

The Regional District has adopted Development Permit Guidelines for those portions of Columbia Lake, Lake Windermere, Monroe Lake, Moyie Lake, St. Mary Lake, Wasa Lake and Cameron Pond designated as red and orange shoreline zone within the corresponding Official Community Plans (OCP). Where the shoreline is designated as a red or orange shoreline zone the Development Permit Area extends 30 m into the lake and 15 m upland (or 7.5 m upland in the case of St. Mary Lake) from the natural boundary.

A Development Permit may be required prior to:

- Construction, addition or alteration of a building or other structure; or
- Alteration of land, including the removal of riparian or aquatic vegetation, site grading, deposition of fill, beach creation or dredging;

**unless** the proposed activity is identified within the Exemptions portion of the applicable Development Permit Area regulations.

Prior to proceeding with land altering activities within the Development Permit Area, it is advisable to first discuss your proposal with the Regional District of East Kootenay (RDEK) Development Services staff.

### **How and where to apply:**

Complete a Shoreline Development Permit application form. These are available from the RDEK offices at:

- **19 - 24th Avenue South, Cranbrook BC**
- **1164 Windermere Loop Road, Invermere BC**

The application form is also available online at [www.rdek.bc.ca](http://www.rdek.bc.ca).

### **Application Requirements:**

All Development Permit applications require the following:

1. Non-refundable fee payable to the Regional District of East Kootenay (RDEK).
  - Application Fee – \$400
2. A detailed explanation of your proposal and any other information, such as photographs in support of your application.
3. All required supporting information as identified on the application form. Required information may include an Environmental Impact Assessment report by a Qualified Environmental Professional (QEP).
4. A Title Search Print dated no more than 30 days before you file your application. These are available from the Land Title Office at [www.ltsa.ca](http://www.ltsa.ca). If requested, a Title Search can be obtained by the RDEK for a document fee of \$17.50.
5. In some cases, a completed Site Disclosure Statement is required. See Section 5 of the Application Form for more information.

We recommend that you discuss your proposals with Development Services staff. An appointment to meet with staff is recommended.

**Cranbrook Office hours:** 8:30 am to 4:30 pm Monday through Friday, excluding holidays

## What supporting information will I need to submit?

In order to assist RDEK staff with the review of your application, please ensure that all the additional information identified below is included with your application.

- A detailed explanation of your proposed development or activity and supporting information, such as building plans, vegetation management plans or landscaping plans.
- Identification of all applicable permits and approvals required under the federal *Fisheries Act*, *Canadian Environmental Assessment Act*, and the provincial *Land Act*, *Water Act* and *Environmental Management Act*. If permits or approvals have been acquired, copies should be included with your application.
- In some cases, a completed Site Disclosure Statement is required. See Section 5 of the Application Form for more information.
- Identification of all in-water building materials, if applicable.
- An Environmental Impact Assessment report by a QEP. Information on the content of the report and selecting a qualified professional are outlined below. All expenses related to the report are the responsibility of the applicant.

### **QEP Report**

When an Environmental Impact Assessment report by a QEP is required as part of the Development Permit application process the report must include the following:

- Quality Assurance Statement (QAS) - The statement should identify that the recommendations have been made in consideration of the applicable Development Permit Guidelines and that the QEP has the qualifications and experience to carry out the assessment.
- Clear identification of the extent of the proposed development or activity.
- Identification of any constraints on the timing of the development to minimize impacts on riparian vegetation, upland vegetation and wildlife habitat.
- The report must demonstrate that the proposed development has been designed to mitigate impacts on adjacent fish and riparian habitat.
- Any other application specific requirements identified within the Development Permit guidelines.

The report may also include the following:

- Recommendations on opportunities that could be undertaken in conjunction with the proposed development or activity to restore or enhance habitat.
- A recommendation for a restrictive covenant to be registered on title to outline measures to mitigate the impact or maintain the attributes of the proposed development.

All approved development under the Development Permit must be completed in accordance with the recommendations of the report.

### **How to choose a QEP?**

The Qualified Environmental Professional (QEP) is intended to provide technical advice on how your proposed development or activity can be undertaken in consideration of the identified environmental values associated with the shoreline. The RDEK does not make recommendations on which companies or individuals to contract to prepare your report. However, when selecting a QEP consider:

- Providing prospective QEP's with information about the property and the proposed development or activity to enable them to provide an accurate quote on the fee for the report.
- Inquiring about the level of experience with similar assessments and whether they are familiar with the RDEK Development Permit process and/or Shoreline Management Guidelines. QEP's should also be familiar with the applicable Guidelines and Best Management Practices prepared by the provincial government and the Fisheries and Oceans Canada (DFO) Regional Operating Statement.
- If you are unsure about a potential candidate or company, consider asking for references from clients with comparable projects.

## **What happens to my application?**

### **Your application will be reviewed:**

RDEK staff will review your application and supporting information to make sure it meets requirements of Regional District plans, policies, the Shoreline Development Permit Guidelines, and other applicable bylaws. You may be requested to submit additional information in support of your application to ensure that all requirements are met.

### **A permit will be prepared:**

Once the review of the Development Permit application has been completed, RDEK staff will prepare a draft Development Permit.

The Planning Supervisor will examine your application, the draft permit, and the comments and recommendation made by staff. The Development Permit may be referred to the Regional District Board for authorization of approval.

Your permit will be issued as originally presented, as changed by the Planning Supervisor or Board, or turned down. When the permit is issued, it may include conditions of approval that must be met by the applicant. If a restrictive covenant is required the issuance of the permit will be withheld until the applicant provides confirmation of registration of the covenant on the title(s) of the property.

You may ask the Board of the Regional District to reconsider your permit if you are dissatisfied with the decision of the Planning Supervisor.

**SECTION 1 – APPLICANT INFORMATION**

Registered Owner(s): _____	Agent: _____
Address: _____	Address: _____
Phone: _____	Phone: _____
Email: _____	Email: _____

**SECTION 2 – DECLARATION AND AUTHORIZATION**

I / we declare that the information in this application is, to the best of my / our knowledge, true and correct.

Signature of Applicant(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

***If the application is submitted by an Agent, the owner(s) must sign the following statement or provide separate written authorization:***

I / we consent to this application filed by the person or company whose name appears as the agent above.

Signature of Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_  
\_\_\_\_\_

Personal Information requested on this form is collected under the authority of section 26 of the Freedom of Information and Protection of Privacy Act (FOIPPA) and will be used by the RDEK for the purpose of processing the application. Disclosure of personal information by the RDEK is subject to the requirements of FOIPPA. For questions about the collection, use or disclosure of your personal information in the RDEK, contact the Corporate Officer of the RDEK at 19 – 24th Ave S., Cranbrook BC, V1C 3H8 or 250-489-2791.

**SECTION 3 – LAND UNDER APPLICATION**

Legal description of all land proposed for development:

Lot \_\_\_\_\_ Block \_\_\_\_\_ Plan \_\_\_\_\_ District Lot \_\_\_\_\_

Extended legal description: \_\_\_\_\_

Street Address: \_\_\_\_\_

Parcel Identifier Number (PID): \_\_\_\_\_ Size of property: \_\_\_\_\_

▪ **Describe water source and sewer method [*✓* check appropriate box(s)]:**

**Present source of potable water:**

- None
- Well  
depth \_\_\_\_\_ flow rate \_\_\_\_\_
- Water Licence No. \_\_\_\_\_  
Source \_\_\_\_\_
- Community Water System  
Name \_\_\_\_\_

**Proposed source of potable water:**

- Well(s)
- Water Licence No. \_\_\_\_\_  
Source \_\_\_\_\_
- Community Water System  
Name \_\_\_\_\_

**Present sewage disposal system:**

- None
- Septic tank & field
- Community Sewer System  
Name \_\_\_\_\_

**Proposed sewage disposal system:**

- Septic tank & field
- Community Sewer System  
Name \_\_\_\_\_

**SECTION 4 – PURPOSE OF APPLICATION [*✓* check appropriate box(es)]**

- Protection of the Natural Environment (Shoreline)
- Variance to Bylaw (check here only if compliance with the development permit guidelines in the OCP necessitates a variance to another bylaw, eg: siting.)

**SECTION 5 – PROTECTION OF THE NATURAL ENVIRONMENT (SHORELINE)**

- **Describe the development proposal:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional pages outlining your development proposal and site photos may be included with this application form.

**SECTION 5 – PROTECTION OF THE NATURAL ENVIRONMENT (cont...)**

- **Submit a site plan showing:**
  - North arrow & scale
  - Lot lines with dimensions
  - Siting of existing and proposed buildings and structures, including distances to the top of a bank along a watercourse and distances to the natural boundary or a watercourse or water body
  - Location of all existing and proposed drainage ditches, culverts, septic tanks and disposal fields
  - Proposed setbacks from property lines
  - Access (roads & driveways)
  - Physical features (hills, gullies, etc.)
  - Location of all wetlands and watercourses.
  
- **Shoreline Colour Zone:**       Red       Orange
  
- **All Shoreline Development Permit applications must also provide the following information:**
  - Supporting information such as building plans, vegetation management plans or landscaping plans.
  - Information regarding the submission for and acquisition of concurrent permits and approvals from other agencies.
  - Identification of proposed building materials for in-water structures.
  - An Environmental Impact Assessment report by a Qualified Environmental Professional (QEP) as outlined within the Development Permit guidelines.
  - Identification of significant areas of native flora and fauna, including the identification of any known endangered or vulnerable species.
  - Identification of areas where tree removal or alteration would result through development.
  - Identification of areas of land that are located above the natural boundary of a watercourse or body of water that will remain free of development and land alteration.
  - Proposed methods of preserving or dedicating watercourses and protecting fisheries.
  - Proposed steps or methods to be used to mitigate the impacts of the proposed development.

Additional information may be required as part of the Development Permit application process. As identified within the applicable Official Community Plan, the submission of a report prepared by a qualified professional may be required. All expenses associated with the report are the responsibility of the applicant. If a report is required you will be notified by RDEK staff and additional information on the process will be provided.

- **Does your property have a history of a specified industrial and commercial use as shown on Schedule 2 of the Contaminated Site Regulation?**

[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375\\_96\\_04](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_04)

No

Yes, Completed Site Disclosure Statement included.

[https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375\\_96\\_02](https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/375_96_02)

More information about this requirement (including 'How to complete a Site Disclosure Statement') can be found on the Ministry of Environment's Site Remediation website here:

<https://www2.gov.bc.ca/gov/content/environment/air-land-water/site-remediation/site-identification>

**SECTION 6 – VARIANCE TO BYLAW**

(Complete this section only if compliance with the Development Permit guidelines in the OCP necessitates a variance to another bylaw, ie: siting.)

Bylaw to be varied: \_\_\_\_\_

Section No. \_\_\_\_\_

Vary from \_\_\_\_\_ to \_\_\_\_\_

- **Reason for requested variance:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**SECTION 7 – ENSURE THE FOLLOWING ARE ENCLOSED WITH YOUR APPLICATION:**

- Application fee payable to the Regional District of East Kootenay
- Title Search Print dated no more than 30 days prior to the date of this application; **OR**
- Consent to the RDEK to conduct a Land Title Search on your behalf for a fee of \$17.50.
- Completed Site Disclosure Form, if required, as described in Section 5