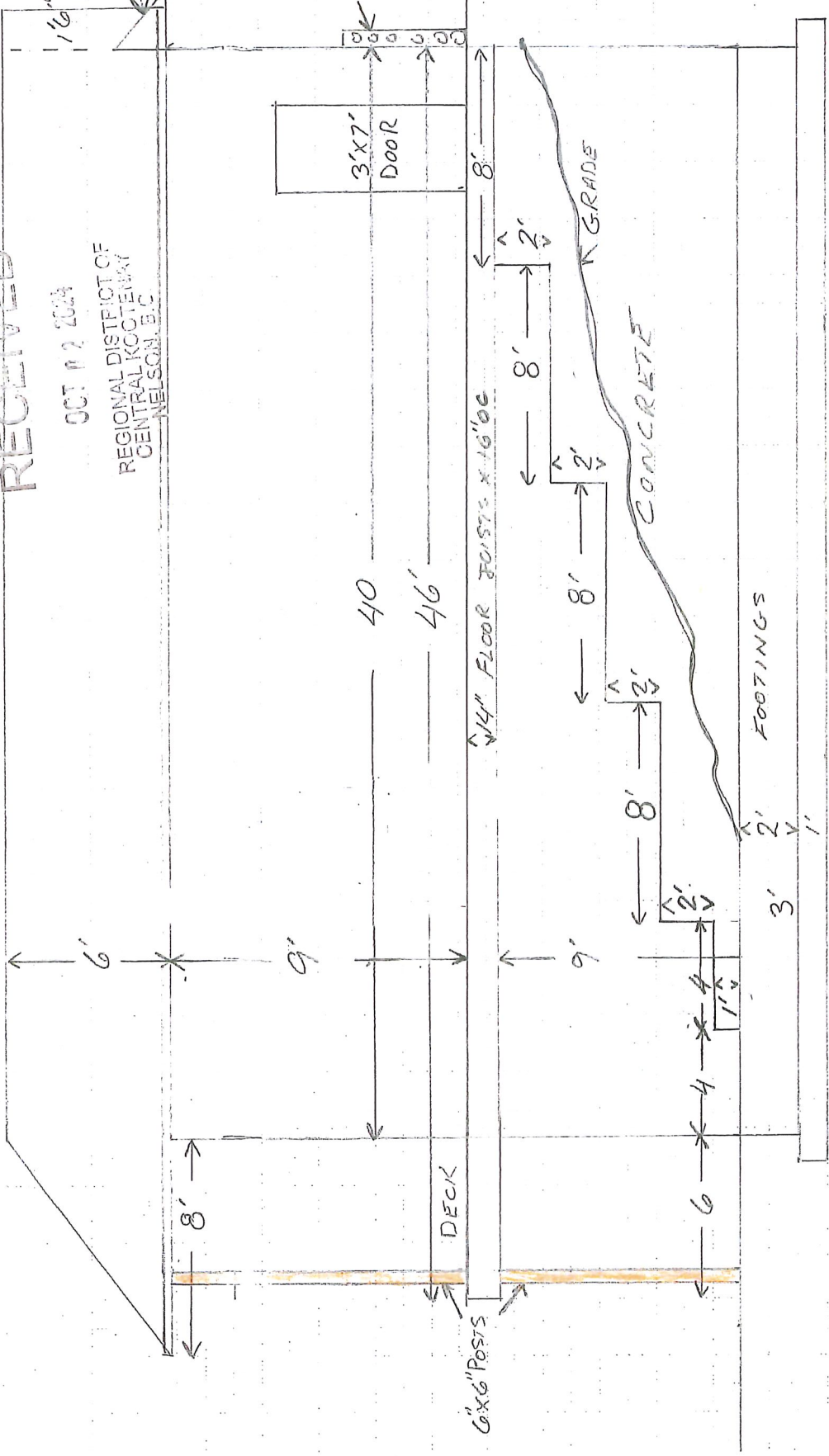
49'6"

WEST

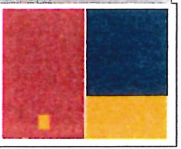
RECEIVED

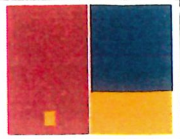
OCT 12 2024

REGIONAL DISTRICT OF
CENTRAL KOOTENAY
NELSON, B.C.



MEPPO - MODERN MEDICINE
 For your medical communications
 Villeneuve-Loubet - France - Tel: +.33.93.22.83.80 - Fax: +.33.93.22.83.88





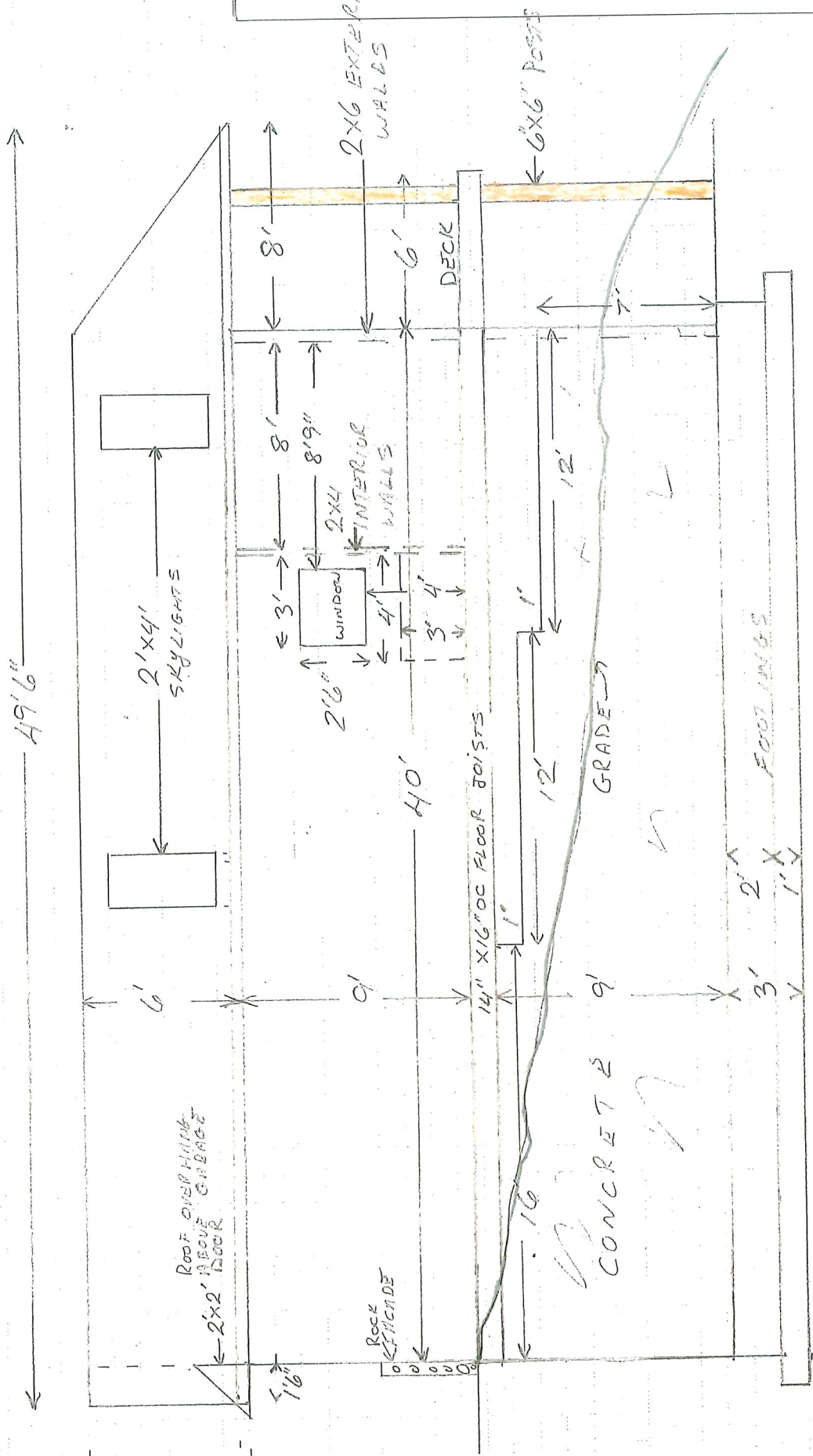
MEPPO - MODERN MEDICINE
For your medical communications
Villeneuve-Loubet - France - Tel: +.33.93.22.83.80 - Fax: +.33.93.22.83.88

NORTH EXPOSURE

WEST

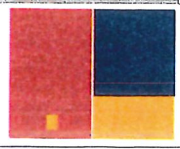
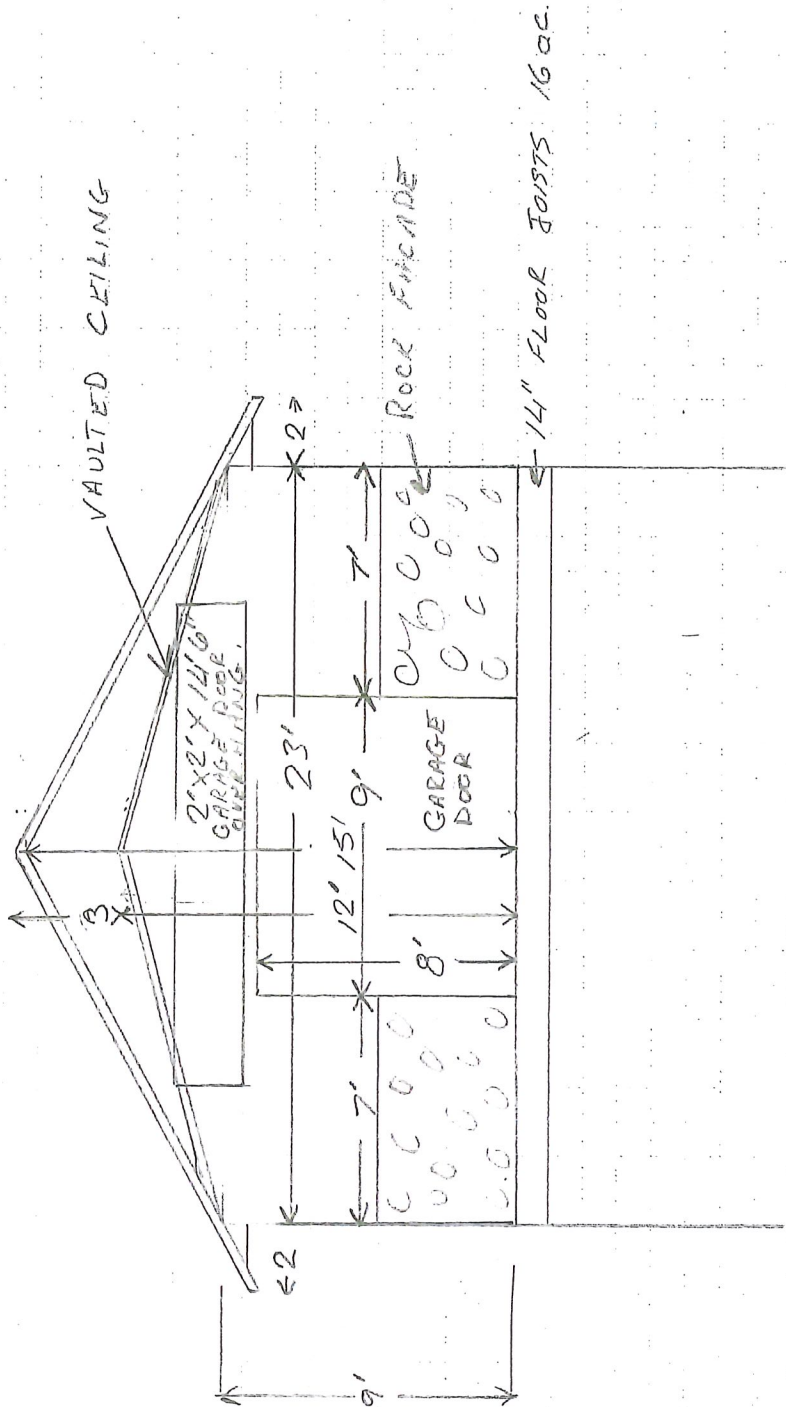
3/16 SCALE

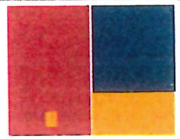
EAST



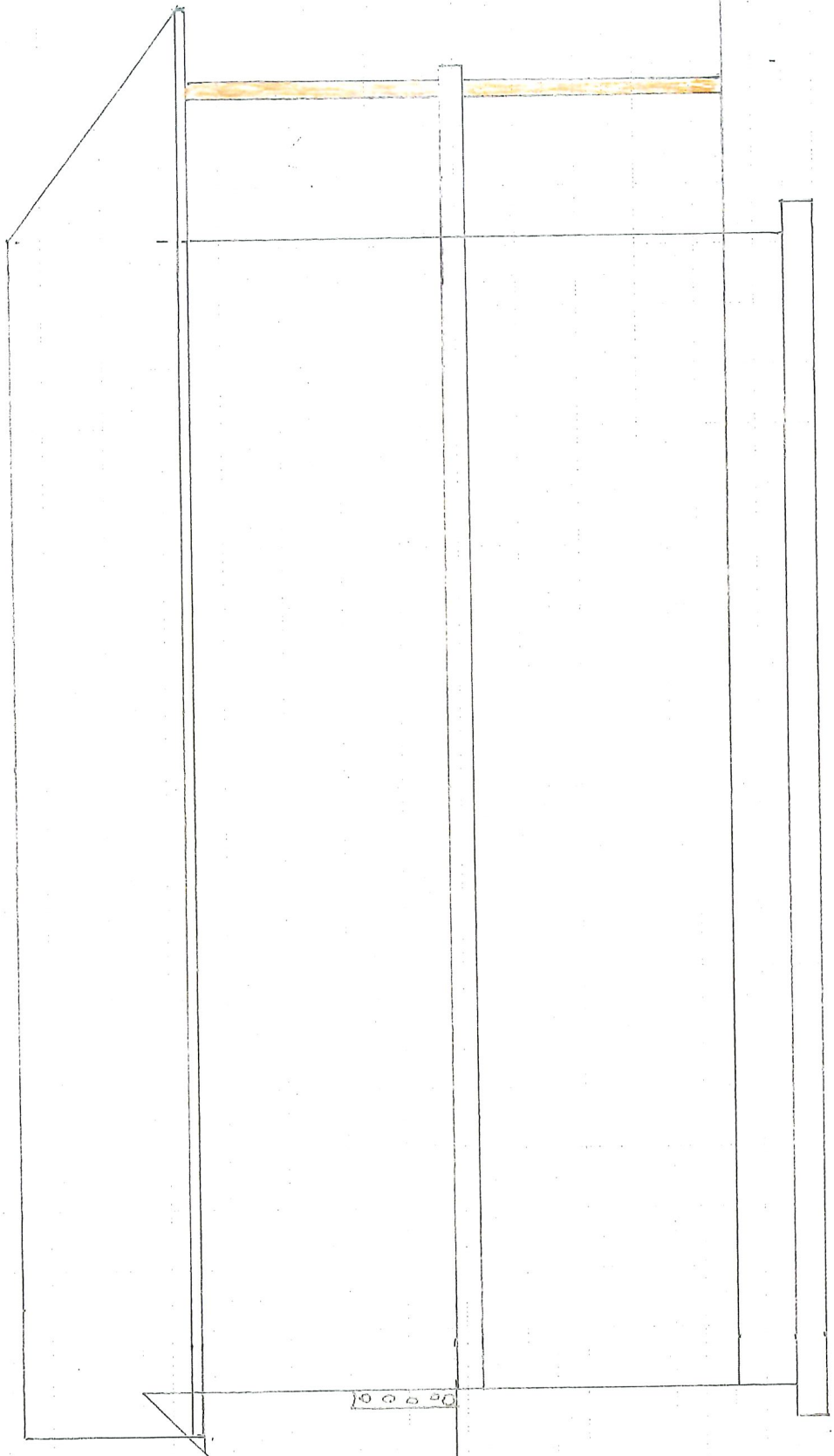
3/16 SCALE

EAST EXPOSURE TO
MURRAY RD
FROM





MEPPQ - MODERN MEDICINE
For your medical communications
Villeneuve-Loubet - France - Tel: +.33.93 22 83 80 - Fax: +.33.93 22 83 88

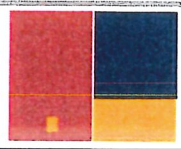
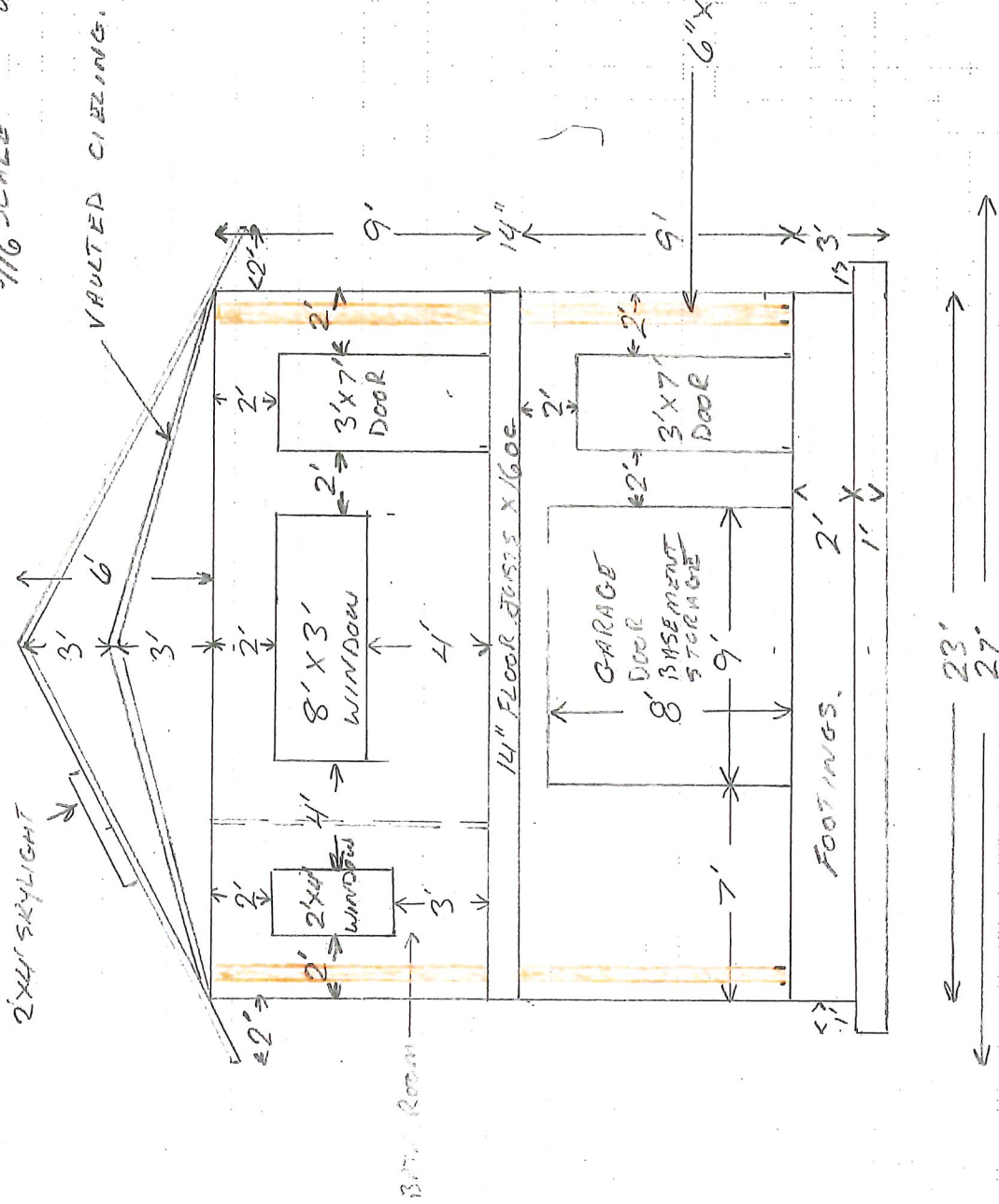


NORTH
EXPOSURE

3/10 SCALE

000000

3/16 SCALE WEST EXPOSURE RIVER



DIVISION 7 SUBURBAN RESIDENTIAL (R1)

Permitted Uses

700 Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

Development Regulations

701

1 The minimum lot size shall be required as follows:

Community Water Supply and Community Sewer System 0.1 hectare	Community Water Supply Only 0.4 hectare	On-Site Servicing Only 1.0 hectare
---	---	--

1B The maximum density is 2 dwelling units.

2 The maximum site coverage is 50 percent of the site area.

3 Buildings and structures shall not cover more than 33 percent of the site area.

4 The keeping of farm animals shall comply with the requirements of section 613 except that under all circumstances swine shall not be kept on any lot.

5 Farm animals and poultry shall be caged, fenced or housed at all times.

6 No principal building may exceed ten (10) metres in height.

7 The maximum height of any accessory building or structure shall not exceed 6 metres.

8 The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.

9 The cumulative gross floor area of all accessory buildings or structures shall not exceed 200 square metres.

10 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.

- 11 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 12 Fences not exceeding a height of two (2) metres may be sited to the rear of the required front lot line setback only.