

**Gledhil Residence
1337 Sand Road, Windermere, BC**

Foreshore License of Occupation

Management Plan

Prepared by:

Haworth Development Consulting Ltd.
Suite 203, 926 – 7th Avenue
PO Box 223
Invermere, BC V0A 1K0

Prepared for:

Sharon Gledhil
1337 Sand Road
Windermere, BC

Date:

11 March 2016

Foreshore License of Occupation – Management Plan**1. Project Overview**

Haworth Development Consulting are undertaking a subdivision of the subject property (Lot 1, District Lot 704, Kootenay District Plan 14516) located at 1337 Sand Road in Windermere, BC. As a condition of subdivision, MOTI has requested that the landowner obtain a License of Occupation for those existing encroachments into the foreshore that have become apparent upon completion of the preliminary survey of the property.

The subject property enjoys approximately 55m (175 ft) of lake frontage along the east shore of Lake Windermere. An existing retaining wall extends along approximately half of this frontage. The encroachment predates the current owner's acquisition of the subject property.

The RDEK Lake Windermere OCP includes a Development Permit Area for the protection of the shoreline of Lake Windermere. This subject property and its foreshore are not located within either the "orange" or "red" zones as set out in the OCP Schedule M3.

The existing encroachments are pictured on the following pages and include the following:

- 6x6 wood retaining wall approximately 2.5m in height and 30m in length between "beach" and property;
- Wood stairs attached to retaining wall to access from beach to property;
- Concrete retaining wall approximately 1.0m in height and located approximately 3m back from wood retaining wall;
- Lawn area between retaining walls;
- In addition to these encroachments, it appears from the survey completed by the upland property owner that the neighbour to the north has constructed a concrete retaining wall of which one portion extends in front of the subject property and would be within the foreshore of the subject property.
- In addition to the retaining walls, the upland land owner also maintains a floating dock with ramp.

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View looking south from north end of retaining wall showing retaining wall and wood stairs from “beach”



View looking south from north end of retaining wall showing extent of retaining wall and wood stairs from “beach”

Retaining wall extends to ramp to dock. Existing trees in background are on subject property.

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View from above south end of wood retaining wall toward north showing extent of secondary concrete wall and existing trees. Area between wood wall and concrete wall is lawn.

Note that concrete retaining walls in the distance are on neighbouring property and not part of this application for License of Occupation.



View of secondary concrete retaining wall.

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View of small floating dock with ramp.

2. Location

The subject property, legally referred to as Lot 1, District Lot 704, Kootenay District Plan 14516, is located at 1337 Sand Road in Windermere, BC. The upland property is located on the east shore of Lake Windermere in the Regional District of East Kootenay.

A location plan is attached as Figure 2. A site plan is attached as Figure 3 with a detail Site Plan attached as Figure 4.

2.1. Seasonal Expectation of Use

The subject property is utilized year-round, although the foreshore receives more use in the summer months of July and August. Access to the lake is obtained throughout the year for various recreation activities.

Foreshore License of Occupation – Management Plan**3. Infrastructure****3.1. New Facilities or Infrastructure**

This application is for a License of Occupation over existing encroachments as shown in the photos attached. No new construction is proposed.

3.2. Access

Access to the foreshore area is gained over the upland parcel owned by the applicants.

Access along the foreshore is not restricted and free access by the general public is available.

3.3. Utilities Requirements and Sources

The existing encroachments do not require or provide potable water, sewer disposal or other servicing. No servicing is required or proposed.

4. Environmental**4.1. Vegetation Removal**

No vegetation removal is proposed or required within the proposed License of Occupation area.

4.2. Soil Disturbance

There is no soil disturbance required or proposed within the proposed License of Occupation area.

4.3. Riparian Encroachment

All encroachments within the proposed License of Occupation area are existing. No additional riparian encroachment is required or proposed.

4.4. Pesticides and Herbicides

Pesticides and herbicides are not utilized within the area of the foreshore on this property.

Foreshore License of Occupation – Management Plan**4.5. Visual Impacts**

The encroachments being permitted are existing and do not impact the overall scenic quality of Lake Windermere.

4.6. Archaeological Sites

The subject property and the foreshore are not known archaeological sites. No disturbance of the foreshore is proposed which would result in excavation or disturbance of archaeological artifacts.

4.7. Atmospheric Impacts

There are no atmospheric impacts anticipated that would impact wildlife or residents in the surrounding area.

4.8. Drainage Effect

The existing retaining walls do not impact site drainage.

4.9. Public Access

The existing encroachment does not impact site access.

4.10. Disturbance to Wildlife or Wildlife Habitat

The existing retaining walls do not impact wildlife habitat.

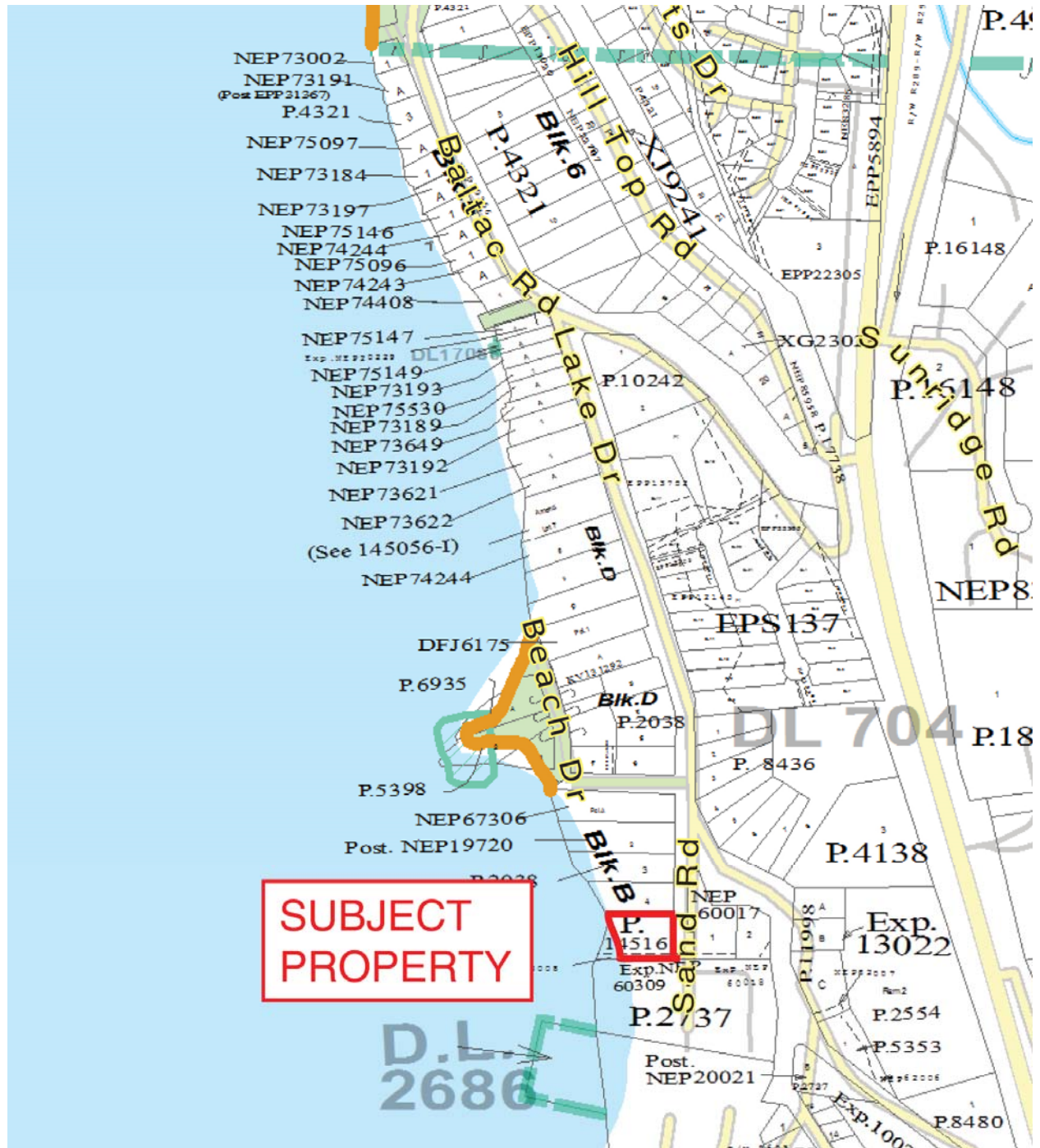
5. Socio-Community**5.1. Land Management Plans and Regional Growth Strategies**

The RDEK Lake Windermere OCP includes a Development Permit Area for the protection of the shoreline of Lake Windermere. This subject property and its foreshore are not located within either the “orange” or “red” zones as set out in the OCP Schedule M3.

Figure 1 illustrates a detail of Schedule M3 of the OCP. Schedule M3 in its entirety is attached as Figure 5.

The upland uses of the property are consistent with the permitted use (R1 Zone) in the RDEK Upper Columbia Zoning Bylaw No.900.

FIGURE 1



Foreshore License of Occupation – Management Plan**5.2. Adjacent Users or Communities**

The existing infrastructure located in the proposed License of Occupation area does not affect adjacent users of Crown lands or the surface of Lake Windermere.

5.3. Existing Services

The existing infrastructure located in the proposed License of Occupation area does not increase demand on existing services (eg. fire/health or emergency services).

Foreshore License of Occupation – Management Plan

**FIGURE 2
LOCATION PLAN**

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GLEDHIL
SUBDIVISION

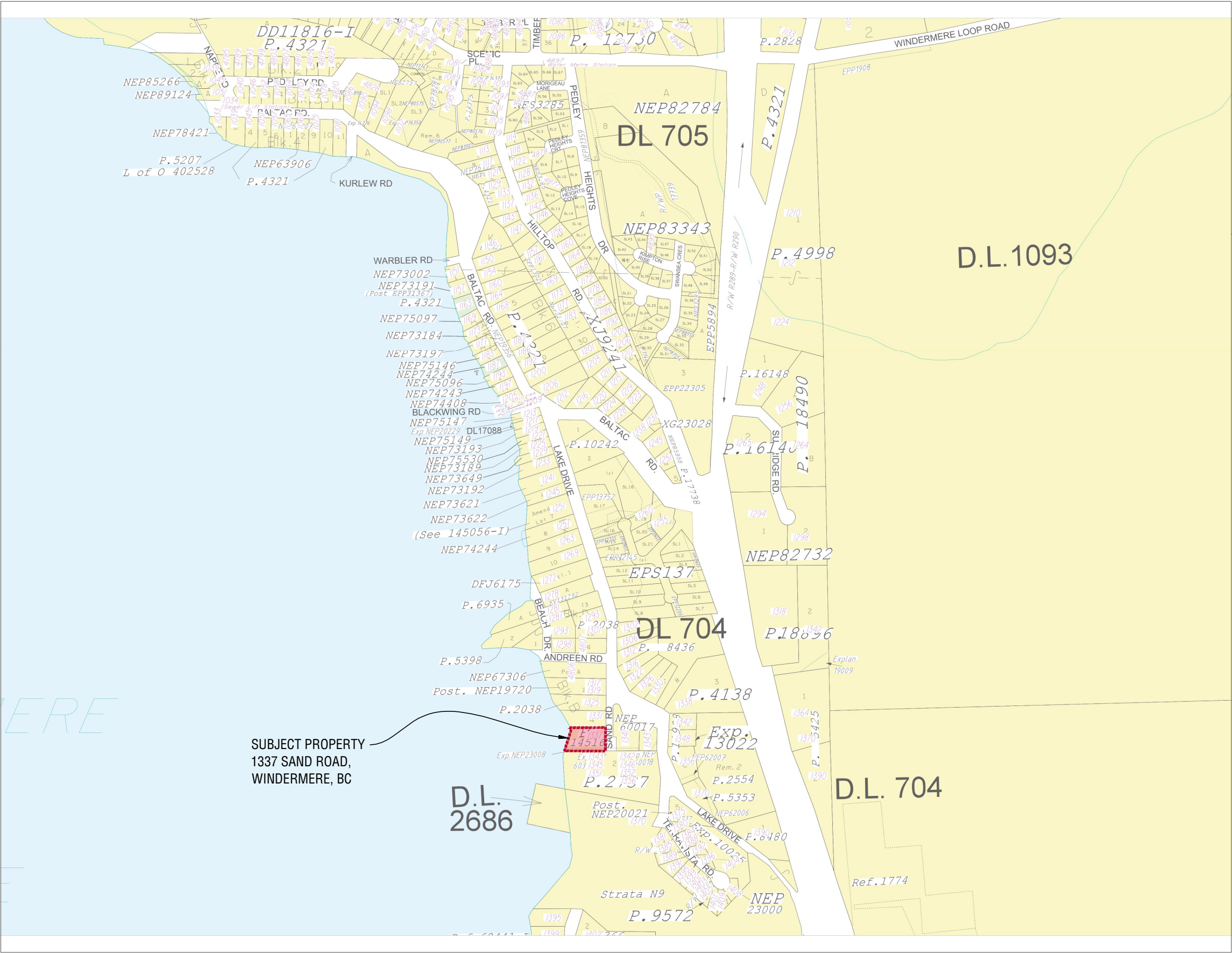
1337 SAND ROAD, WINDERMERE
BRITISH COLUMBIA
ELM CAPITAL CORPORATION

SCALE	AS NOTED
DATE	8 MARCH 2016
ISSUED FOR	LAND TENURE APPLICATION
PROJECT NUMBER	12079
DESIGN BY	RH
DRAWN BY	RH

DRAWING TITLE

SITE CONTEXT

DRAWING NUMBER



SUBJECT PROPERTY
1337 SAND ROAD,
WINDERMERE, BC

Foreshore License of Occupation – Management Plan

**FIGURE 3
SITE PLAN**



EXISTING LEGAL DESCRIPTION

LOT 1

Legal Description: Lot 1, District Lot 704, Kootenay District Plan 14516

Registered Owner: Elm Capital Corporation
200, 118 - 8th Avenue SW
Calgary, AB T2P 3B4

Lot Area: 0.33 Ha (0.815 acres)

Zoning: RES-1 Single Family Residential Zone

HAWORTH
Development Consulting

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Invermere, British Columbia V0A 1K0

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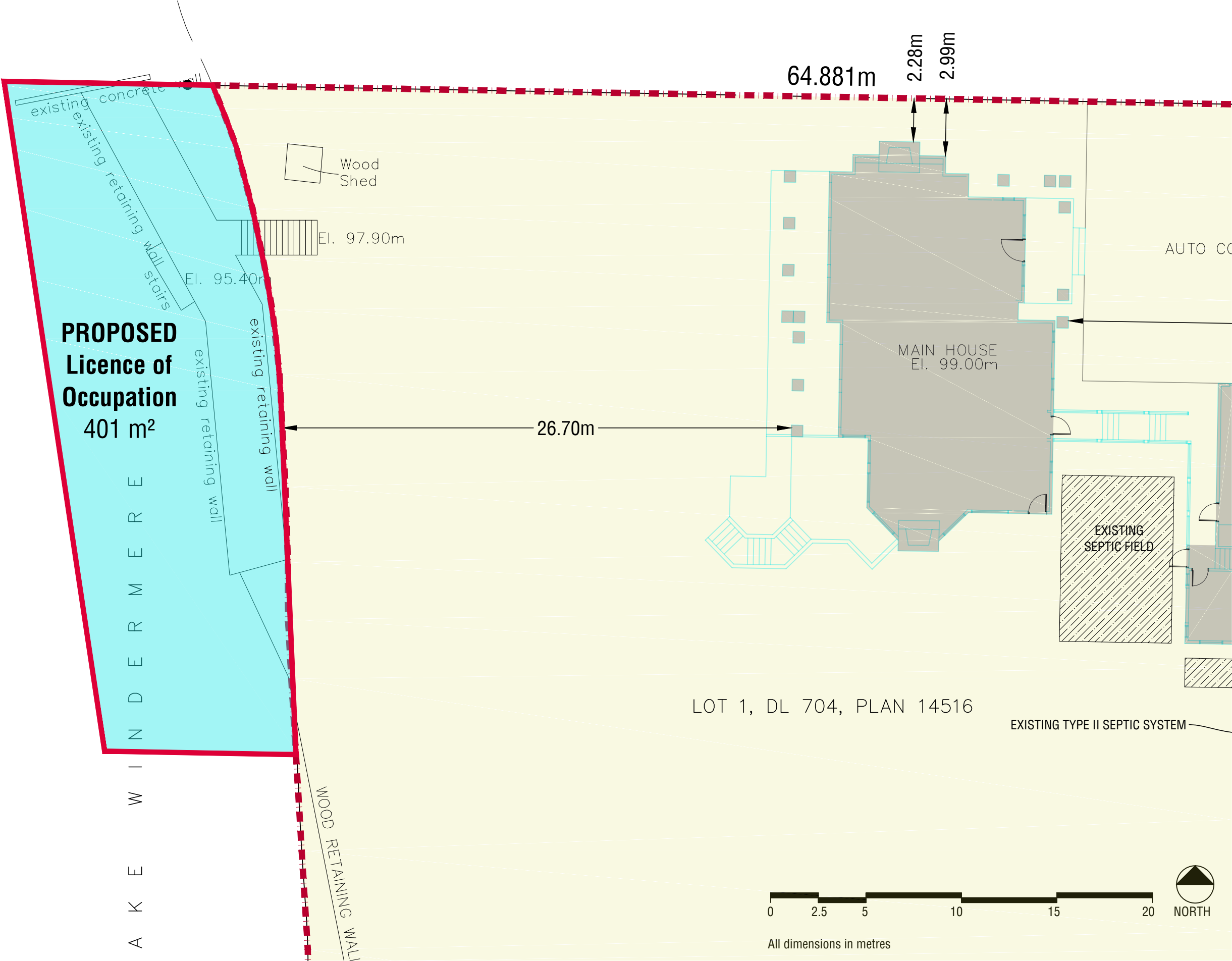
DRAWING TITLE

PROPOSED LICENCE
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Foreshore License of Occupation – Management Plan

**FIGURE 4
DETAILED SITE PLAN**



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DETAIL**

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Foreshore License of Occupation – Management Plan

FIGURE 5
RDEK LAKE WINDERMERE OCP
LAKE WINDERMERE DVP AREA (Schedule M3)






**Lake Windermere
Official Community Plan
Bylaw No. 2061, 2008**

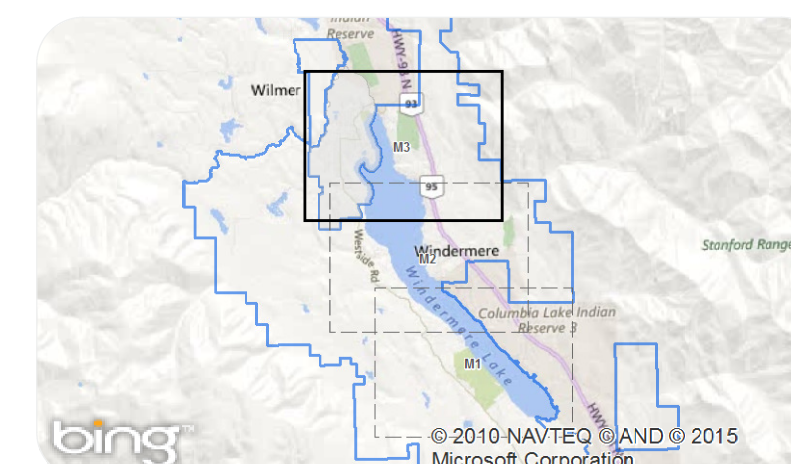
Legend

-  Key Habitat
-  Wetland / Riparian Zones
-  Cobble / Gravel Substrate
-  Natural Shoreline

Shoreline Designations

- Red Shoreline Zone
 Orange Shoreline Zone

-  First Nations Reserve
-  Plan Area Boundary



Schedule creation date: 17/09/2015

This is Schedule M3 of Bylaw No. 2563 cited as "Regional District of East Kootenay - Lake Windermere Official Community Plan Bylaw No. 2061, 2008 - Amendment Bylaw No. 18, 2014 (RDEK/Misc.)."

<i>"Rob C. Gay"</i>	
Chair	
<i>"Shannon Moskal"</i>	<i>Aug. 7, 2013</i>
Corporate Officer	Date

M3
DPA #3
Lake Windermere (North)

SCALE IN METERS

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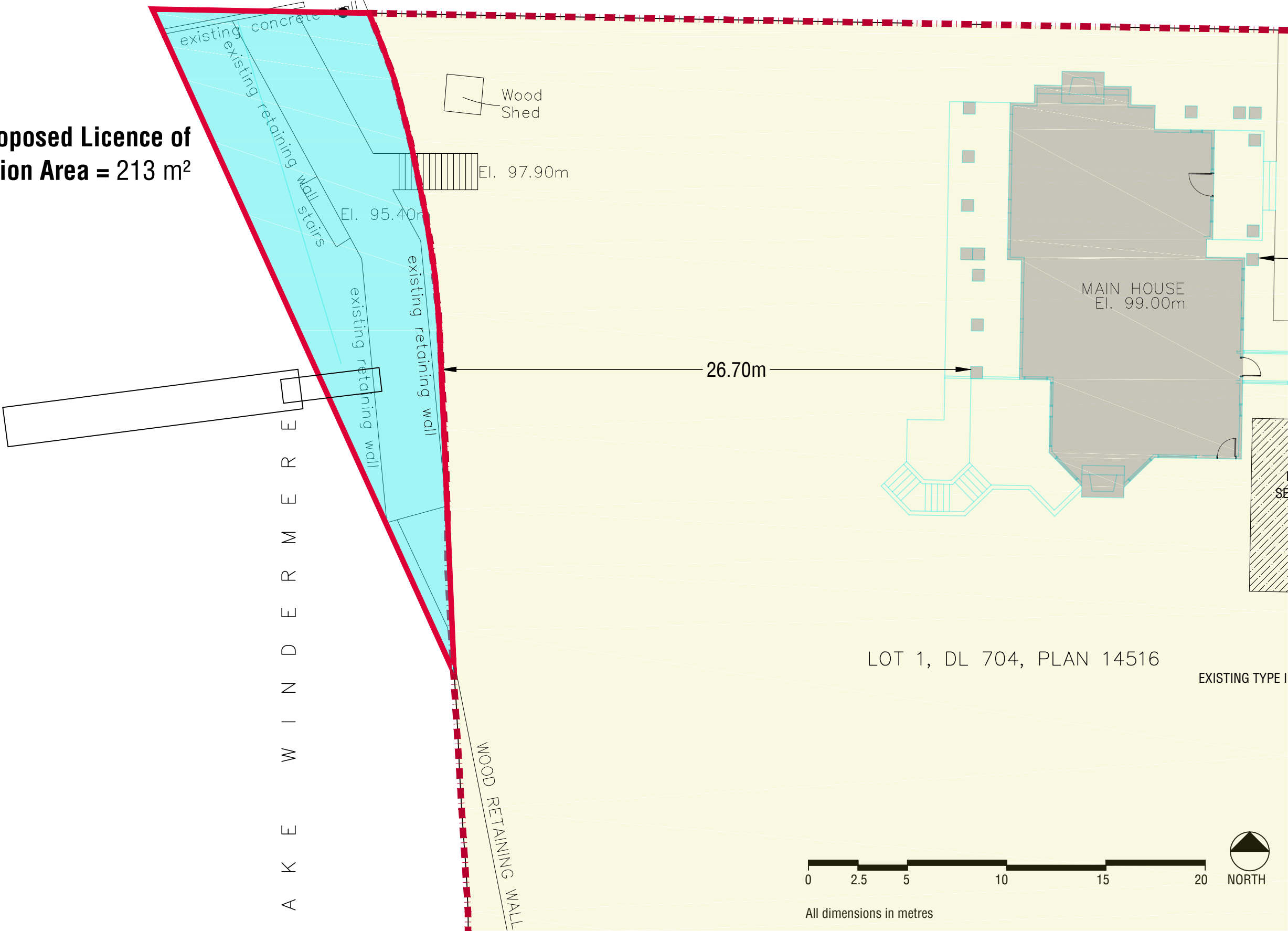
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**PROPOSED LICENCE
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**Proposed Licence of
Occupation Area = 213 m²**



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1337 SAND ROAD, WINDERMERE
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ELM CAPITAL CORPORATION

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PROJECT NUMBER	12079
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DRAWN BY	RH

DRAWING TITLE

**PROPOSED LICENCE
OF OCCUPATION -
PRIVATE MOORAGE**

DRAWING NUMBER

MODULAR FLOATING DOCK - 15m x 2m (30m²)

A
K
E
W
I
N
D
E
R
M
E
R
E

+/-18.0m from PL

RAMP - 5 m x 1.2 m

LOT 1, DL 704, PLAN 1451









