

Attachment A

[REDACTED]  
[REDACTED], *New Denver, BC*  
*Canada* [REDACTED]  
*Telephone: (250)* [REDACTED]

Monday, 11 June 2018

RDCK

Box 590, 202 Lakeside Drive,

Nelson, B.C., V1L 5R4

Attention: Kristen Aasen, Planner

Re: Application for a Development Permit

153 Rosebery Rd., PID: 024-803-120

Dear Kristen,

First, let me say that I am pleased that this land is being used for residential purposes.

However, I hope that the building process does not require that motorized vehicles cross the Galena Trail at that spot.

Also, I hope that the fence is only to be on the private property and does not encroach on the public access. Some of my neighbours have been quite militant about people crossing the beach in front of their property and it has always caused me concern as the beach is public property.

Why does the environmental report establish the high-water mark by the use of "rafting" for the measurement of the 15 m setback when the Shoreline Management Guidelines for Fish and Fish Habitat on Slocan Lake report - April 2014 states that the OCP has designated the jurisdictional boundary for Slocan Lake as 537.5 m asl and the Floodplain bylaw sets a minimum building elevation of 539.5 m asl?

Regards,

[REDACTED]

[REDACTED]

To: Kristen Aasen, Planner, Regional District of Central Kootenay

Date: June 11, 2018

Re: RDCK Planning RDCK Planning File: DP 1802Hn; Development Permit; PID: 024-803-120; Folder Number: DP000083

From: [REDACTED]

Thank you for the opportunity to respond to the proposed development in our neighborhood. This is the first formal notification we have received, although there has been much activity on the site that a passerby can see in the form of surveying, wells, and likely much more.

**Our questions and concerns are all about maintaining the high water quality of Slocan Lake, and maintaining the rural character of our community.**

We have divided our responses into two areas:

1. The elliptical shaped parcel comprising 0.074ha which has triggered the Watercourse Development Permit process and
2. The proposed 11 lot subdivision within RDCK Folder Number: DP 000083, which you referred to in the ministry of Health letter, included in our package from your office.

#### The aforementioned elliptical Parcel

1. We support the owner being able to fence this elliptical parcel. However, we expect maintaining public access below and above the proposed fence.
2. We support no services within this parcel, as proposed.
3. We support the allowance of a 15 m setback *within the elliptical parcel*, rather than the 30m setback IF habitat conditions are satisfied by the requisite agencies.
4. **Questions:**
  - What elevation for high water was used? Our understanding is that there is an official high water elevation mark.
  - The RDCK has initiated this process, triggered by the Watercourse Development Permit process. What plans does the RDCK have for following up?

#### The Proposed Subdivision of 11 parcels

1. We support the residential use of the property
2. We do have sewerage concerns with decades of non native fill, decades of contaminants being dumped from previous industrial usages. 11 discrete septic systems seems like a heavy load for the proximity to Slocan Lake and the nature of the fill on the site.
3. **Questions:**
  - There has not been any public posting of permits of any kind for the proposed subdivision. Is there any process/guidelines for this process?

- Interior Health proposed a minimum parcel size of one hectare. Is the Regional District waiving this guideline to produce parcels in the 0.3 hectare size range? Also, my only knowledge of the parcel sizes comes from a small billboard advertising the parcels with an accompanying map. We do support larger lot sizes to maintain the rural integrity of the area.

Again, many thanks for bringing this to our attention. We look forward to your responses.

[REDACTED]

[REDACTED]

New Denver, BC

[REDACTED]

250-[REDACTED]

## Kristin Aasen

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**From:** Kay <[REDACTED]>  
**Sent:** Monday, June 11, 2018 1:57 PM  
**To:** Kristin Aasen  
**Subject:** Development Permit (153 Rosebery Rd, PID:024-803-120) - Planning File: DP1802Hn Folder #DP000083

Dear Ms. Aasen,

Thank you for giving me the opportunity to comment on the proposed Development Permit for 153 Rosebery Rd. in Rosebery. I am pleased to see the property being rezoned residential as Rosebery has become a nice little housing settlement.

I do have a few questions concerning the property that I hope you can address.

- If this property is zoned residential can commercial activities (i.e. campground or RV park) operate on the site if the lots are not sold for building purposes?
- If the lots do not sell can the property be rezoned commercial or industrial without going through the public consultation process again?
- Is Stewart Street or any other road running through the proposed subdivision? The Site Plan map from ECORA shows a road in gold in the legend that seems to run along the beach and back up through the subdivision. It is my understanding that Mr. Payton intends to fence the subdivision making it a "gated community", therefore prohibiting the public from walking through the area, is this possible?
- I am also concerned about losing continual access along the beach in this proposal. If he intends to fence his beach property to house kayaks/canoes in a storage shed along with a gazebo will the public still be able to walk along the shoreline as we were able to before. I did not see any building plan or even estimated sizes included in this proposal. Currently he has a huge log that goes from the treeline to the water making it extremely difficult to get around and if a fence is also constructed it will be impassable.
- Is he allowed to service this beach property with electricity and sewer as I was sure he discussed that plan last year?
- If plans change after the Development Permit is approved what agency is responsible for enforcing any variances?
- Can you also explain what is meant under 4) Recommendations, about obtaining the required Industrial Development permit? Was that meant to say Residential Development Permit?

Thanks once again for this opportunity to comment on this proposal, I'll look forward to hearing back from you.

Sincerely,

[REDACTED]  
New Denver, BC [REDACTED]  
250-[REDACTED]  
[REDACTED]