



REGIONAL DISTRICT OF CENTRAL KOOTENAY

DEVELOPMENT PERMIT

DP1606J-07289.465-Hughes-DP000067 (D1606J - Muirhead)


Date: July 5, 2018

Issued pursuant to Section 488 of the *Local Government Act*

1. This Development Permit is issued to Dennis Hughes, 1257 Ironhill Road, 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 91 District Lot 4598, Kootenay District Plan 4924 (PID 009-597-581)** as shown on the attached Schedule 1, 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 Section 6.7 of 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 are designated as 'Industrial' and are located within Development Permit Area #1 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 shop 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 a 'Contractors' Offices, Shops and Yards' use.
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 this Development Permit. Furthermore, the Permittee is hereby advised of the following requirements:
 - 6.1 Development is authorized in accordance with the terms included in this permit. For clarity, any external lighting detail shall not trespass on the roadway or adjacent properties.
 - 6.2 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.
 - 6.3 So as to form a continuous landscape buffer, the Permittee shall be required to install new landscape planting consisting of tree, shrubs and fencing to supplement the existing landscaping along the entire frontage of the said lands adjacent to Ironhill Road. Trees and shrubs shall be a minimum of 1.5 meters (5 feet) in height at the time


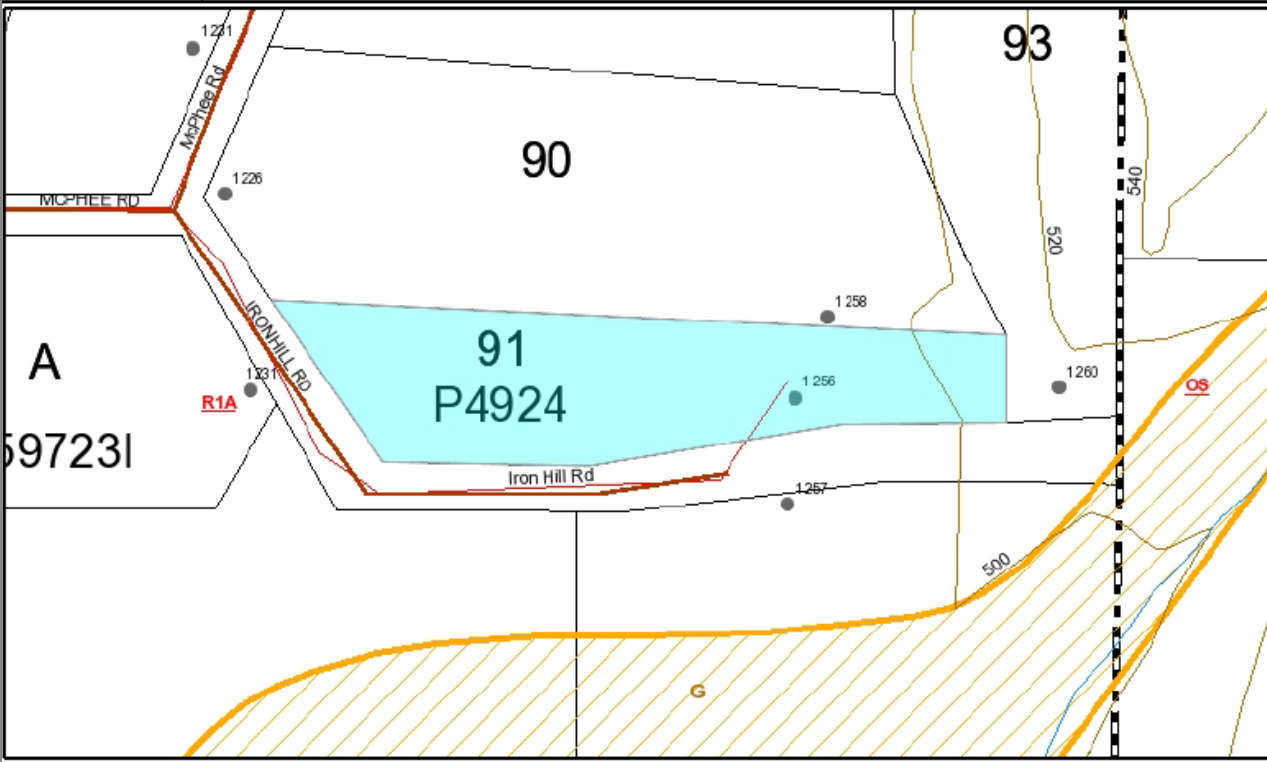
of planting and spaced no more than 1.5 meters (5 feet) apart. The areas and extent of landscape buffer is indicated on "Schedule 2 – Landscape Plan."

- 6.4 All landscape planting shall be installed and inspected by Regional District of Central Kootenay staff prior to the Permittee obtaining an Occupancy Permit.
- 6.5 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.
- 6.6 Unless otherwise stated all buildings and structures shall comply with the site coverage, height of building and building setback requirements of the Light Industrial zone of Regional District of Central Kootenay Zoning Bylaw 1675, 2004 as amended.
- 6.7 In accordance with Resolution 204/17 of the Board of Directors of the Regional District of Central Kootenay (attached as "Schedule 4 – RDCK Board Resolution 204/17") carried at the meeting of March 16, 2017, the Permittee is granted variances from the Regional District of Central Kootenay Zoning Bylaw 1675, 2004 to the extent specified in Section 6.7.1 and 6.7.2 below as depicted on "Schedule 3 – Setback variances."
 - 6.7.1 Section 3701(23)(a) of Zoning Bylaw No. 1675, 2004 is varied to reduce the minimum setback from a front lot line from 15 meters to 6.1 meters.
 - 6.7.2 Section 3701(23)(c) of Zoning Bylaw No. 1675, 2004 is varied to reduce the interior side lot line that abuts a residential zone from 25 meters to 17.1 meters.
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.

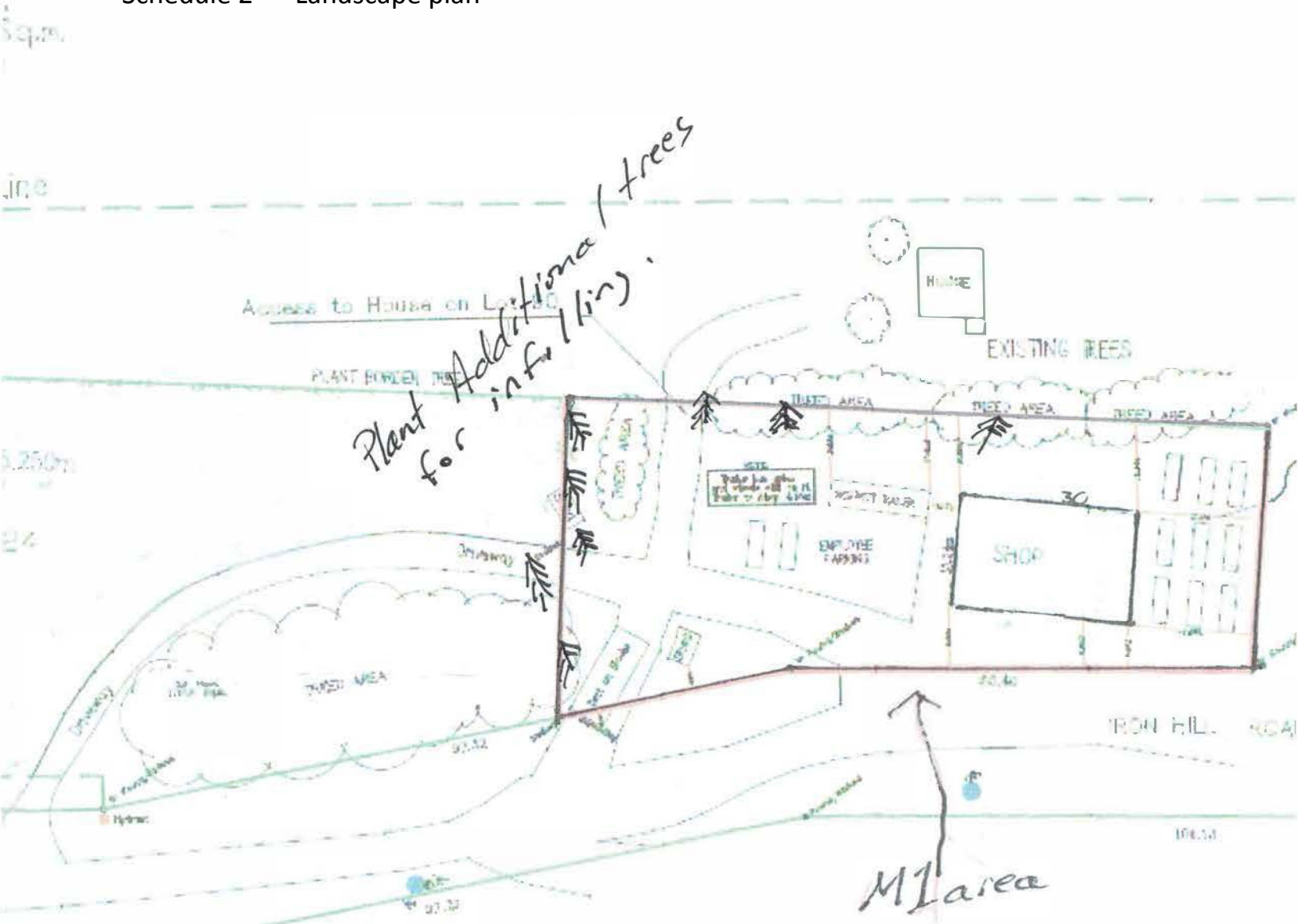

Sangita Sudan, General Manager of Development Services


Date of Issuance

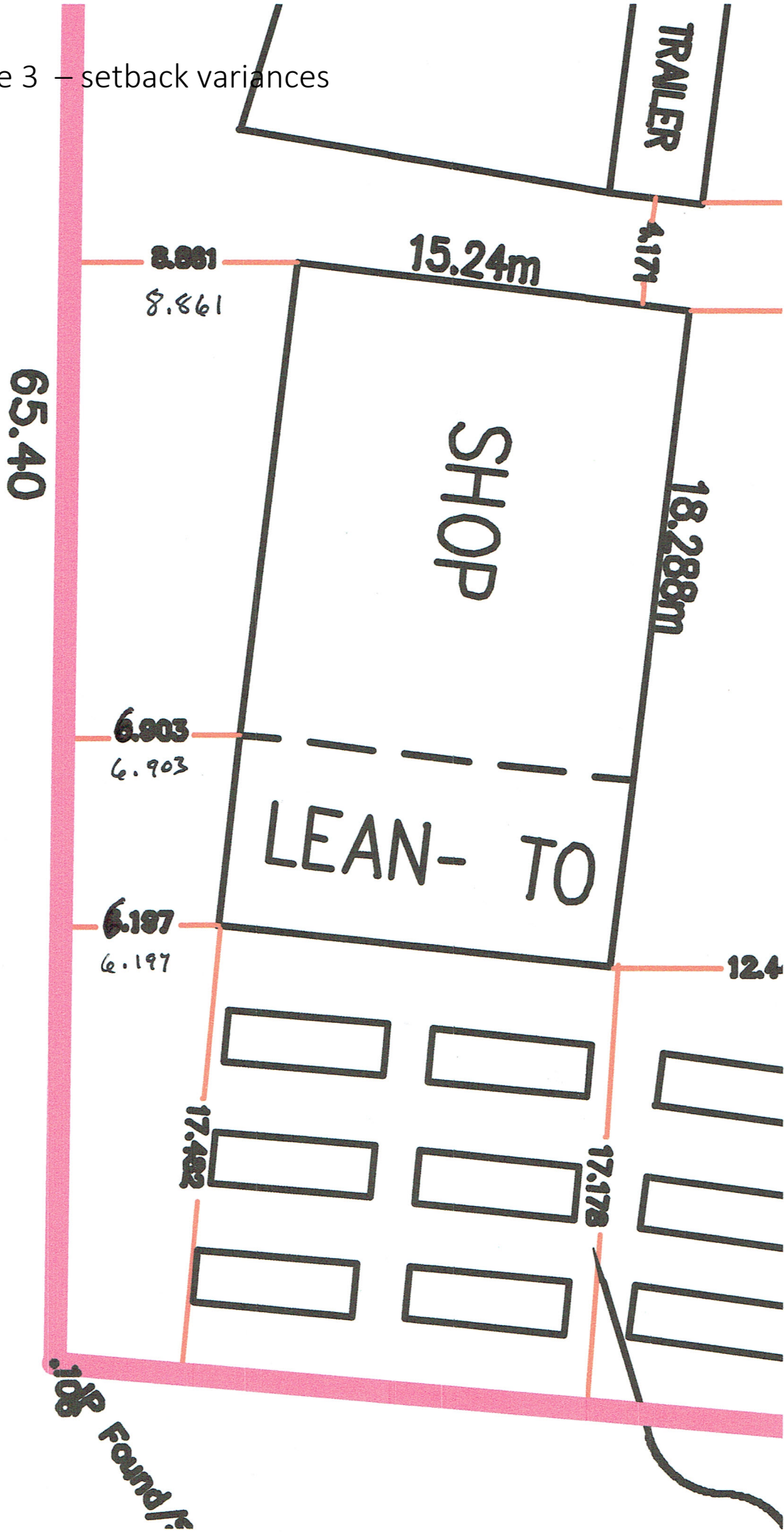
Schedule 1: Subject Property

		The Regional District of Central Kootenay Box 590, 202 Lakeside Drive, Nelson British Columbia V1L 5R4 Phone: 250-352-6665 Toll Free 1-800-268-7325 Web: www.rdck.bc.ca E-Mail: Info@rdck.bc.ca		01-Apr-2016
Information Report				
Owners:	HUGHES, DENNIS C			EA: J
Mailing Address:	2805 5TH AVE^CASTLEGAR BC V1N 2V1			
Folio Number:	709.07289.465	PID: 009-597-581	Parcel area: 3.16 ACRES	
Site Address:	1256 IRONHILL RD			
Legal Description:	LOT 91 PLAN NEP4924 DISTRICT LOT 4598 KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 76384.			
				
Land-use Information				
Zoning Designation:	1675-R1A			
Actual Use Code: 063 2 Acres Or More (Manufactured Home)				

Schedule 2 – Landscape plan



Schedule 3 - setback variances



Moved By Director Jackman, and seconded,
And Resolved:

204/17

That the Regional District of Central Kootenay Board APPROVE the issuance of Development/ Permit DP1606J-07289.465 for the property 1256 Ironhill Road, legally described as Lot 91, District Lot 4598, Kootenay District, Plan 4924 (PID 009-597-581), which includes the following variances:

1. Section 3701(23)(a) of Zoning Bylaw No. 1675, 2004 is varied to reduce the minimum setback from a front lot line from 15 meters to 6.1 meters;
2. Section 3701(23)(c) of Zoning Bylaw No. 1675, 2004 is varied to reduce the interior side lot line that abuts a residential zone from 25 meters to 17.1 meters.

Carried

Moved By Director Jackman, and seconded,
And Resolved:

205/17

The Board ISSUE Development Variance Permit V1701J to Laura and John Rennie for the property at 1346 McPhee Road, Ootischenia, BC and legally described as Lot 53, District Lot 4598, Kootenay District, Plan 4924 (PID: 010-138-498) to vary:

- a. Section 8(7) of Zoning Bylaw No. 1675, 2004, to enable the construction of an accessory building with a height increased from 6 metres to 7.5 metres; and
- b. Section 8(8) of Zoning Bylaw No. 1675, 2007, to enable the construction of an accessory building with a size increase from 54 square metres to 223 square metres.

Carried

Moved By Director Jackman, and seconded,
And Resolved:

206/17

The RDCK Board give FIRST READING, SECOND READING and ADVANCE TO PUBLIC HEARING Electoral Area 'K' Official Community Plan No. 2552, 2017 being a bylaw to amend the Electoral Area 'K' Official Community Plan Bylaw No. 2022, 2009 for the property legally described as Lot A, District Lot 100, Kootenay District, Plan NEP85242 (PID 027-284-263) from Tourist Commercial to Rural Residential.

Carried