



REGIONAL DISTRICT OF CENTRAL KOOTENAY

DEVELOPMENT PERMIT

D1705A (MOUNTAIN SHORES RESORT AND MARINA COOPERATIVE ASSOCIATION)

Date: October 19th, 2017

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

1. This Development Permit is issued to Mountain Shores Resort and Marina Cooperative Association of 13485 Highway 3A, Boswell 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 1 District Lot 197 Kootenay District Plan NEP83769 (PID 027-082-326) 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 'Multi-Family Residential' and are located within a Residential Cluster Development Permit Area pursuant to Section 16.0 of the Electoral Area A Comprehensive Land Use Bylaw No. 2315 as amended.
5. The Permittee has applied to the Regional District of Central Kootenay for the continued use and development of lands as a 34 cooperative interest property intended for recreational residential purposes. 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 intended 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 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 Multi-Family (R6) zone of Electoral Area A Comprehensive Land Use Bylaw No. 2315 as amended.
 - 6.3 In accordance with Resolution 637/17 of the Board of Directors of the Regional District of Central Kootenay, Section 18(18) of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315 is varied by reducing the required setback for lands on the Kootenay

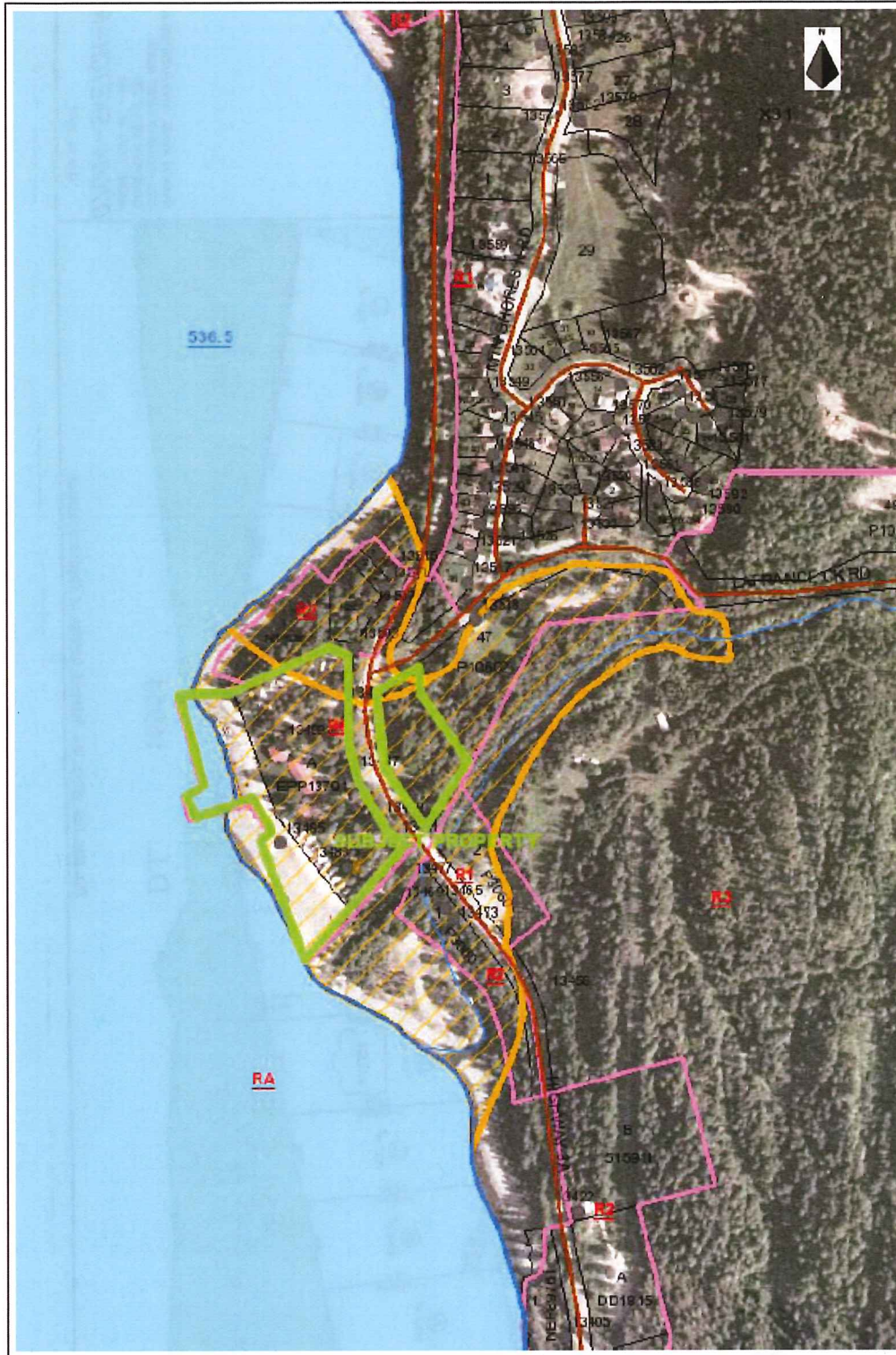
Lake side of Highway 3A from the permitted 3.0 metre setback from front or exterior side lot line to 0.0 metres subject to approval by the Ministry of Transportation and Infrastructure.

- 6.4 The Permittee will maintain the protective works associated with LaFrance Creek and not permit further development or land clearing within the required 15.0 metre setback of LaFrance Creek with exception to maintenance activities related to operational requirements of the protective works.
- 6.5 The Permittee will ensure that construction on site reflects the development standards as set out in the cooperative association's development scheme.
- 6.6 Common lands shall remain protected from further development.
- 6.7 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. 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.
8. 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.
9. 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.
10. 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.
11. 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.
12. This Development Permit does not constitute a building permit.
13. 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.


Karen Hamling, Chair of the RDCK Board

OCTOBER 19TH, 2017 under Board Resolution 637/17
Date of Approval and Issuance

Schedule 1: Subject Property



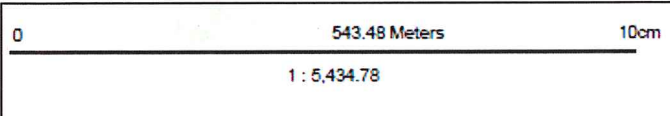
RDCK Map

Legend	
●	Civic Address
—	Address Range
—	Streams (Large Scale)
□	Floodplain/Flood Cons
□	NonStandard Flooding
□	Zoning
□	Cadastre
□	Lakes (Mid Scale)

Notes
Map Details
Date Plotted: 9/7/2017



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<http://www.rdck.ca>



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