



REGIONAL DISTRICT OF CENTRAL KOOTENAY

# Memo to General Manger of Development Services

**Date of Memo:** April 23, 2020  
**Author:** Tamara Dale, Planner  
**Subject:** DEVELOPMENT PERMIT 2001A  
**File:** 09/4260/20/2020/DP2001A-04308.000-McEwen-DP000098

<b>Owner</b>	Kootenay Bay Properties Ltd. Inc. No. 137636
<b>Agent</b>	Jack McEwen
<b>Civic Address</b>	17222 Pilot Bay Road
<b>Legal Description</b>	District Lot 2560 Kootenay District
<b>PID</b>	016-400-143
<b>Lot Size</b>	1.03 ha

**PROPOSAL:**

The property is a subplot of a shared interest property known as Kootenay Bay Properties Limited. The subplot currently comprises an existing one-family dwelling and a number of accessory buildings. The proposal relates to a 35m<sup>2</sup> addition to the residential dwelling along with an extended deck.

The proposed addition would be located outside of the Riparian Area, with one tree subject of removal to facilitate the development.

<b>Electoral Area</b>	A
<b>Development Permit Area</b>	Residential Cluster

<b>GUIDELINES</b>	<b>MEETS?</b>	<b>COMMENTS</b>
Riparian zones should remain free of development and restoration of the riparian zone undertaken as part of the new development, if the vegetation is not intact and healthy (diversity of native shrubs and trees).	Yes	The proposed addition would be located outside of the Riparian Area of Kootenay Lake.
Total impervious cover of the site should minimize the impact on receiving aquatic environments. Consideration should be given to reducing impervious cover through	Yes	The proposed addition and decking would result in some additional hard surfaces with run-off potential. However, it is noted that given the topography of the site, the proposed addition would be raised above the ground, with the

<b>reduction in building footprint and paved areas and use of on-site filtration.</b>		vegetation and landscaping retained below. This would provide the opportunity for additional run-off to naturally drain through the existing ground cover. As such, the proposal is not considered to result in substantial harm to the aquatic environment, and with the proposal benefitting from on-site filtration.
<b>Building profiles should reflect the character of surrounding development with special attention to the height of new buildings in relationship to surrounding buildings on adjoining properties.</b>	Yes	The design of the addition reflects the character and appearance of the existing dwelling, and extends to a height similar to the existing dwelling and those surrounding.
<b>As many of the existing trees, as practicable, should be retained as part of the overall landscape design.</b>	Yes	One tree is to be removed to facilitate the development. Given the context of the site, this loss is considered acceptable.
<b>Site design should incorporate, where appropriate, design elements to protect and enhance riparian areas, watercourses and sensitive eco-system elements.</b>	Yes	This area of the site primarily comprises bedrock and is not therefore considered to be of notable ecosystem importance.
<b>Retention of green space and common lands in strata subdivisions shall be covenanted against further subdivision.</b>	Yes	The proposal does not include further subdivision of the lot. Division of shared interest lots has already occurred.


<b>Zoning</b>	None
<b>OCP</b>	Country Residential (RC)
<b>ALR</b>	N/A
<b>Floodplain</b>	FCL 536.5 GSC - met Setback 15.0 m – met
<b>NSFEA</b>	N/A
<b>Geohazard</b>	N/A
<b>Archeology Sites</b>	N/A
<b>Within RDCK Water System</b>	N/A
<b>Relevant Covenants and Reports</b>	N/A
<b>Review Title for Miscellaneous Charges</b>	None pertinent

<b>KOOTENAY LAKE SHORELINE INVENTORY:</b>	
<b>Aquatic Habitat Index Rating</b>	Moderate
<b>Erosion</b>	Moderate
<b>Vegetation</b>	Emergent Vegetation (EV)

<b>Site Sensitivity</b>	Environment (E)
<b>Enhanced Engagement</b>	Yes
<b>Critical White Sturgeon Habitat</b>	No
<b>Archeological Values</b>	Red Zone (R) – High Risk Localized and/or relatively superficial effects in locations where the physical evidence is likely to be very sparse, highly localized, deeply buried, and/or already too highly disturbed to be of further archaeological value.

<b>REFERRAL COMMENTS:</b>	
<b>Ktunaxa Nation</b>	No comments
<b>Ministry of Forests, Lands, Natural Resource Operations and Rural Development</b>	The Ministry of Forests, Lands, Natural Resource Operations & Rural Development – Habitat Division - reviewed this Development Permit request on March 30, 2020. As the construction is outside of the 15m setback, FLNRORD has determined that this project should not impact the Resource Management Division’s legislated responsibilities.
<b>Fortis BC</b>	There are FortisBC Inc (Electric) (“FBC(E)”) primary distribution facilities along Pilot Bay Road and within the boundary of the subject property. All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
<b>Ministry of Transportation and Infrastructure</b>	No concerns
<b>Neighbour - Carpenter</b>	Addition would be a good improvement

Respectfully submitted,



Tamara Dale  
 Planner

<b>CONCURRENCE</b>	<b>Initials:</b>
Planning Manager General Manager of Development Services	NW

**ATTACHMENTS:**

- Attachment A – Site Photos
- Attachment B - Development Permit