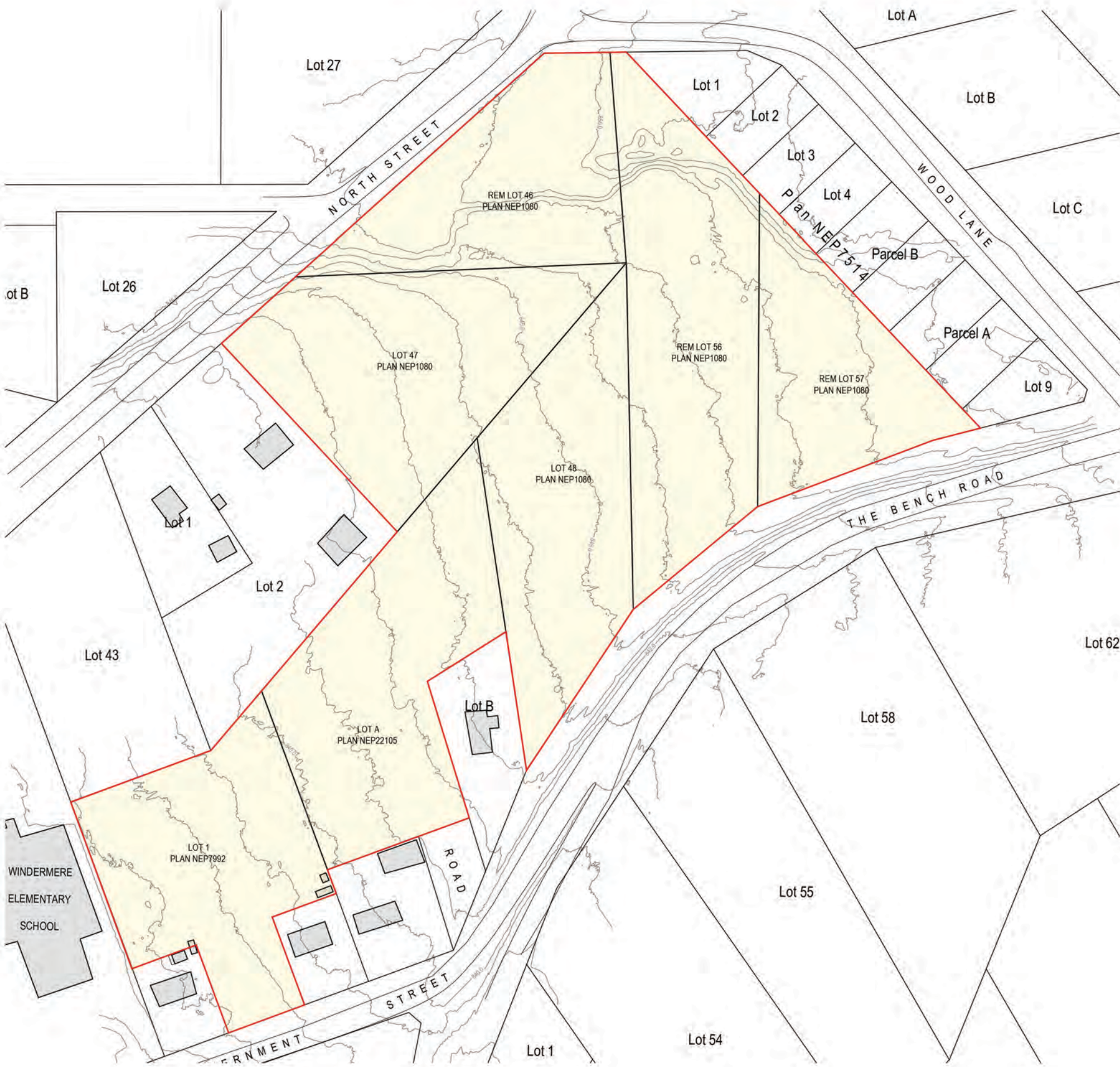
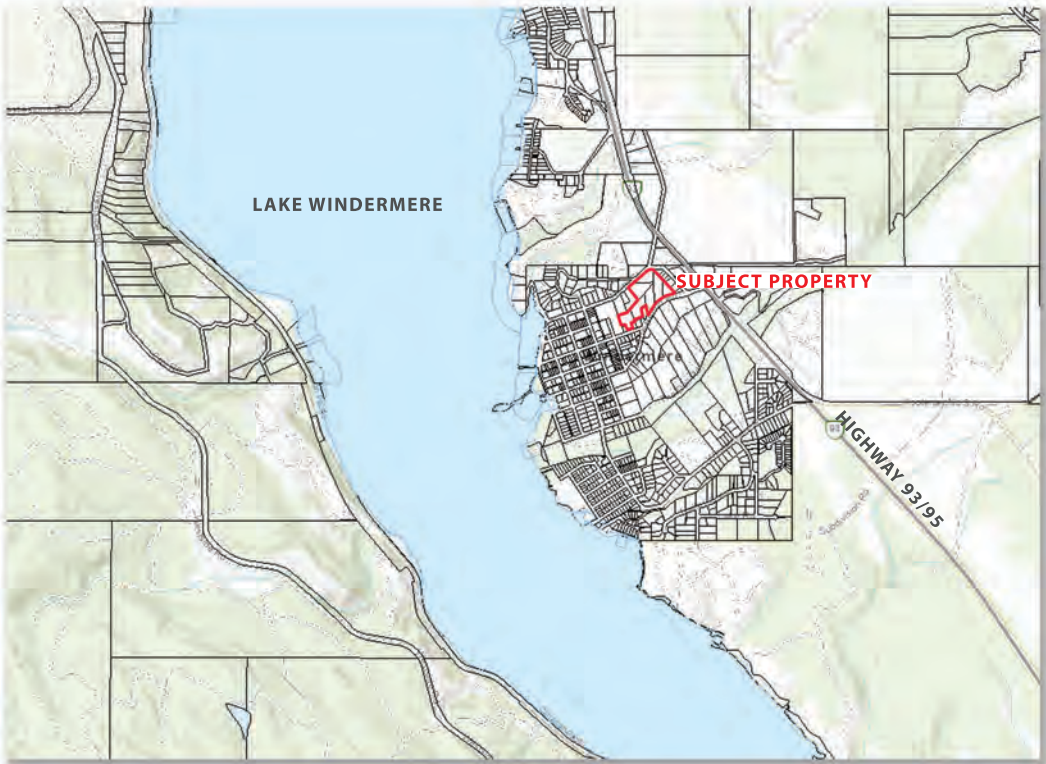


Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROJECT SITE



Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROPOSED PLAN OF SUBDIVISION



AFN Enterprises has applied to the BC Ministry of Transportation and Infrastructure (MOTI) to subdivide the subject properties as shown above. This subdivision will establish the parcels for future development.

The development is proposed to be serviced by the RDEK East Side Lake Windermere Water System. Package sewage treatment facilities will be provided for on-site sewage treatment.

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



AFN Enterprises LP

CONCEPTUAL PLAN

The proposed CD-1 zone will permit development of single family homes, duplexes and townhomes.

A maximum of 117 units are possible on the property. This equates to a density of approximately 12 units per acre. The plan provided illustrates the maximum density possible.

AFN Enterprises intends to construct a range of housing types both for rental and for sale.

This plan is intended to illustrate potential site layout based on the proposed zoning and is not the final development plan. Revisions to the plan may occur as development of the property proceeds and in response to housing needs and market conditions.



Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROPOSED ZONING AMENDMENT



AFN Enterprises has applied to the Regional District of East Kootenay (RDEK) to rezone the subject properties from R-4(A) Multiple Family Residential (Cluster) - Medium Density Zone to a new Comprehensive Development Zone (CD-1) to permit a range of residential uses and to C-1 to permit commercial as shown on the plan above.

The proposed CD-1 zone is outlined on a following panel.

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROPOSED OCP AMENDMENT



AFN Enterprises has applied to the Regional District of East Kootenay (RDEK) to amend the Official Community Plan (OCP) designation for that portion of the subject properties proposed for commercial development from “R-MF” Residential Multi-Family to “C” Commercial.

The portion of the subject properties proposed for residential development does not require an OCP amendment and will remain R-MF.

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROPOSED CD-1 ZONE

Comprehensive Residential Development Zone: CD-1

(1) Principal Uses

- (a) Single Family Dwelling
- (b) Duplex
- (c) Multiple Family Dwelling

(2) Accessory Uses

- (a) Secondary Suite within the principal dwelling unit only
- (b) Home Based Business
- (c) Uses, buildings, and structures accessory to a permitted use

(3) Parcel Area

- (a) Despite Section 2.2 of Schedule A to this Bylaw, no single family dwelling parcel shall be created which is less than 400 m2 in area.
- (b) Despite Section 2.3 of Schedule A to this Bylaw, the minimum average parcel area within Bare Land Strata subdivision of single family dwelling parcel is equal to 400 m2 in area
- (c) Despite Section 2.4 of Schedule A to this Bylaw, no single family dwelling parcel shall be created which has a usable site area less than 400 m2 in area.
- (d) Subject to Section 2 of Schedule A to this Bylaw, no parcel shall be created for a duplex which is less than 700 m2 in area.

(4) Bare Land Strata and Fee-Simple Parcel Regulations

In the CD-1 zone, no building or structure may be constructed or placed on a bare land strata or fee-simple parcel which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density: - Single family dwelling or duplex	one
(b) Minimum setbacks: (i) Principal buildings and structures from: - front parcel line - rear parcel line - side parcel line - side parcel line adjacent to a highway other than a lane	7.5 m 6.0 m 1.5 m 4.5 m
(ii) Accessory buildings and structures from: - front parcel line - rear parcel line - rear parcel line adjacent to a highway other than a lane - side parcel line - side parcel line adjacent to a highway other than a lane	7.5 m 4.5 m 6.0 m 1.5 m 4.5 m
(c) Maximum height: - principal building - accessory building or structure	10.0 m 5.0 m
(d) Maximum parcel coverage	40%
(e) Minimum horizontal dimension of a single family dwelling or duplex, not including dimensions of an additional or a non-rectangular building	5.5 m

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



PROPOSED CD-1 ZONE

Comprehensive Residential Development Zone: CD-1 (continued)

(5) Building Strata Parcel Regulations

In the CD-1 zone, no duplex or multiple family dwelling may be constructed or placed on a building strata parcel which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density: - Duplex or multiple family dwelling units per gross hectare of usable site area	thirty
(b) Minimum setbacks: (i) Principal buildings and structures from: - front parcel line - rear parcel line - side parcel line (ii) Accessory buildings and structures from: - front parcel line - rear parcel line - rear parcel line adjacent to a highway other than a lane - side parcel line - side parcel line adjacent to a highway other than a lane	 7.5 m 6.0 m 4.5 m 7.5 m 4.5 m 6.0 m 1.5 m 4.5 m
(c) Maximum height: - principal building - duplex - principal building – multiple family dwelling	 10.0 m 13.0 m

(6) Other Regulations

(a) Off-street parking spaces shall be provided and maintained in accordance with the following table, where applicable. For uses not listed below, the provisions of Part 3 of Schedule A to this Bylaw shall apply:

USE OF BUILDING OR LOT	MINIMUM NUMBER OF PARKING SPACE REQUIRED
(i) Multiple family dwelling unit equal to or less than 70 m2 total floor space	1 space per dwelling unit
(ii) Multiple family dwelling unit greater than 70 m2 total floor space	1.5 space per dwelling unit

(b) All persons carrying out a use permitted in the CD-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.

(c) No person shall site a principal building on a parcel in the CD-1 zone unless it is served by both a community water system and a community sewer system.

(d) No person shall use or permit the use of any portion of a parcel in the CD-1 zone for the wrecking and repair of vehicles or for the storage of derelict vehicles.

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



FREQUENTLY ASKED QUESTIONS

Q: Who is the owner of the property ?

A: The property is owned by Heritage Heights Development Inc. The only assets of this company are the lands proposed for development. This company was recently acquired by AFN Enterprises LP.

Q: What is AFN Enterprises LP ?

A: AFN Enterprises LP is the development arm of the Akisqnuk First Nation.

Q: Will the Windermere property be added to Reserve lands ?

A: No. These lands are being developed by AFN Enterprises as fee-simple lands off-reserve. They will not be added to Reserve lands.

Q: Is AFN Enterprises subject to the same rules for development of these lands that other developers would be subject to ?

A: Yes. AFN Enterprises is subject to all requirements of the RDEK, MOTI, Interior Health and other local and Provincial agencies through the standard land use approval processes.

Q: What is the maximum number of dwelling units that could be built on the property?

A: The zoning for the property will permit a maximum number of 117 dwelling units. This is based on 30 units per hectare.

Q: How will water be provided to the development ?

A: Water to the development will be provided by the RDEK Lake Windermere East Side Water System. We are aware that the water system does not currently have capacity for full build-out of the development and will time development in a manner that ensures water is available. The water system within the developemnt will meet all requirements of the RDEK Subdivision Servicing Bylaw and will be in accordance with IHA requirements and the Drinking Water Protection Act.

Q: How will wastewater (sewer) be dealt with ?

A: Septic systems will be provided in accordance with the RDEK Subdivision Servicing Bylaw and the Provincial Sewerage System Regulation. We envision a series of larger package treatment facilities being provided for each phase of development.

Project yaqunaki (Windermere)

LAND USE AMENDMENT APPLICATION



FREQUENTLY ASKED QUESTIONS

Q: Will the development be constructed in phases ?

A: Yes. The project is envisioned as six phases of development. We are proposing to commence development with Lot 2 at the north part of the site.

Q: Will the project include rental units ?

A: Yes. We envision a percentage of the units being developed for rental. The first phase of development is proposed to include rental townhomes as well as market duplexes. We also envision the site next to Windermere Elementary School to be rental units. Other areas within the site will be determined as market demand dictates.

Q: Will short term rentals be permitted ?

A: AFN Enterprises objective is to develop housing for long-term rental and sale. We do not foresee allowing short-term rentals within the development.

Q: What is proposed on the commercial zoned portion of the property ?

A: A specific development proposal for this parcel has not been prepared to date. However, we envision development of a commercial use that is complementary to the Windermere community such as a day spa or small retail offering.

Q: What is the Comprehensive Development (CD) zone proposed for the property ?

A: Comprehensive Development (CD) zones are ‘one of a kind’ zones, usually created when rezoning larger sites and a mix of proposed land uses that do not match up with existing zones. The CD zone proposed establishes the permitted uses for the property, the required setbacks, maximum building heights and maximum permitted density as well as other requirements such as parking for multiple family units.

Q: Are there any design guidelines or other requirements for the housing style to fit into the character and aesthetic of the Windermere community ?

A: Any commercial or multi-family buildings would need to meet the requirements of the RDEK Lake Windermere OCP - Form and Character Guidelines. The developer also recognizes the importance of ensuring that the proposed development fits into the character of the Windermere area.

November 28th, 2024

Sent Via Email

Karen MacLeod
Regional District of East Kootenay
planningdept@rdek.bc.ca

Letter of Support for KNC Referral #6261

Ki?su?k kyukyit Karen MacLeod,

The Ktunaxa Nation Council (KNC) is pleased to offer our support in regards to KNC referral #6261 (P 724 569) for the ʔakisq̓nuk First Nation's proposal to amend the Official Community Plan (OCP) and the zoning designations for their properties. This amendment will enable the development of a range of residential unit types and a small commercial area intended to serve community needs.

The proposal includes the creation of a new Comprehensive Residential Development zone, which will allow for a diverse mix of housing options. The primary focus will be on duplexes and townhouses, complemented by a limited number of single-family units. These properties, currently undeveloped, are owned by ʔakisq̓nuk First Nation Enterprises and will be developed in phases over several years.

The proposed development is expected to result in approximately 120 housing units, offering a combination of rental and market housing options. While accommodating single-family homes may slightly reduce the overall number of units, the development will significantly address housing needs within the community.

We applaud the ʔakisq̓nuk First Nation for their vision and commitment to creating a sustainable and inclusive community through this initiative, and we stand in full support of this important project.

Sincerely,

Jaime Vienneau

Jaime Vienneau (Nov 28, 2024 13:49 MST)

Jaime Vienneau
Director, Lands and Resources Sector
Ktunaxa Nation Council

CC:

Nate Crowe, Manager, Natural Resource Stewardship, KNC
Lorne Shovar, Director of Lands, Resource & Infrastructure, ʔakisq̓nuk First Nation