



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, May 15, 2024
Time: 9:00 am
Location: Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. ZOOM REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote (hybrid model).

Meeting Time:

9:00 a.m. (PDT)

Join by Video:

<https://rdck-bc-ca.zoom.us/j/99432310519?pwd=dmNKREFaOUFFcnpoaDZPb2VtcUNIQT09>

Join by Phone:

855 703 8985 Canada Toll-free

Meeting Number (access code): 994 3231 0519

Meeting Password: 903697

In-Person Location:

Nelson Office - Boardroom
202 Lakeside Drive
Nelson, BC V1L 4R5

2. CALL TO ORDER

Chair Jackman called the meeting to order at ____ a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

4. ADOPTION OF THE AGENDA

RECOMMENDATION:
The agenda for the May 15, 2024 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES 8 - 15
The April 17, 2024 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

7. PLANNING & BUILDING

7.1 BUILDING BYLAW CONTRAVENTION – EVANS 16 - 23
File No.: 3135-20-I-709.05749.300-BP021431
1726 Thrums East Rd – Accessory Building
(Dobie & Alisha Evans)
Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

*Rural Affairs Committee
Referred July 19, 2023 to September 13, 2023.
Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.
January 17, 2024 to March 20, 2024.
Referred January 17, 2024 to March 20, 2024.
Referred March 20, 2024 to April 17, 2024.
Referred April 17, 2024 to May 15, 2024.*

RECOMMENDATION:
That it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie and Alisha Evans, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

7.2 BUILDING BYLAW CONTRAVENTION - EVANS 24 - 31
File No.: 3135-20-I-709.05749.300-BP024256
1726 Thrums East Road - Deck Only
(Dobie & Alisha Evans)
Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration. January 17, 2024 to March 20, 2024.

Referred January 17, 2024 to March 20, 2024.

Referred March 20, 2024 to April 17, 2024.

Referred April 17, 2024 to May 15, 2024.

RECOMMENDATION:

That it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie and Alisha Evans, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

7.3 BUILDING BYLAW CONTRAVENTION - EVANS & MCLEAN

32 - 37

File No.: 3135-20-I-709.05749.300-BP023217

1726 Thrums East Rd – Manufactured Home

(Dobie Evans & Ronald Mclean)

Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans & Mclean, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration. January 17, 2024 to March 20, 2024.

Referred January 17, 2024 to March 20, 2024.

Referred March 20, 2024 to April 17, 2024.

Referred April 17, 2024 to May 15, 2024.

RECOMMENDATION:

That it be recommended to the Board:

That the Board take no further action at this time to file a Notice on Title relating to land at relating to land at 1726 Thrums East Road, Electoral Area I, currently owned by Dobie Evans & Ronald Mclean, legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149.

7.4 DEVELOPMENT VARIANCE PERMIT - CROWE

38 - 74

File No.: V2404A-04737.100-Crowe-DVP00252
129 Boulder Beach Road
(1068616 BC LTD., INC. NO. BC1068616 C/O Ken Crowe)
Electoral Area A

The Committee Report dated May 1, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit - Crowe, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road, Electoral Area A and legally described as Lot 5, District Lot 4595, Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the *RDCK's Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

7.5 NON-ADHERING RESIDENTIAL USE - MEASURES

75 - 93

File No.: A2401G - Measures
8965 Highway 6
(Robert & Yoshie Measures)
Electoral Area G

The Committee Report dated May 1, 2024 from Zachari Giacomazzo, Planner, re: Non-Adhering Residential Use - Measures, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That the Board PROVIDE NO COMMENT regarding application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Ben Conroy for property located at 8965 Highway 6, Electoral Area G and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

7.6 BYLAW AMENDMENTS - MELVILLE & WHITEHEAD

94 - 121

File No.: Z2402J-01555.100-Whitehead-BA000080
3124 Waldie Avenue
(Jessilyn Melville & Jarrod Whitehead)
Electoral Area J

The Committee Report dated May 1, 2024 from Stephanie Johnson,

Planner, re: Bylaw Amendments - Melville & Whitehead, has been received.

RECOMMENDATION:

That it be recommended to the Board:

That *Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024* being a bylaw to amend the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

RECOMMENDATION:

That it be recommended to the Board:

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

RECOMMENDATION:

That it be recommended to the Board:

That in accordance with *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, Electoral Area J Director Hanegraaf is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

7.7 BILL 44 IMPLEMENTATION – SMALL SCALE MULTI UNIT HOUSING
File No.:10-5110-20-Provincial Housing Changes
Electoral Area A, B, C, D, F, G, I, J & K

122 - 376

The Committee Report dated April 30, 2024 from Dana Hawkins, Planner 2, re: Bill 44 Implementation – Small Scale Multi Unit Housing, has been received.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Electoral Area ‘A’ Land Use Amendment Bylaw No. 2953, 2024* being a bylaw to amend the *Electoral Area ‘A’ Land Use Bylaw No. 2315, 2013* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Electoral Area ‘B’ Land Use Amendment Bylaw No. 2954, 2024* being a bylaw to amend the *Electoral Area ‘B’ Land Use Bylaw No. 2316, 2013* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Electoral Area 'C' Land Use Amendment Bylaw No. 2955, 2024* being a bylaw to amend the *Electoral Area 'C' Land Use Bylaw No. 2317, 2013* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Electoral Area 'D' Land Use Amendment Bylaw No. 2956, 2024* being a bylaw to amend the *Electoral Area 'D' Land Use Bylaw No. 2435, 2016* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Electoral Area 'G' Land Use Amendment Bylaw No. 2957, 2024* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

RECOMMENDATION:

That it be recommended to the Board:

THAT *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST, SECOND and THIRD READING; AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs the Amending Bylaw.

8. ENVIRONMENTAL SERVICES

No items.

9. RURAL ADMINISTRATION

- 9.1 COMMUNITY WORKS FUND APPLICATION – KITCHENER VALLEY RECREATION & FIRE PROTECTION SOCIETY “COMMUNITY HALL ELECTRICAL UPDATE”**
File No.: 1850-20-CW-299
Electoral Area B

377 - 393

The Committee Report dated April 22 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application – Kitchener Valley Recreation & Fire Protection Society “Community Hall Electrical Update”, has been

received.

RECOMMENDATION:

That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Kitchener Valley Recreation & Fire Protection Society for the project titled “Community Hall Electrical Update” in the amount of \$12,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area B.

**9.2 COMMUNITY WORKS FUND APPLICATION – ROBSON RASPBERRY IMPROVEMENT DISTRICT “RRID ASSET MANAGEMENT STUDY”
File No.: 1850-20-CW-302
Electoral Area J**

394 - 405

The Committee Report dated April 23, 2024 from Lisa Rein, Grants Coordinator, re: Community Works Fund Application – Robson Raspberry Improvement District “RRID Asset Management Study”, has been receive

RECOMMENDATION:

That it be recommended to the Board:

THAT the Community Works Fund application submitted by the Robson Raspberry Improvement District for the project titled “RRID Asset Management Study” in the amount of \$51,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area J.

10. PUBLIC TIME

The Chair will call for questions from the public and members of the media at _____ a.m./p.m.

11. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, April 17, 2024

9:00 a.m.

Hybrid Model - In-person and Remote
RDCK Board Room, 202 Lakeside Dr., Nelson, BC

COMMITTEE MEMBERS

PRESENT

Chair G. Jackman	Electoral Area A – In-person
Director R. Tierney	Electoral Area B – In-person
Director K. Vandenberghe	Electoral Area C – In-person
Director A. Watson	Electoral Area D
Director C. Graham	Electoral Area E – In-person
Director T. Newell	Electoral Area F – In-person
Director H. Cunningham	Electoral Area G – In-person
Director W. Popoff	Electoral Area H
Director A. Davidoff	Electoral Area I
Director H. Hanegraaf	Electoral Area J – In-person
Director P. Peterson	Electoral Area K

COMMITTEE MEMBERS

ABSENT

Director T. Weatherhead	Electoral Area K
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GUEST DIRECTOR

Director L. Main	Village of Silverton
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STAFF PRESENT

S. Horn	Chief Administrative Office
S. Sudan	General Manager of Development and Community Sustainability Initiatives
N. Wight	Planning Manager
S. Johnson	Planner
Z. Giacomazzo	Planner
C. Hopkyns	Corporate Administrative Coordinator – Meeting Coordinator

1. WEBEX REMOTE MEETING INFO

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=md8e850c3669e773450ffbd52a39e0b7c>

Join by Phone:

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2770 924 9707

Meeting Password: RPbjg3UHe33 (77254384 from phones)

2. CALL TO ORDER

Chair Jackman called the meeting to order at 9:00 a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

4. ADOPTION OF THE AGENDA

Moved and seconded,

And resolved:

The agenda for the April 17, 2024 Rural Affairs Committee meeting be adopted as circulated.

Carried

Moved and seconded,

And resolved:

Director Main have freedom of the floor.

Carried

5. RECEIPT OF MINUTES

The February 14, 2024 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

Item 7.6 Michael Gagnier, representative of the property owner.

Item 7.7 Dustin Lalic, representative of the property owner.

7. PLANNING & BUILDING

7.1 BUILDING BYLAW CONTRAVENTION – EVANS

File No.: 3135-20-I-709.05749.300-BP021431

1726 Thrums East Rd – Accessory Building

(Dobie & Alisha Evans)

Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

Referred January 17, 2024 to March 20, 2024.

Referred March 20, 2024 to April 17, 2024.

- No delegation was present.
- Sangita Sudan, General Manager of Development and Community Sustainability Initiatives, shared that the property owner has submitted an application. Staff needs time to review the application and are recommending referral to May 15th RAC meeting.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the May 15, 2024 Rural Affairs Committee meeting:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Carried

7.2 BUILDING BYLAW CONTRAVENTION - EVANS

File No.: 3135-20-I-709.05749.300-BP024256

1726 Thrums East Road - Deck Only

(Dobie & Alisha Evans)**Electoral Area I**

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

January 17, 2024 to March 20, 2024.

Referred January 17, 2024 to March 20, 2024.

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- No delegation was present.
- Sangita Sudan, General Manager of Development and Community Sustainability Initiatives, shared that the property owner has submitted an application. Staff needs time to review the application and are recommending referral to May 15th RAC meeting.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the May 15, 2024 Rural Affairs Committee meeting:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Carried

- 7.3 BUILDING BYLAW CONTRAVENTION - EVANS & MCLEAN**
File No.: 3135-20-I-709.05749.300-BP023217
1726 Thrums East Rd – Manufactured Home
(Dobie Evans & Ronald Mclean)

Electoral Area I

The Committee Report dated March 23, 2023, re: Building Bylaw Contravention - Evans & Mclean, has been received.

Rural Affairs Committee

Referred July 19, 2023 to September 13, 2023.

Referred September 13, 2023 to December 13, 2023. The item was missed on the December 13, 2023 RAC meeting agenda and is being brought forward to the January 17, 2024 RAC meeting for consideration.

Referred January 17, 2024 to March 20, 2024.

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- No delegation was present.
- Sangita Sudan, General Manager of Development and Community Sustainability Initiatives, shared that the property owner has submitted an application. Staff needs time to review the application and are recommending referral to May 15th RAC meeting.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved:

That the following motion BE REFERRED to the May 15, 2024 Rural Affairs Committee meeting:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Road, Electoral Area I and legally described as LOT C, PLAN NEP68184, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT MANUFACTURED HOME REG. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Carried

- 7.4 DEVELOPMENT VARIANCE PERMIT - CAMPBELL**
File No.: V2402A – Campbell
4481 Highway 3A
(James & Yvonne Campbell, Agent: Jeff Shatzko)
Electoral Area A

The Committee Report dated April 3, 2024 from Zachari Giacomazzo, Planner, re: Development Variance Permit - Campbell, has been received.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2402A to Jeff Shatzko for the property located at 4481 Highway 3A, Electoral Area A and legally described as LOT 2, DISTRICT LOT 4595, KOOTENAY DISTRICT PLAN 9520, EXCEPT PART INCLUDED IN PLAN 10068 (PID: 007-640-510) to vary Section 18.17 of *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* in order to permit a 1.5 metre setback from the southern interior lot line and a 0.4 metre setback from the eastern lot line whereas the bylaw requires a 2.5 metre setback from an interior lot line.

Carried

7.5 DEVELOPMENT VARIANCE PERMIT - MCBLAIN
File No.: V2405-62449.010-MCBLAIN-DVP00253
4328 – 40th Street
(Jody & Delaney McBlain)
Electoral Area B

The Committee Report dated April 3, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit - McBlain, has been received.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2405B to Jody McBlain and Delaney McBlain for the property located at 4328 – 40th Street, Electoral Area B and legally described as LOT 174, DISTRICT LOT 812, KOOTENAY DISTRICT PLAN 921 (PID: 009-896-490) to vary Section 23.5 in the *Rural Creston Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013*, as follows:

- From a 60 metre maximum depth from the Front Lot Line for a Farm Residential Footprint to allow a Farm Residential Footprint with a maximum depth of 140 metres from the Front Lot Line to permit the conversion of an existing structure in to a dwelling unit.

Carried

7.6 DEVELOPMENT VARIANCE PERMIT - SPERLING
File No.: V2309I-09362.000-SPERLING-DVP00243
2464 Pass Creek Road
(Terese and Arthur Sperling)

Electoral Area I

The Committee Report dated April 3, 2024 from Stephanie Johnson, Planner, re: Development Variance Permit - Sperling, has been received.

Michael Gagnier, representative of the property owner was available to answer questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board APPROVE the issuance of Development Variance Permit V2309I to Arthur Patrick Sperling and Terese Sperling for the property located at 2464 Pass Creek Road, Electoral Area I and legally described as DISTRICT LOT 8430, KOOTENAY DISTRICT EXCEPT PART INCLUDED IN PLANS 12090 & 15269 (PID: 016-449-312) to vary Section 2901.3, 2901.4, and 2901.6 b. of the Regional District of Central Kootenay's Zoning Bylaw No. 1675, 2004 to permit, as follows:

1. To permit a Farm Residential Footprint of approximately 3,800 m² (40, 903 ft²) whereas the bylaw permits a Farm Residential Footprint of 2,500 m² (26,910 ft²) for a Single Family Dwelling and additional permitted dwelling unit.
2. To allow a Farm Residential Footprint with a maximum depth of 200 metres (656 ft) from the Front Lot Line whereas the bylaw requires that the maximum depth of the Farm Residential Footprint shall not exceed 60 metres from the Front Lot Line.
3. To permit an accessory dwelling with a maximum Gross Floor Area (GFA) of 136 m² (1,464 ft²) whereas the bylaw permits a maximum GFA of 90 m² (969 ft²).

Carried

7.7 SITE SPECIFIC FLOODPLAIN EXEMPTION - PRUETT

File No.: F2401E-02256.131-PRUETT-FLD00072

389 Park Avenue

(Holly & Donald Pruett)

Electoral Area E

The Committee Report dated April 3, 2024 from Stephanie Johnson, Planner, re: Site Specific Floodplain Exemption - Pruett, has been received.

Dustin Lalic, representative of the property owners, had nothing further to add and was available to answer the Committee's questions.

The Committee had a discussion and staff answered questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board APPROVE a Site Specific Floodplain Exemption to reduce the required setback from Kootenay Lake from 15 metres from the natural boundary to 8.86 metres from the natural boundary in accordance with the Engineering Report prepared by Vast Resource Solutions Inc., dated December, 2023, for property located at 389 Park Avenue, Electoral Area E and legally described as STRATA LOT 31, DISTRICT LOT 873, KOOTENAY DISTRICT STRATA PLAN NES3286, TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V (PID: 027-785- 114) SUBJECT to preparation by Holly Pruett and Donald Pruett of a restrictive covenant under Section 219 of the *Land Title Act* and Section 56 of the *Community Charter* in favour of the Regional District of Central Kootenay.

Carried

8. ENVIRONMENTAL SERVICES

No items.

9. RURAL ADMINISTRATION

No items

10. PUBLIC TIME

The Chair called for questions from the public and members of the media at 9:37 a.m.

No public or media had questions.

11. ADJOURNMENT

Moved and seconded,

And resolved:

The meeting be adjourned at 9:38 a.m.

Carried

Digitally signed by _____

Chair Jackman, Chair



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield _Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP021431
Electoral Area: I
Registered Owners: Evans, Dobie and Evans, Alisha
Civic Address: 1726 Thrums East Rd – Accessory Building
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Expired permit.**

SECTION 2: BACKGROUND/ANALYSIS

Jan 23, 2018 Building Permit (BP) application was received to construct an accessory building (shop).
Sep 26, 2019 Framing Inspection completed.
Nov 19, 2020 Emailed expiry letter was sent, and email bounced back.
Jan 12, 2021 Mailed expiry letter to Owner.
Feb 05, 2021 Building Official visited the site; approved another one year renewal.
May 11, 2021 Mailed expired letter to Owner.
Jul 19, 2021 Owner called Building Department and confirmed he will extend shop permit for one year as it expired in February 2021.
Nov 01, 2021 BO approved BP to be renewed for one year, and the new expiry date is May 31, 2022.



Mar 23, 2023 No Further contact from the Owner

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 13.3.3 the permit shall expire and the rights of the owner shall terminate in the event and at the time that either of the above conditions is not met or in any event thirty-six months after the date the permit was issued.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I, legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager
Digitally approved by Chris Gainham
Sangita Sudan/General Manager of Development and Community Sustainability Services
Digitally approved by Sangita Sudan
Stuart J. Horn/Chief Administrative Officer
Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP021431

REGISTERED OWNERS:

Evans, Dobie and Evans, Alisha
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023
Time: 9:00 a.m. PST
Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

Should you have no objection to the filing of the subject Notice, please sign and return the attached statement in the stamped, self-addressed envelope. All owners named on the statement must sign this statement. This will allow the Corporate Officer to proceed with filing of the Notice against your property in the Land Title Office. A copy of the Notice will be forwarded for your records.

A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00686 – Evans, Dobie and Evans, Alisha
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Evans, Alisha hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Evans, Alisha



File No: 3135-20-«FolioNumbers»

[Click here to enter a date.](#)

«Name1»«Name2»
«MailingAddress»

Dear «Name1»and «Name2»:

RE: FILING OF NOTICE IN LAND TITLE OFFICE UNDER SECTION 57 OF THE COMMUNITY CHARTER
«LongLegals»

We wish to advise that the Board, at its meeting held [Click here to enter a date.](#), adopted the following resolution:

[Click here to enter text.](#)

Pursuant to Resolution [Click here to enter text.](#), a Notice has been forwarded to the Land Title Office for filing against your property, a copy of which is attached for your records.

The Community Charter offers the following avenues of resolution respecting removal of the Notice:

- 58(1) “On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57(3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.”
- 58(2) “An owner of land with respect to which a notice has been filed under section 57(3), may apply to the council for a resolution that the note be cancelled.”
- 58(3) “After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.”

We also wish to bring to your attention that pursuant to Regional District of Central Kootenay Building Bylaw No. 2200, 2010, you will be charged an Administrative Fee of \$750.00 for removal of the “Notice on Title”.

If you have any questions, please contact the Building Inspection Department at 250.352.8155.

Sincerely

Sangita Sudan
General Manger of Development Services

Notice on Title 00686 – Evans, Dobie and Evans, Alisha
1726 Thrums East Rd

Attachment

c.c. BC Assessment Authority
Interior Health Authority, Nelson



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield_Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP024256
Electoral Area: I
Registered Owners: Evans, Dobie and Evans, Alisha
Civic Address: 1726 Thrums East Rd--Deck Only
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Work has not been carried out in accordance with the BC Building Code**

NOTE: The RDCK has initiated three NoT reports simultaneously for this one property

SECTION 2: BACKGROUND/ANALYSIS

Apr 14, 2014 A building permit (BP) application was received to construct a deck, site plan and drawing were not provided at the time of application.

Jun 02, 2014 Stop Work Order (SWO) posted on the construction of a deck.

Jun 13, 2014 BP21431 was issued for the deck's construction.

Aug 17, 2015 Last inspection letter sent to Owner.

Aug 24, 2015 Owner called to let us know that he had an engineer look at the deck and will call for an inspection later.

Feb 27, 2017 BB renewed for one year from the expiry date.

Jul 09, 2018 BP renewed for another year.

Apr 10, 2018 Pending expiry letter sent to Owner.

Apr 26, 2018 Framing inspection failed: Framing is acceptable for most of the deck except the ridge beam needs support at the house end. P.Eng will provide a report but no report received to date

Jun 27, 2018 Final expiry letter sent to Owner.

Jul 02, 2019 Final expiry letter sent to Owner.

Nov 19, 2020 Emailed Owner expiry letter for BP21431 and BP024256

Jan 04, 2021 Email no longer valid; mailed expiry letter to Owner. The Building Officials (BO) recommends Notice on Title (NoT), posted Do Not Occupy and SWO.



- Jan 04, 2021** BO recommends not renewing or opening a new permit; we will need complete plans, engineering letter or Schedule B.
- Feb 09, 2021**
- Jul 19, 2021** BO posts a Do Not Occupy notice on the deck
 Owner called and is working on getting structural still for the other buildings
- Mar 23, 2023** No further contact from Owner.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov’t Approvals Required:** Yes No

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I, legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager
Digitally approved by Chris Gainham
Sangita Sudan/General Manager of Development and Community Sustainability Services
Digitally approved by Sangita Sudan
Stuart J. Horn/Chief Administrative Officer
Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP024256

REGISTERED OWNERS:

Evans, Dobie and Evans, Alisha
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023
Time: 9:00 a.m. PST
Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

Should you have no objection to the filing of the subject Notice, please sign and return the attached statement in the stamped, self-addressed envelope. All owners named on the statement must sign this statement. This will allow the Corporate Officer to proceed with filing of the Notice against your property in the Land Title Office. A copy of the Notice will be forwarded for your records.

A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Evans, Alisha hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Evans, Alisha



File No: 3135-20-«FolioNumbers»

[Click here to enter a date.](#)

«Name1»«Name2»
«MailingAddress»

Dear «Name1»and «Name2»:

RE: FILING OF NOTICE IN LAND TITLE OFFICE UNDER SECTION 57 OF THE COMMUNITY CHARTER
«LongLegals»

We wish to advise that the Board, at its meeting held [Click here to enter a date.](#), adopted the following resolution:

[Click here to enter text.](#)

Pursuant to Resolution [Click here to enter text.](#), a Notice has been forwarded to the Land Title Office for filing against your property, a copy of which is attached for your records.

The Community Charter offers the following avenues of resolution respecting removal of the Notice:

- 58(1) “On receiving a report from a building inspector that the condition that gave rise to the filing of the notice under section 57(3) has been rectified, the corporate officer must file a cancellation notice and, on receiving the notice, the registrar of land titles must cancel the note against the title to which it relates.”
- 58(2) “An owner of land with respect to which a notice has been filed under section 57(3), may apply to the council for a resolution that the note be cancelled.”
- 58(3) “After hearing an applicant under subsection (2), the council may pass a resolution directing the corporate officer to file a cancellation notice.”

We also wish to bring to your attention that pursuant to Regional District of Central Kootenay Building Bylaw No. 2200, 2010, you will be charged an Administrative Fee of \$750.00 for removal of the “Notice on Title”.

If you have any questions, please contact the Building Inspection Department at 250.352.8155.

Sincerely

Notice on Title 00697 – Evans, Dobie and Alisha Dobie
1726 Thrums East Rd

Sangita Sudan
General Manger of Development Services

Attachment

c.c. BC Assessment Authority
Interior Health Authority, Nelson



Committee Report

Notice on Title

Date of Report: Mar 23, 2023
Date & Type of Meeting: Jul 19, 2023, Rural Affairs Committee
Author: Tony Hadfield _Building/Plumbing Official
Subject: NOTICE ON TITLE REPORT
File: 3135-20-I-709.05749.300-BP023217
Electoral Area: I
Registered Owners: Evans, Dobie
 Mclean, Ronald
Civic Address: 1726 Thrums East Rd – Manufactured Home
Legal Description: Lot C Plan Nep68184 District Lot 1239 Kootenay Land District
 Manufactured Home Reg. # 36149.
Zoning: R2I
ALR: No

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property as a consequence of a building bylaw contravention-**Expired Permit**

NOTE: The RDCK has initiated three NoT reports simultaneously for this one property

SECTION 2: BACKGROUND/ANALYSIS

Aug 30, 2016 Building Permit (BP) application was received for placing a manufactured home (MH).
Dec 12, 2016 BP23217 was issued to establish a MH.
Nov 14, 2016 Received complaint that Owner is building a shop, advised Bylaw enforcement.
Apr 26, 2018 Rough-In-Plumbing inspection completed. MH snow load of 65 PSF is not adequate.
Oct 17, 2019 First expiry notice sent.
Jan 03, 2020 Final expiry notice sent.



Mar 23, 2023 No Further contact from Owner.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

In keeping with past practice, and further to Building Bylaw Section 22, the following estimate of penalties and costs are provided:

Notice on Title Removal Fee	\$750.00
RDCK Building Permit Fee based upon total value of construction in the case of a Stop Work Order (estimated)	\$1500.00
Penalty as per Clause 22.3 of Building Bylaw (25% of the Building Permit fee) minimum	\$200.00

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

1. Section 57 Community Charter;
2. BC Building Code;
3. RDCK Policy No. 400-01-03 Action for Compliance – Notice on Title Procedures;
4. Building Bylaw Contravention – This contravenes RDCK Building Bylaw 2200, Section 4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

N/A

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

1. Do not accept recommendation as presented – the property will remain in contravention of the BC Building Code and RDCK Building Bylaw.
2. Accept recommendation as presented – file Notice on Title.

SECTION 5: RECOMMENDATIONS

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the *Community Charter* by the Regional District Board relating to land at 1726 Thrums East Rd Electoral Area I,

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149., and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Respectfully submitted,
Tony Hadfield_Building/Plumbing Official
Digitally approved by John Southam for BO

CONCURRENCE

Chris Gainham/Building Manager

Digitally approved by Chris Gainham

Sangita Sudan/General Manager of Development and Community Sustainability Services

Digitally approved by Sangita Sudan

Stuart J. Horn/Chief Administrative Officer

Digitally approved by Stuart J. Horn



BY REGISTERED MAIL

File: 3135-20-I-709.05749.300-BP023217

REGISTERED OWNERS:

Evans Dobie and Mclean, Ronald
1726 Thrums Rd
Castlegar BC, V1N 4N4

SUBJECT: Notice on Title

CIVIC ADDRESS: 1726 Thrums East Rd

The Rural Affairs Committee members (RAC) hereby invite you to attend and address their meeting, the **Jul 19, 2023** RAC Committee. To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Date: Jul 19, 2023

Time: 9:00 a.m. PST

Hybrid Meeting: **In-Person Location** - RDCK Board Room, 202 Lakeside Drive, Nelson, BC
Remote Attendance - Please visit rdck.ca for meeting call-in information

At this time, committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise in advance whether you and/or a representative, who may be legal council, will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca **no less than 3 business days prior to the meeting.**

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A copy of the building official's report relative to your property is attached for your reference, as well as a copy of Section 57 of the *Community Charter*.

In order to avoid a Notice on Title, you must contact the building department to resolve concerns noted in the building official's report **no later than 3 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the writer at either 1-800-268-7325 or (250) 352-8156.

Yours truly,

Building Official

Notice on Title 00685– Evans, Dobie and Mclean, Ronald
1726 Thrums East Rd

Enclosures

CC: Electoral Area I Director



REGIONAL DISTRICT OF CENTRAL KOOTENAY

FILING OF SECTION 57 NOTICE

Building / Plumbing Official
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
NELSON, BC
V1L 5R4

We, Evans, Dobie and Mclean, Ronald hereby confirm that we have no objection to the Corporate Officer of the Regional District of Central Kootenay filing a Notice in the Land Title Office under Section 57 of the *Community Charter* against our/my property legally described as Lot C Plan Nep68184 District Lot 1239 Kootenay Land District Manufactured Home Reg. # 36149.

DATE

Evans, Dobie

DATE

Mclean, Ronald



Committee Report

Date of Report: May 1, 2024
Date & Type of Meeting: May 15, 2024, Rural Affairs Committee
Author: Stephanie Johnson, Planner
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2404A-04737.100-Crowe-DVP00252
Electoral Area/Municipality A

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider a Development Variance Permit (DVP) application to allow an alternative private wastewater disposal system than that required by the Subdivision Bylaw.

Specifically, this DVP application seeks to vary Section 9.01 a. ‘On-Site Sewerage Disposal’ in the *Regional District’s Subdivision Bylaw No. 2159, 2011*, which states, “where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot” is required. The applicant is proposing Type 2 treatment systems for proposed residential Lots A and B. Approval of this DVP would facilitate a subdivision that would otherwise not be possible, given the proposed wastewater treatment system.

Staff recommend that the Regional Board not approve issuance of this DVP.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION
Property Owner: 1068616 BC LTD., INC. NO. BC1068616 C/O Ken Crowe
Property Location: 129 Boulder Beach Road, Kootenay/Crawford Bay, Electoral Area ‘A’
Legal Description: Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877)
Property Size: 11.1 hectares (ha)
Current Zoning: Not applicable (N/A)
Current Official Community Plan Designation: Country Residential (RC)

SURROUNDING LAND USES
North: Country Residential and Highway 3A
East: Riondel Road, Country Residential and a Tourist Commercial land uses
South: Country Residential
West: Kootenay Lake and Country Residential

Background Information and Site Context

The 11.1 ha in size subject property is addressed at 129 Boulder Beach Road in the Kootenay Bay area of Electoral Area 'A', and is located approximately 3 kilometres west of the community of Crawford Bay. The surrounding area is comprised of mostly country residential land uses. The residential portion of the site is 3.5 ha in size with roughly 260 metres of lake frontage, and currently has two existing houses adjacent to Kootenay Lake (on proposed Lots A and B) both with an existing water line extracting from the lake, and their own septic field. Cabbage Creek flows through the subject site (proposed Lot B) in a westerly direction. An unauthorized deck and stairway has been constructed at the north end of proposed Lot A, in addition to some minor beach modifications at the south end of proposed Lot B without any Regional District approvals from both Planning and Building Services (e.g. Environmentally Sensitive Development and Building Permits). The portion of this hooked parcel adjacent to Highway 3A (south side) is currently vacant, and is approximately 7.5 ha in size.



Figure 1: Site Location Air Photo Overview

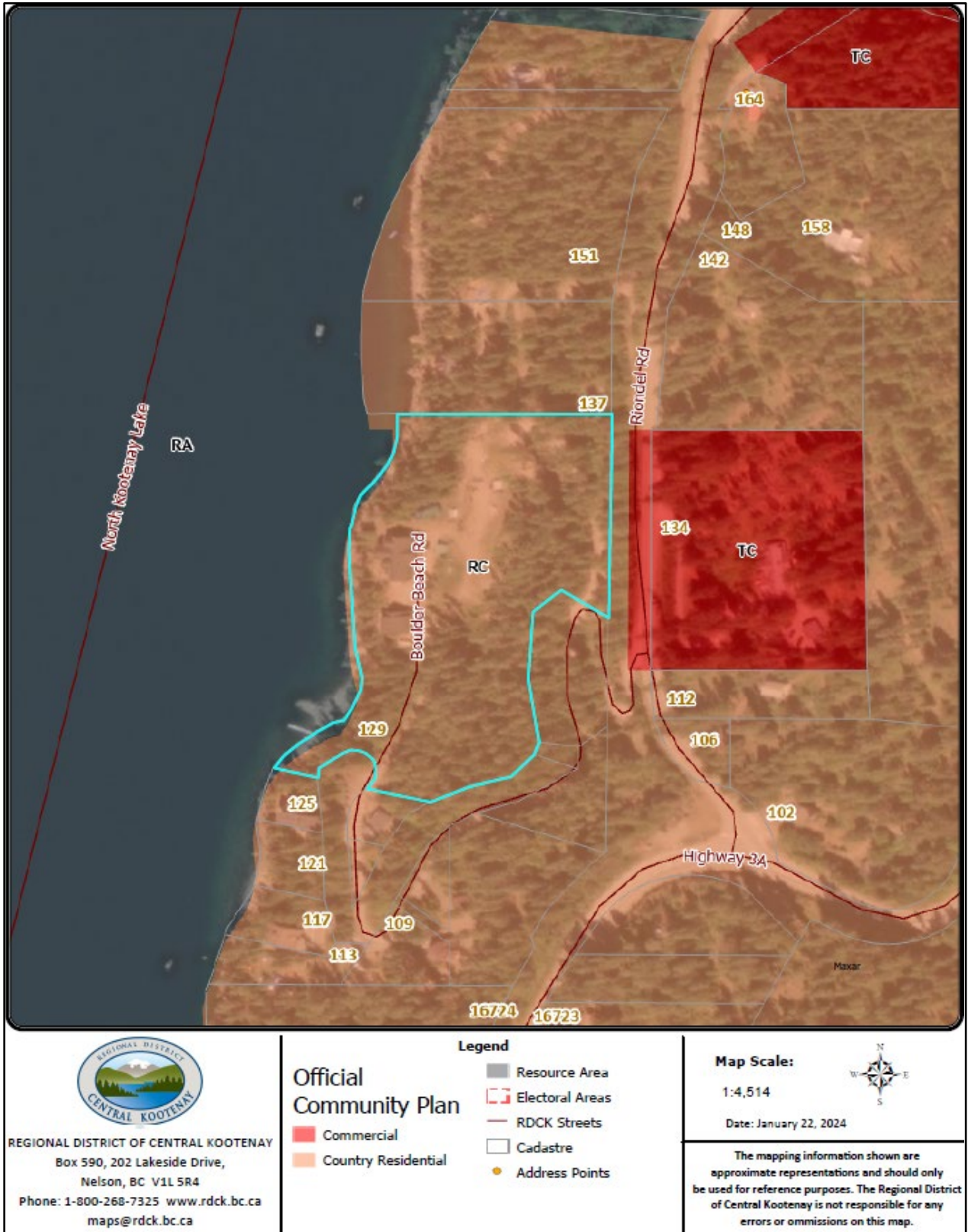


Figure 2: Official Community Plan (OCP) Designation Map

Development Proposal

A rural subdivision application has been submitted to the Province (Ministry of Transportation and Infrastructure (MOTI)) to create three lots and a remainder parcel. Proposed residential Lots A (1.41 ha) and B (1.5 ha) are for residential use, whereas Lot C (0.53 ha) is proposed to provide common access to the existing dwellings. The applicant seeks to subdivide to recognize the above two existing home sites and provide access to these proposed lots.

The Regional District's Subdivision Bylaw No. 2159 Section 9.01 a. 'On-Site Sewerage Disposal' "requires where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot". The applicant is proposing Type 2 treatment systems for proposed residential Lots A and B. A Type 1 system is proposed for the remainder lot. All other servicing requirements, including proof of water remain in effect for this subdivision proposal. No development is proposed for the common access Lot C.

Issuance of an Environmentally Sensitive Development Permit would also be required prior to consideration of subdivision approval in accordance with the Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315.

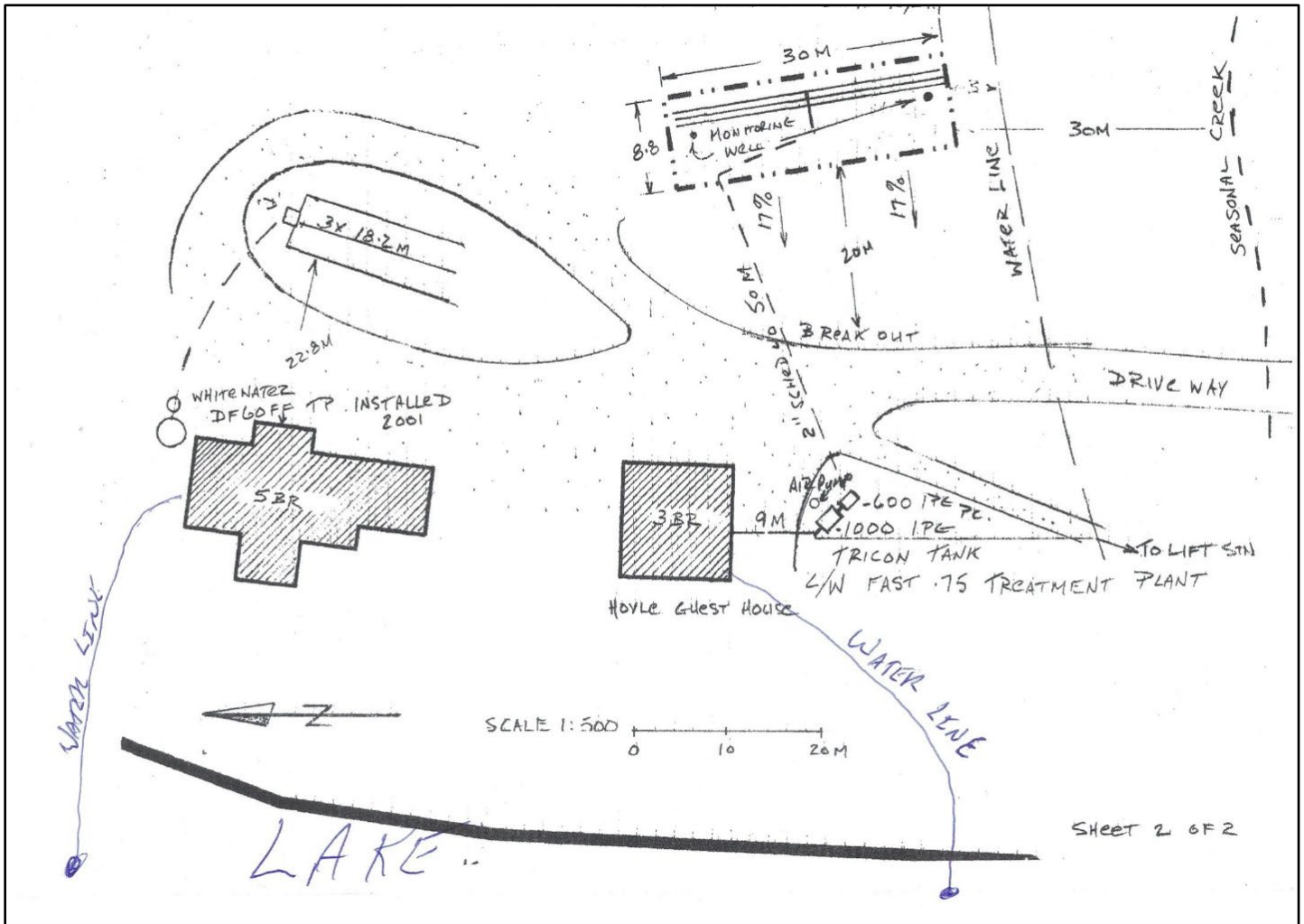


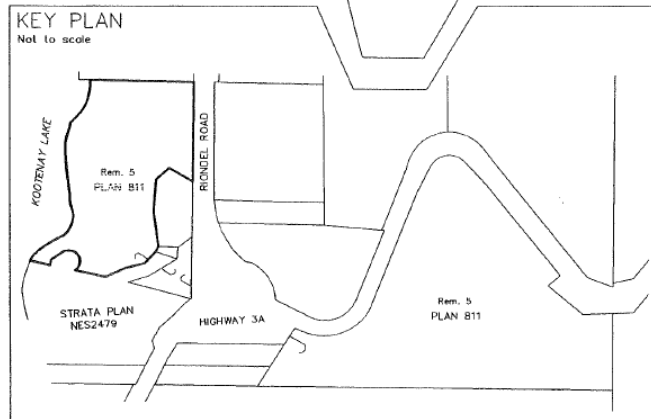
Figure 3: Existing Dwellings (cross hatched) adjacent to Kootenay Lake to be Proposed Lots A and B (see Figure 4)

SUBDIVISION APPLICATION
 PLAN FOR PART OF LOT 5
 DL 4595 KD PLAN 811,
 EXCEPT PARTS INCLUDED IN
 PLANS 3062, 16541, R127,
 NEP60734 NEP68076,
 NEP69201 AND NEP72451.



LEGEND

Dimensions derived from Plan 811.
 All dimensions are in metric.



Drawing date: October 5, 2023

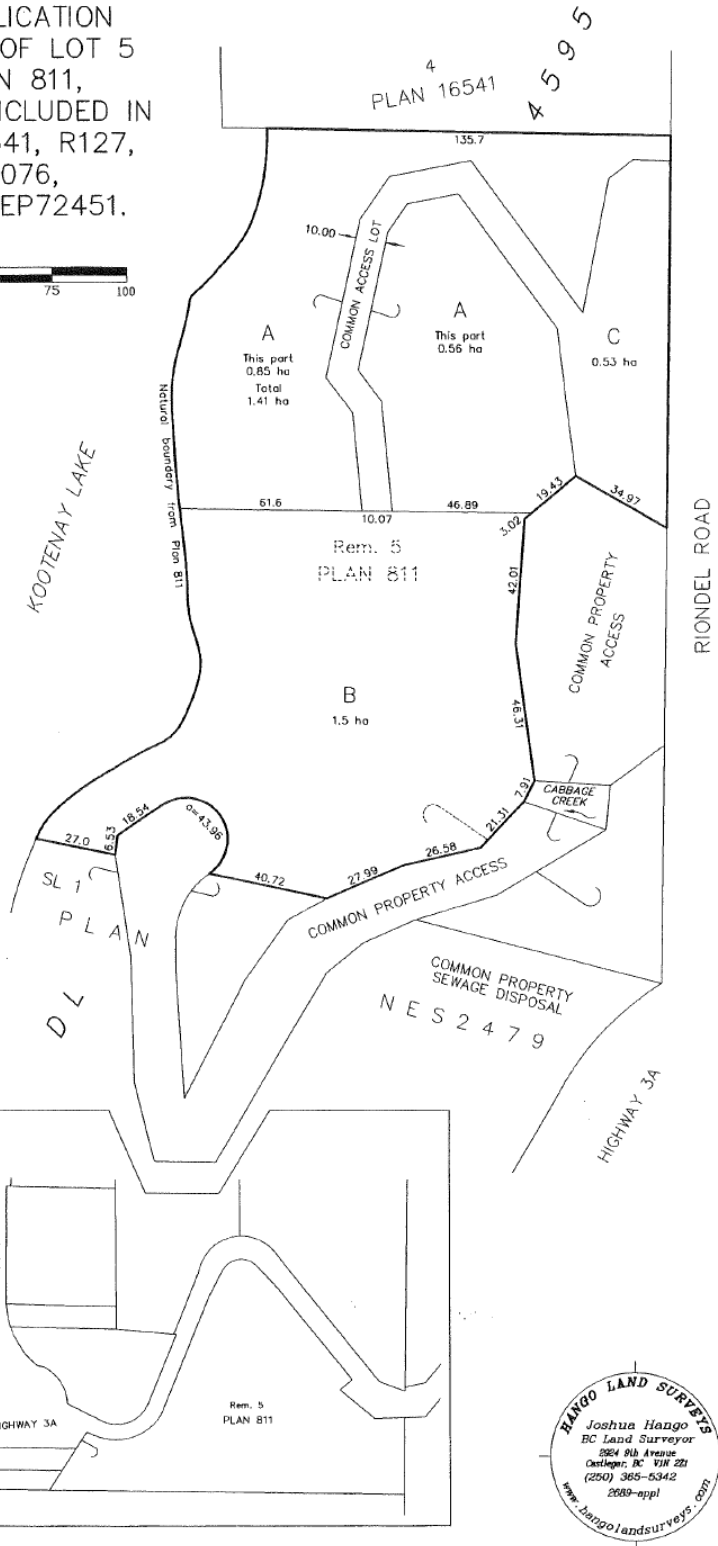


Figure 4: Proposed Subdivision Plan

Planning Policy

The *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* includes the following relevant policies:

General Residential Objectives

1. To encourage coordinated and orderly subdivision of residential lands.
2. To consider development proposals in relation to the provision of efficient and effective services.
6. To main the rural character, environmental integrity and the social and cultural diversity of the Plan Area.

Country Residential (RC) Policies

The Regional Board:

25. Directs that the principal use shall be one-family or two-family dwellings.
26. Directs that a one-family or two-family dwelling should be permitted per lot and one additional dwelling shall be permitted for every one (1) hectare of lot area over one (1) hectare.
27. Directs that the recommended minimum lot size should be one (1) hectare. In areas where there is no associated zoning, this minimum lot size may vary if the area needed for an on-site septic system is less.
28. Encourages the clustering of strata lots subject to density that should not exceed one unit per hectare of total lot area and subject to the protection of green-space through issuance of a Development Permit.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The DVP application fee has been paid in full pursuant to the *RDCK Planning Procedures and Fees Bylaw No. 2457, 2015*.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Under Section 498 of the *Local Government Act (LGA)*, the Board has the authority to vary provisions of a Zoning Bylaw or Subdivision Bylaw other than use or density through a DVP.

3.3 Environmental Considerations

The riparian area is relatively undisturbed with existing development sited largely outside of the 15 metres Environmentally Sensitive Development Permit Area designated in the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013*. With the proposed creation of two separate legal lots for residential use, however, further new development may occur impacting the environment, including if approved, the use of Type 2 septic systems without a maintenance plan, which could have a negative impact on the environment, including Kootenay Lake. As no development is proposed for this remainder parcel staff anticipate no environmental impact.

3.4 Social Considerations:

No social considerations are anticipated from this variance request.

3.5 Economic Considerations:

No economic considerations are anticipated from this proposed DVP application.

3.6 Communication Considerations:

In accordance with the LGA and the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015* a sign describing the proposal was posted on the subject property, and notices were mailed to surrounding neighbours within a 100 metre radius of the subject property. To date, no comments have been received in response to the above notification.

Planning Services referred the application to all relevant government agencies, internal RDCK departments, the Director for Electoral Area 'A' and local Advisory Planning and Heritage Commission (APHC) for review. The following comments were received:

Interior Health

"We understand that a development variance permit application has been submitted in support of a rural subdivision application to allow Type 2 treatment systems to be considered for two of the proposed lots, which varies from the Regional District's Subdivision Bylaw No. 2159 Section 9.01 which "requires where no community wastewater system exists, or is proposed, confirmation of assessment for capabilities on the basis of Type 1 (septic tank) treatment for each proposed lot."

The following comments have been provided from a Healthy Community Development and an Environmental Public Health perspective for your consideration:

- We fully support the Regional District of Central Kootenay's approach that each lot be assessed on the basis of a Type 1 trench based dispersal method per the existing language in Subdivision Bylaw No. 2159 Section 9.01 where no community wastewater system exists, and onsite sewerage disposal systems are being proposed.*
- Additionally per Interior Health's Subdivision Report Criteria for Authorized Persons, our Land Use and Subdivision Team's assessment is typically based on sufficient area to contain a Type 1 trench based dispersal method for a 4 bedroom home (1,600 litres/day) to ensure the long term sustainability of the lot, which is how all properties will be evaluated at the time of the proposed subdivision to the Ministry of Transportation and Infrastructure.*

We hope that these comments are helpful in supporting your decision related to this application. If you have any questions, or require further clarification, please don't hesitate to reach out".

Ministry of Transportation and Infrastructure (MOTI)

"The referral is related to an active MOTI subdivision, 2021-05374, which was issued a Preliminary Layout Review (PLR) letter in November 2023. The Ministry has no concerns with the proposed variance to allow for a Type 2 system for subdivision, however, should the variance be approved, the Provincial Approving Officer may require registration of a septic covenant on the lots depending on the recommendations provided by the Registered Professional".

Ministry of Water, Land and Resource Stewardship

"All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.

Changes in and about a “stream” [as defined in the Water Sustainability Act (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the Water Sustainability

Regulation. Authorized changes must also be compliant with the Kootenay-Boundary Terms and Conditions and Timing Windows documents. Applications to conduct works in and about streams can be submitted through FrontCounter BC.

No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the Riparian Areas Protection Regulation (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of RAPR are required to ensure that all development is compliant with RAPR.

The federal Species at Risk Act (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to Resource Inventory Standard Committee (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific Recovery Strategy or Management Plan documents, and to ensure proposed activities will not adversely affect SEAR or their Critical Habitat for Federally-listed Species at Risk (Posted).

Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: Natural Resource Best Management Practices - Province of British Columbia (gov.bc.ca) and Develop with Care 2014 - Province of British Columbia.

Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial Wildlife Act and the federal Migratory Birds Convention Act. Guidelines to avoid harm to migratory birds can be found at: Guidelines to avoid harm to migratory birds -Canada.ca. If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Hérons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

The introduction and spread of invasive species is a concern with all developments. The provincial Weed Control Act requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: Invasive species - Province of British Columbia. The Invasive Species Council of BC provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily

use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

Section 33.1 of the provincial Wildlife Act prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.

If this referral is in relation to a potential environmental violation it should be reported online at Report All Poachers & Polluters (RAPP) or by phone at 1-877-952-RAPP (7277).

BC Hydro

"BC Hydro has reviewed this application and has no concerns".

FortisBC

"Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric ("FBC(E)") services, if required.

Operational & Design Comments

- There are FortisBC Electric ("FBC(E)") primary distribution facilities along Boulder Beach Road.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements".

APHC

"That the Area A Advisory Planning Commission SUPPORT the Development Variance Permit Application to Ken Crowe for the property located 129 Boulder Beach Road, Kootenay Bay and legally described as LOT 5 DISTRICT LOT 4595 KOOTENAY DISTRICT PLAN 811, EXCEPT PARTS INCLUDED IN PLANS 3062, 16541, R127, NEP60734, NEP68076, NEP69201 AND NEP72451."

3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board approve issuance of the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title.

3.8 Board Strategic Plan/Priorities Considerations:

This application falls under the operational role of Planning Services.

SECTION 4: OPTIONS & PROS / CONS

Under the Provincial Sewerage System Regulation (SSR), septic systems are divided into Types 1, 2 and 3. Type 1 is treatment by septic tank and drain field. It may be gravity fed or pumped into the drain field. Type 2 and Type 3 systems introduce further treatment in order to produce a higher quality effluent that can be discharged into a smaller sized drain field. Type 2 and Type 3 systems are often used where there are site or soil constraints that prevent a Type 1 from being used. These systems often use a package treatment plant and they have mechanical or media components that require more frequent maintenance than Type 1 systems.

Planning Discussion

Staff do not support the issuance of this DVP since:

- There are many outstanding uncertainties associated with the quality of the septic reports (Attachment 'C'), including "community water" listed as the water source, and the site plans not showing a water line easement to an adjacent property, location of Cabbage Creek, and no information or recommendations related to the how the proposed Type 2 systems are to be maintained that has left staff with a lack of confidence; however, the applicant has requested to move forward with the reports as is.
- The variance requested to permit Type 2 systems for two new legal residential lots does not follow the Province's "Sewerage/Subdivision Best Practice Guidelines" (2017), which states that:

"All subdivision reviews should be based on Type 1 treatment (septic tank system), as defined in the SSR, BC Reg. 326/2004. Type 1 treatment systems typically operate with lower effluent application rate (hydraulic loading rates), and are less prone to problems resulting from lack of maintenance, seasonal occupancy and power outages"

"The application of the Type 1 treatment standard to proposed lots has always been to ensure that new lots are able to sustain onsite sewage treatment for the long term and to build in capacity for higher levels of treatment should owners alter or disturb the site conditions on the property".
- Subdivision Bylaws, including the RDCK's are designed to ensure that 'Best Practices' are utilized. This is especially important in areas that are located near surface water or areas with other sensitive environmental features. The potential precedent setting nature of this variance request is concerning, as without a maintenance plan, systems can fail in a shorter period of time than Type 1 systems. On a subdivision scale, this could have detrimental 'cumulative' impacts on human health and the environment, which in this case is Kootenay Lake and Cabbage Creek.
- The existing house on proposed Lot A is currently listed on a short term vacation rental platform with occupancy for approximately 16 people, which raises concern about the proposed septic system type, future potential failure and maintenance planning. The above is also concerning since there is no zoning in place to consider limits on the development of a parcel (e.g. parcel size to density of development), and regulation of short term rental use.
- Interior Health does not support subdivision or creating new lots based on Type 2 sewerage disposal systems.

It is for the above reasons that Planning Services recommends that the Regional Board not approve issuance of this DVP.

Option 1

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's *Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

Option 2

That the Board REFER a decision regarding the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's *Subdivision Bylaw No. 2159, 2011* to a future Board meeting pending receipt of revised septic reports.

SECTION 5: RECOMMENDATION

That the Board NOT APPROVE the issuance of Development Variance Permit V2404A to 1068616 BC LTD., INC. NO. BC1068616 for the property located at 129 Boulder Beach Road and legally described as Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451 (PID: 011-123-877) to vary Section 9.01 a. 'On-Site Sewerage Disposal' under the RDCK's *Subdivision Bylaw No. 2159, 2011* as follows:

- From requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, to permitting a Type 2 treatment system(s) for proposed residential Lots A and B for subdivision file no. S2319A.

Respectfully submitted,

Stephanie Johnson, Planner MCIP RPP

CONCURRENCE

Planning Manager – Nelson Wight
General Manager of Development Services – Sangita Sudan
Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

Attachment A – Draft Development Variance Permit Digitally approved
Attachment B – Excerpt from RDCK Subdivision Bylaw No 2159, 2011 Digitally approved
Attachment C – Septic Reports Digitally approved



Development Variance Permit

V2404A (Crowe)

Date:

Issued pursuant to Section 498 of the *Local Government Act*

TO: 1068616 BC LTD., INC. NO.
BC1068616 C/O KEN CROWE

ADMINISTRATION

1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
3. This DVP is not a Building Permit.

APPLICABILITY

4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1', '2' and '3':

Address: 129 Boulder Beach Road
 Legal: Lot 5 District Lot 4595 Kootenay District Plan 811, Except parts included in Plans 3062, 16541, R127, NEP60734, NEP68076, NEP69201 and NEP72451
 PID: 011-123-977

CONDITIONS

5. Development Variance

Regional District's Subdivision Bylaw No. 2159, 2011, Section 9.01 an 'On-Site Sewerage Disposal' is varied as follows:

FROM requiring confirmation of a Type 1 (septic tank) treatment where no community wastewater exists, or is proposed, TO permitting and requiring confirmation of a Type 2 treatment system for proposed residential Lots A and B for subdivision file no. S2319A.

As shown on Schedules '1', '2' and '3'.

6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

7. Other

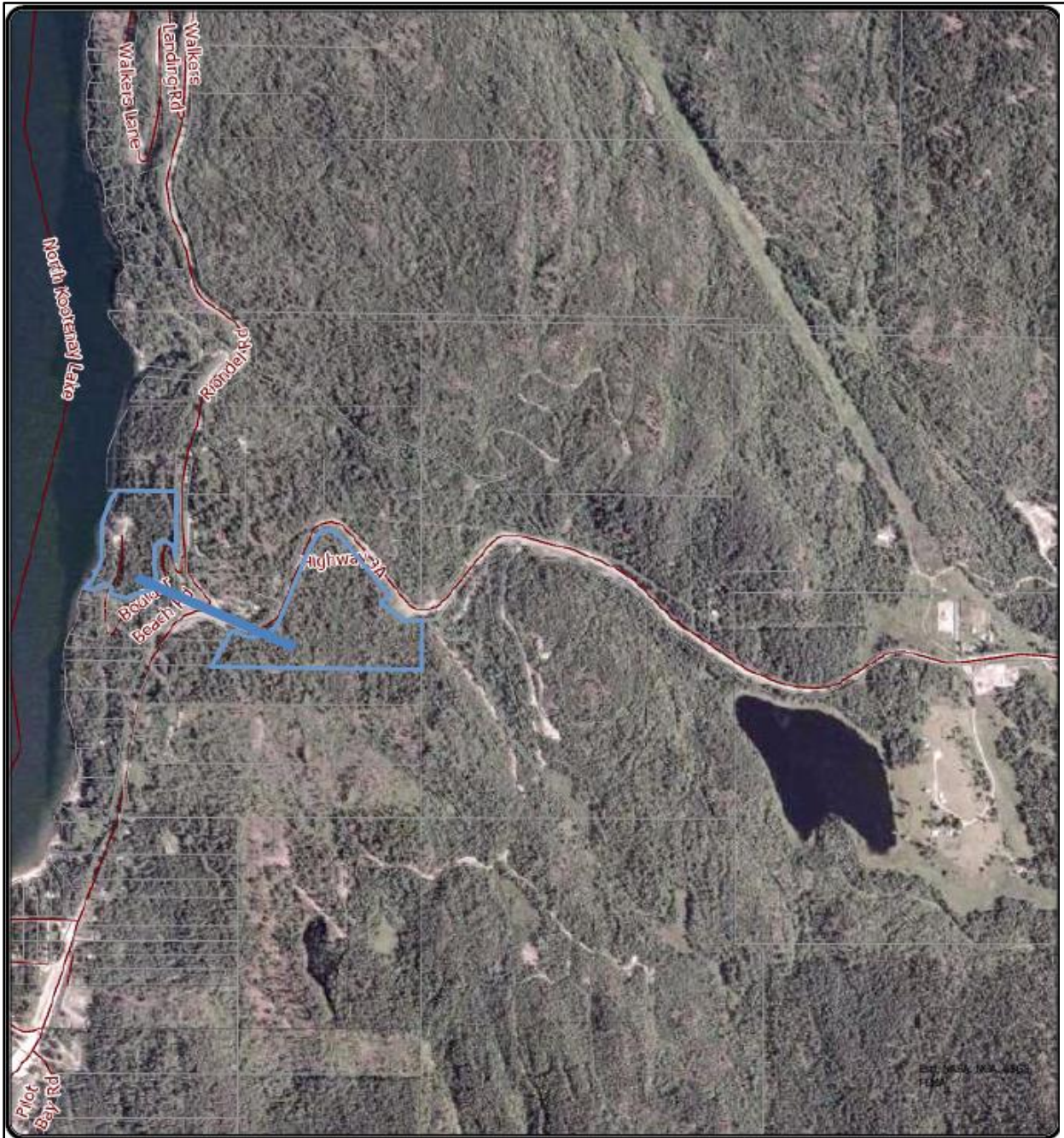
Authorized resolution [*enter resolution number*] passed by the RDCK Board on the _____ day of _____, 202_.



The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

Aimee Watson, Board Chair

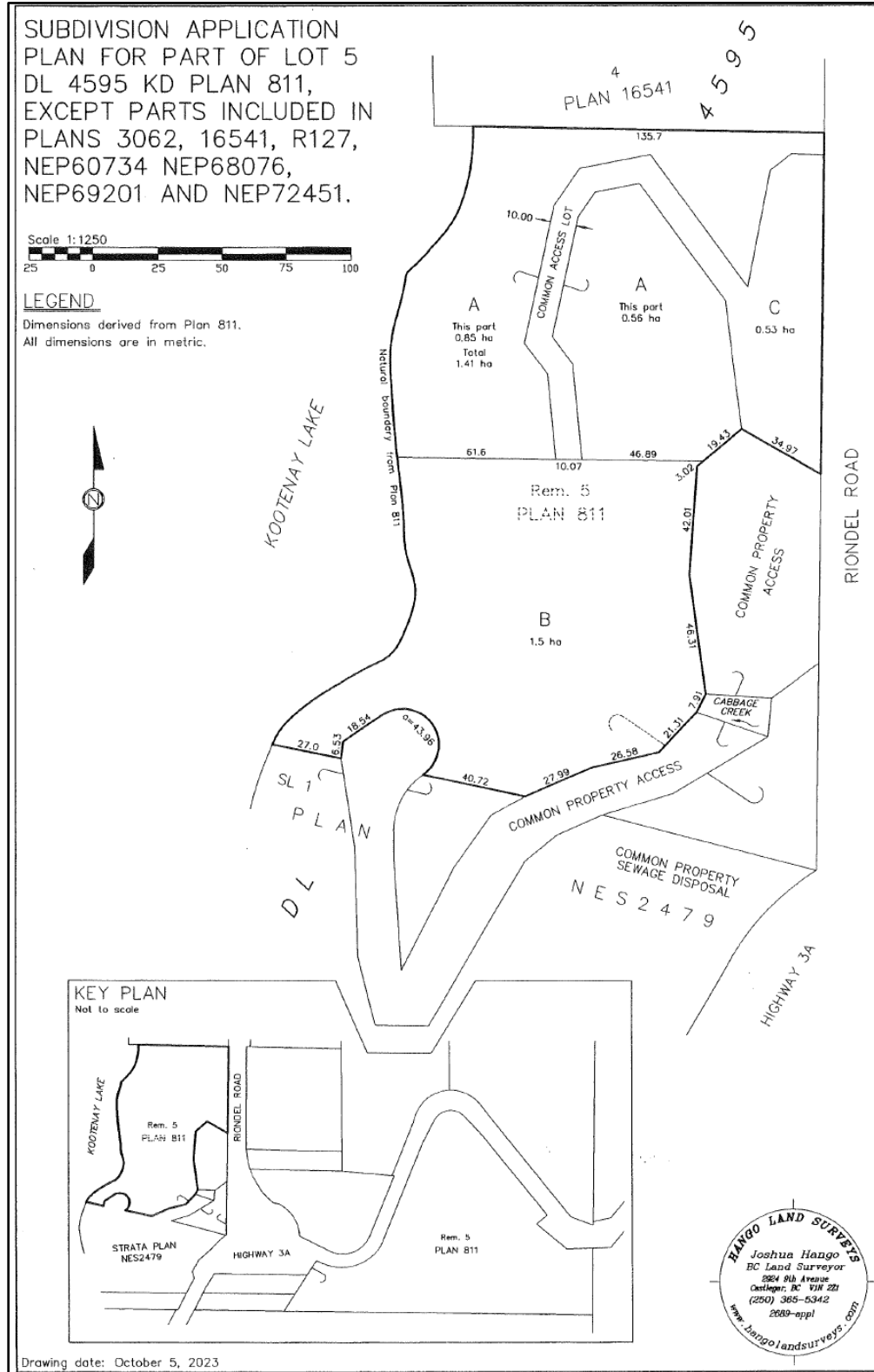
Mike Morrison, Corporate Officer

Schedule 1: Subject Property

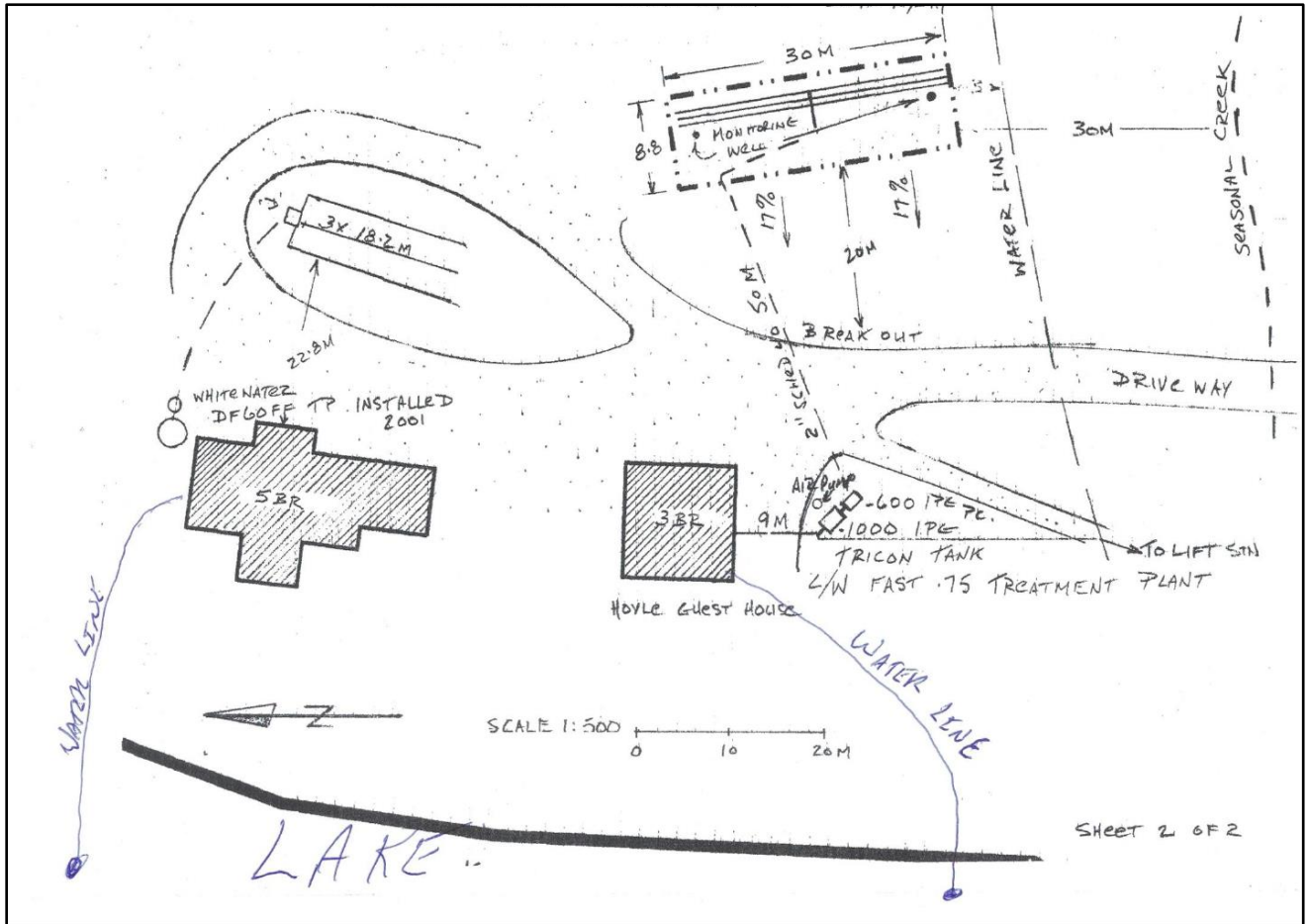


 <p>REGIONAL DISTRICT OF CENTRAL KOOTENAY Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4 Phone: 1-800-268-7325 www.rdck.bc.ca maps@rdck.bc.ca</p>	<p>Legend</p> <ul style="list-style-type: none"> Electoral Areas RDCK Streets Cadastre 	<p>Map Scale: 1:18,058</p>  <p>Date: March 22, 2024</p> <p>The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.</p>
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Schedule 2: Proposed Plan of Subdivision



Schedule 3: Site Plan



- c. Confirmation of existing connection(s) to community water systems currently on boil water advisory shall be accepted as proof of water for the purposes of subdivision where the connection currently serves an existing residence as long as no new connections to the community water system are involved.

Where an applicant proposes to establish a new community water system, the applicant must submit to the Regional District:

- d. A copy of the construction permit issued pursuant to the *Drinking Water Protection Act*;
- e. Where a community water system is to be acquired by the Regional District, the design of such shall be submitted to the Regional District for approval prior to the commencement of construction as required by this Bylaw;
- f. That the water source to be used by the system is adequate to serve each parcel to be served by the system as determined by the authority having jurisdiction over the system.

PART 9 - SEWAGE

9.01 On-Site Sewage Disposal

Where no community wastewater system exists, or is proposed, soil and site conditions for on-site sewage disposal systems shall be subject to the following:

- a. Each lot be assessed on the basis of Type 1 (septic tank) treatment and trench disposal systems;
- b. Each lot must be self-contained, providing an initial and replacement sewage disposal area;
- c. Sewerage holding tanks will not be considered an acceptable method of waste water disposal.

9.02 Community Wastewater Systems

Where an applicant proposes to connect to an existing community wastewater system the applicant must submit to the Regional District:

- a. A letter from the Owner/Operator of the community wastewater system confirming that all parcels proposed can be connected to the wastewater system and that fees have been paid for connection to the wastewater system. Confirmation must be submitted prior to final Approval of the subdivision;

10/31/2022

129 Boulder Beach Rd, Subdivision #1, Site and Soils Report Type 2 System

*Interior Health Authority Filing for Construction of Septic System: Site
Investigation Report, Record of Design, and Specifications*

Alexander McNally P.Eng
WEST KOOTENAY SEPTIC SOLUTIONS



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Introduction:

Legal Owner's Name:	<u>Ken Crowe (204) 570-3213</u>
Date:	<u>October 18, 2022</u>
Civic Address:	<u>129 Boulder Beach Rd, Kootenay Bay V0B 2B0</u>
Legal Description:	<u>Lot 5 Plan NEP811 District Lot 4595 Land District 26 Except Plan 3062 16541 R127 NEP60734 NEP68076 NEP69201 NEP72451 FOR FORESHORE SEE 786-04737.101</u>
Tax Assessment Roll Number	<u>21-786-04737.100</u>
Property PID Number	<u>011-123-877</u>

Summary of Proposed Works:

See attached drawings Site Plan, Detailed Design, and Layout in Appendix 1

RE: 129 Boulder Beach Rd #1 Type 2 Septic System

This system will connect to an existing 5 person house at 129 Boulder Beach Rd. The system will use a Type 2 sand mound design. The house system is designed to accommodate 5 residents at 350L/D/R for a DDF of 1750L/D. A type 2 sand mound designs were chosen for these systems based on the percolation tests with a resulting Kfs of 1080mm/D. The sand mound system will use timed micro dosing to distribute the effluent throughout the day. The system will have to an outlet at the house [100 mm]. The house will use gravity to transport the effluent to a 2840 L (750 G) Dual Chamber Premium Plastic Tank (or equivalent) with a PL122 Effluent Filter [100 mm inlet/ outlet]. From the septic tank the effluent will flow with gravity into a 2840 L (750 G) Premier Pump Chamber (or equivalent). In the pump chamber the effluent will flow into a Hydromatic OSP50 Pump [$\frac{1}{2}$ hp] set to run at 46 L/S for 76 sec every 38 min [30 times a day]. The effluent leaves the pump chamber in 50mm (2") Sch. 40 PVC (or equivalent) pipe and enters a manifold with three 32 mm (1 $\frac{1}{4}$ ") Sch. 40 laterals. The manifold has a head pressure of >2 m for both systems when the pump is on. The manifold has 5mm (3/16") orifices, spaced 0.6 m apart, facing up and down, orifice shields installed on the down facing orifices to prevent erosion. The distribution field is 3 m wide and 11m long with an area of 33 m². The laterals are surround in drain rock with 50 mm (2") above the pipe and 200mm (8") below the pipe, wrapped in geotextile fabric. The distribution field is placed on a sand mound that rises 0.6m (2') above ground level and includes a sand toe which has a slope of 3:1. This all covered by natural organic material while also maintaining a slope of 3:1. The system has a HLR of 60 L/D/m² as chosen using result of percolation tests. This system is designed in accordance with the Ministry of BC's Sewer System Standard Practice Manual.

Site Information:

- Total parcel size: 27.48 Acres
- Potable Water Source: Community Water
- Closest Water Feature 45 m Kootenay Lake

Site and Soil Evaluation Report:

See Site and Soil Evaluation test photos in Appendix 2

Test pit #1

- 0 cm - 9 cm –Organics and sand dark brown soil
- 9cm – 70 cm – Mixed soil with large rocks, sand, clay, loam, greyish brown material

Test pit #2

- 0 cm - 11 cm –Organics and sand dark brown soil
- 11cm – 80 cm – Mixed soil with large rocks, sand, clay, loam, greyish brown material

$Kfs = 1080 \text{ mm/day} \Rightarrow \text{Type 2 Hydraulic Loading Rate HLR} = 60 \text{ L/D/m}^2$

Limiting Layer/ Design Limit

- Limiting Layer >150 cm

Declaration:

These plans and specifications are consistent with standard practice with regard to the Sewerage System Regulations and the Sewerage System Standard Practices Manual of the B.C. Ministry of Health. I have conducted a site evaluation, exercised due diligence, and am a registered On-Site Practitioner authorized to plan and install the system designed herein.



Appendix 1: Site Plan, Detailed Design, Layout

General Notes

1. System designed in accordance with BC Sewer System Practice Manual
2. Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGCBC
3. Micro Dosing
H1 46 L/min for 76 sec
Every 38 min 30 times a day
4. Kts 1060 mVd @20cm H20
5. House 5 Residents
6. H1 DDF 1750 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 33 m²
Length 11 m Width 3 m
9. Type 2 Orifice
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water: Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
Tax Roll# 21-786-04737.100
Lot Size 27.48 Acres
Lat 49.886059
Long -116.869309

McNally Technical Services
Alexander McNally P. Eng
301 Vernon St. Nelson, BC
V1L 4E3

129 Boulder Beach Rd #1
Kootenay Bay
Land Subdivision
Type 2 Septic System

Lot 5 Plan NEP811 District Lot
4595 Land District 26 Except
Plan 3062 16541 R127
NEP60734 NEP68076
NEP69201 NEP72451 FOR
FORESHORE SEE
786-04737.101

October 31, 2022
2022-10-MTKB-5RSMTY2
Scale 1:1,128
Sheet 1 of 3
Site Plan
Rev 0

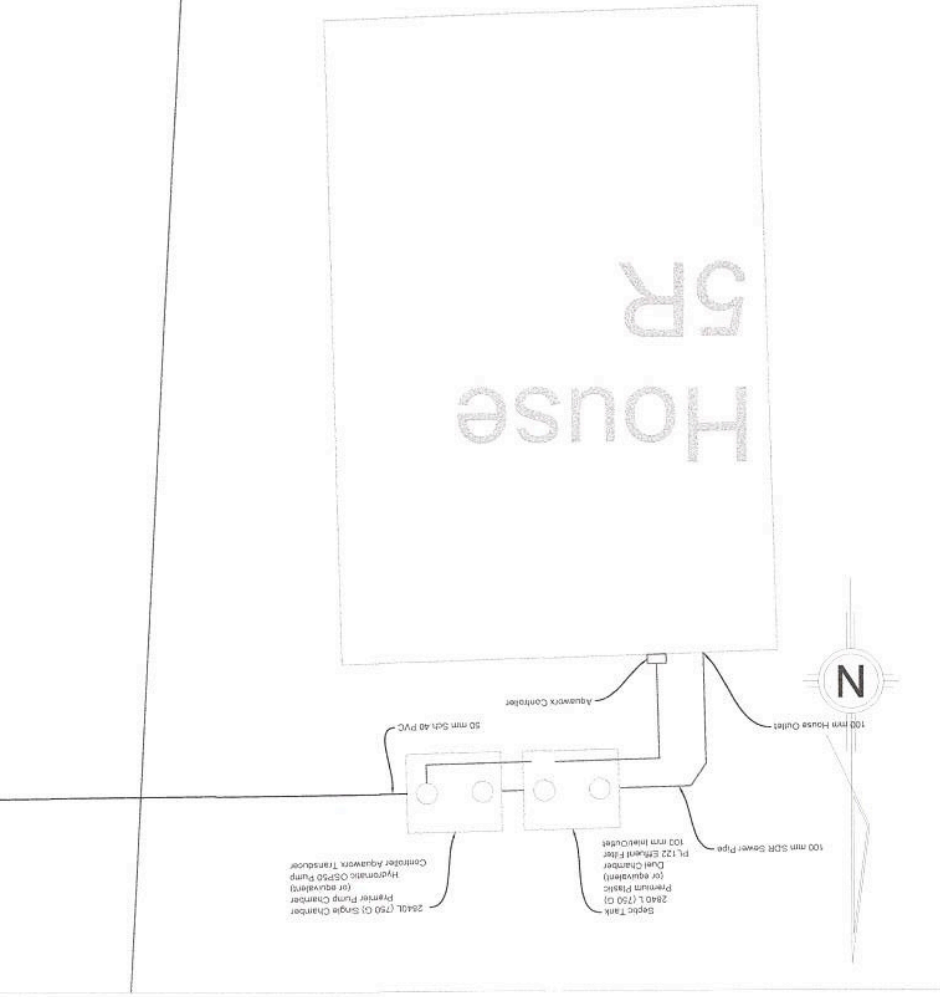
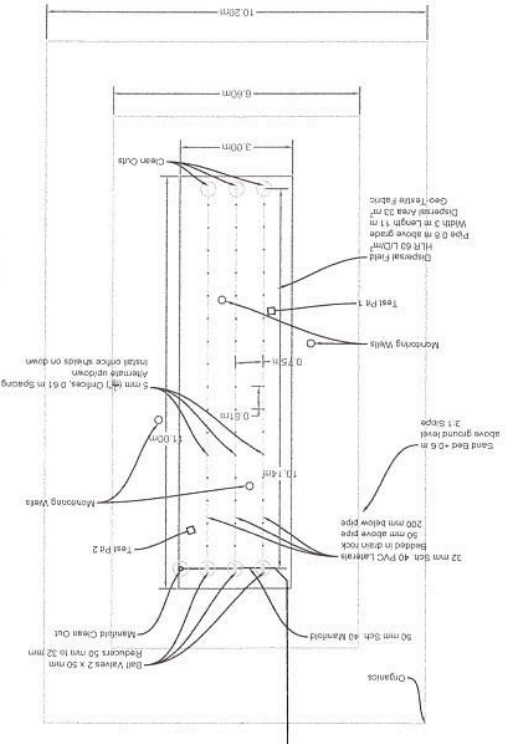


General Notes

1. System designed in accordance with BC Sewer System Practice Manual
2. Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EIBC
3. Micro Dosing
H1 45 L/min for 75 sec
Every 38 min. 30 times a day
4. Kts 1080 mm/D @20cm H2O
5. House 5 Residents
6. H1 DDF 1750 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 33 m²
Length 11 m Width 3 m
9. Type 2 Office
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
Tax Roll# 21-786-04737.100
Lot Size 27.48 Acres
Lat 49.686059
Long -116.869309
McNally Technical Services
Alexander McNally P.Eng
301 Vernon St. Nelson, BC
V1L 4E3
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Koolenay Bay
Land Subdivision
Type 2 Septic System
Lot 5 Plan NEP811 District Lot
4595 Land District 26 Except
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NEP60734 NEP68076
NEP69201 NEP72451 FOR
FORESHORE SEE
786-04737.101

October 31, 2022
2022-10-MTKB-SRSMTY2
Scale 1:500
Sheet 2 of 3
Detailed Design
Rev 0



General Notes

- System designed in accordance with BC Sewer System Practice Manual
- Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGBCC
- Micro Dosing
H1 46 L/min for 76 sec
Every 38 min 30 times a day
- Kts 1080 mm/D @20cm H20
House 5 Residents
H1 DDF 1750 L/D
- H1 DDF 1750 L/D/m²
- HLR 60 L/D/m²
- H1 Dispersal Area 33 m²
Length 11 m Width 3 m
- Type 2 Orifice
All 90° bends 2 x 45°
- Manifold head pressure > 2 m H₂O
- Water: Community System
- Closest Water Body > 30m
- System design is site specific anyone else using this information does so at their own risk

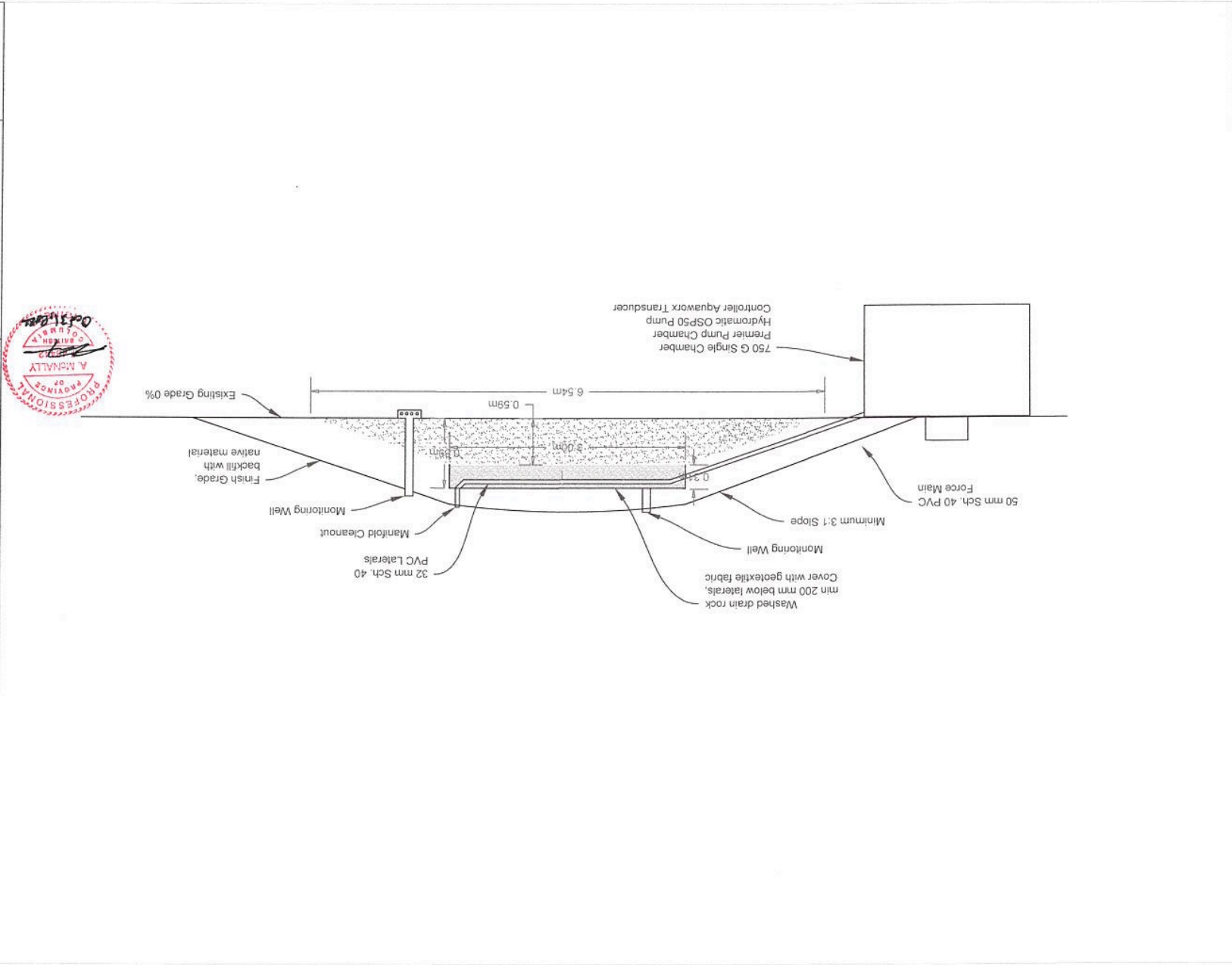
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McNally Technical Services
Alexander McNally P. Eng
301 Vernon St. Nelson, BC
V1L 4E3

129 Boulder Beach Rd #1
Kootenay Bay
Land Subdivision
Type 2 Septic System

Lot 5 Plan NEP811 District Lot
4596 Land District 26 Except
Plan 3062 16541 R127
NEP60734 NEP68076
NEP69201 NEP72451 FOR
FORESHORE SEE
786-04737-101

October 31, 2022
2022-10-MTKB-5RSMTY2
Scale 1:50
Sheet 3 of 3
Layout
Rev 0



Appendix 2: Site & Soil Evaluation Photos



Figure 1: test pit # 1



Figure 2: Test Pit 2



Figure 5: Organics



Figure 6: Rocks, Clay and Sandy Gravel



10/31/2022

129 Boulder Beach Rd #2, Site and Soils Report Type 2 Systems

*Interior Health Authority Filing for Construction of Septic System: Site
Investigation Report, Record of Design, and Specifications*

Alexander McNally P.Eng
MCNALLY TECHNICAL SERVICES

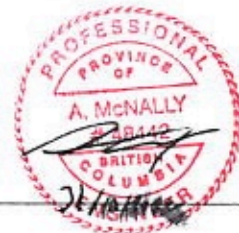


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Civic Address:	129 Boulder Beach Rd, Kootenay Bay V0B 2B0
Legal Description:	Lot 5 Plan NEP811 District Lot 4595 Land District 26 Except Plan 3062 16541 R127 NEP60734 NEP68076 NEP69201 NEP72451 FOR FORESHORE SEE 786-04737.101
Tax Assessment Roll Number	21-786-04737.100
Property PID Number	011-123-877

Summary of Proposed Works:

See attached drawings Site Plan, Detailed Design, and Layout in Appendix 1

RE: 129 Boulder Beach Rd # 2, Type 2 Septic System

This system will connect to an existing 8 person house at 129 Boulder Beach Rd. The system will use a Type 2 sand mound design. The house system is designed to accommodate 8 residents at 350L/D/R for a DDF of 2800L/D. A type 2 sand mound designs were chosen for these systems based on the percolation tests with a resulting Kfs of 1080mm/D. The sand mound system will use timed micro dosing to distribute the effluent throughout the day. The system will have to an outlet at the house [100 mm]. The house will use gravity to transport the effluent to a 2840 L (750 G) Dual Chamber Premium Plastic Tank (or equivalent) with a PL122 Effluent Filter [100 mm inlet/ outlet]. From the septic tank the effluent will flow with gravity into a 2840 L (750 G) Premier Pump Chamber (or equivalent). In the pump chamber the effluent will flow into a Hydromatic OSP50 Pump [½ hp] set to run at 46 L/S for 120 sec every 38 min [30 times a day]. The effluent leaves the pump chamber in 50mm (2") Sch. 40 PVC (or equivalent) pipe and enters a manifold with three 32 mm (1 ¼") Sch. 40 laterals. The manifold has a head pressure of >2 m for both systems when the pump is on. The manifold has 5mm (3/16") orifices, spaced 0.6 m apart, facing up and down, orifice shields installed on the down facing orifices to prevent erosion. The distribution field is 3 m wide and 15 m long with an area of 45 m². The laterals are surround in drain rock with 50 mm (2") above the pipe and 200mm (8") below the pipe, wrapped in geotextile fabric. The distribution field is placed on a sand mound that rises 0.6m (2') above ground level and includes a sand toe which has a slope of 3:1. This all covered by natural organic material while also maintaining a slope of 3:1. The system has a HLR of 60 L/D/m² as chosen using result of percolation tests. This system is designed in accordance with the Ministry of BC's Sewer System Standard Practice Manual.

Site Information:

- Total parcel size: 27.48 Acres
- Potable Water Source: Community Water
- Closest Water Feature 45 m Kootenay Lake

Site and Soil Evaluation Report:

See Site and Soil Evaluation test photos in Appendix 2

Test pit #1

- 0 cm – 7 cm –Organics and sand dark brown soil
- 7cm – 72 cm – Mixed gravel with large sharp rocks, sand, clay, loam, grey material

Test pit #2

- 0 cm - 13 cm –Organics and sand dark brown soil
- 13cm – 90 cm – Large rocks, and mixed gravel, greyish brown material

$K_{fs} = 1080 \text{ mm/day} \Rightarrow \text{Type 2 Hydraulic Loading Rate HLR} = 60 \text{ L/D/m}^2$

Limiting Layer/ Design Limit

- Limiting Layer >150 cm

Declaration:

These plans and specifications are consistent with standard practice with regard to the Sewerage System Regulations and the Sewerage System Standard Practices Manual of the B.C. Ministry of Health. I have conducted a site evaluation, exercised due diligence, and am a registered On-Site Practitioner authorized to plan and install the system designed herein.



Appendix 1: Site Plan, Detailed Design, Layout



General Notes

1. System designed in accordance with BC Sewer System Practice Manual
2. Septic system shall be installed by authorized practitioner or under the supervision of a Professional Engineer registered with EGBC
3. Micro Dosing
46 L/min for 120 sec
Every 38 min 30 times a day
4. Kfs 1080 mm/D @20cm H2O
5. House 8 Residents
6. H2 DDF 2800 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 45 m²
Length 15 m Width 3 m
9. Type 2 Orifice
All 90° bends 2 x 45°
10. Manifold head pressure >2 m H₂O
11. Water: Community System
12. Closest Water Body >30m
13. System design is site specific anyone else using this information does so at their own risk

PID 011-123-877
 Tax Roll# 21-786-04737.100
 Lot Size 27.48 Acres
 Lat 49.686332
 Long -116.869187

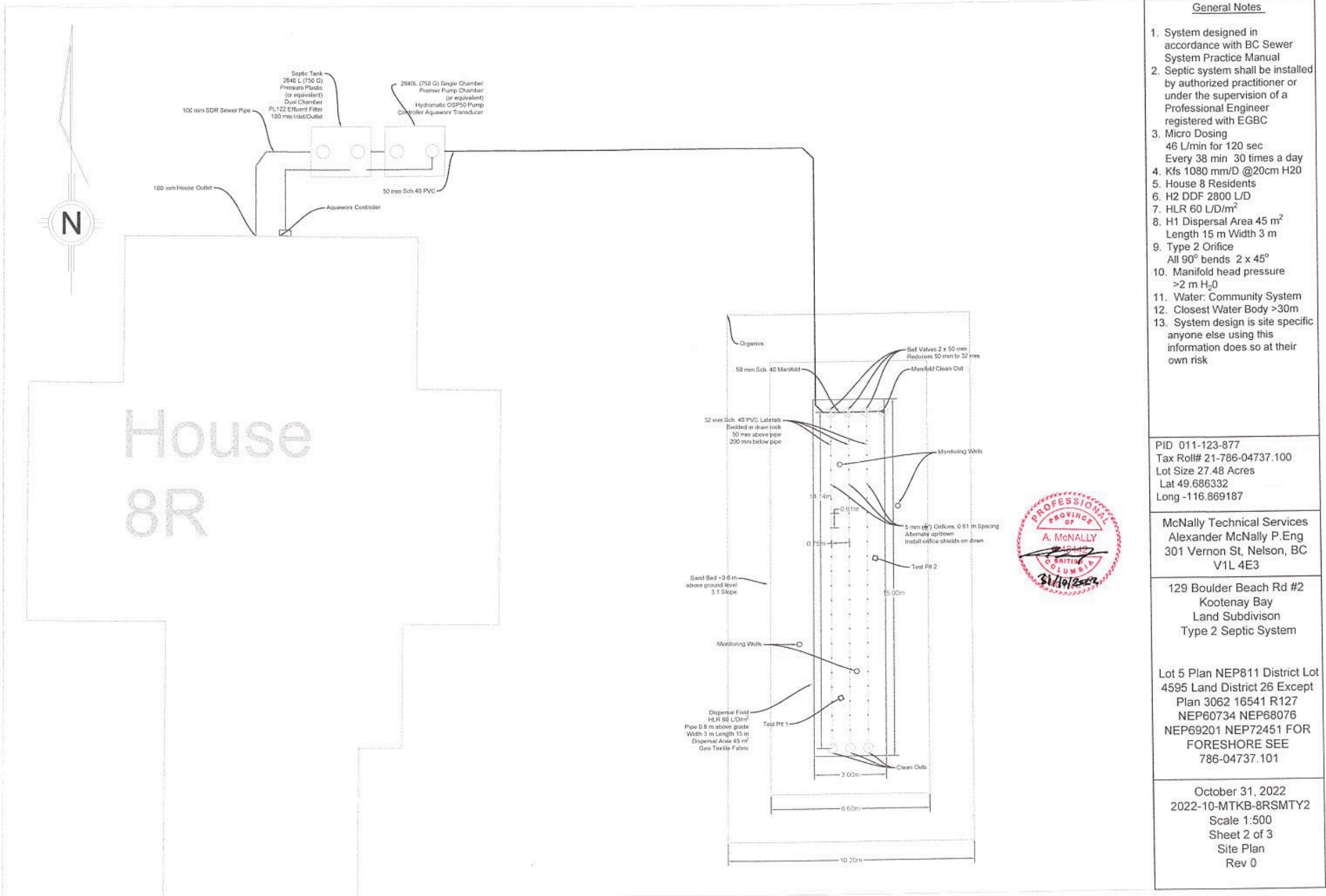


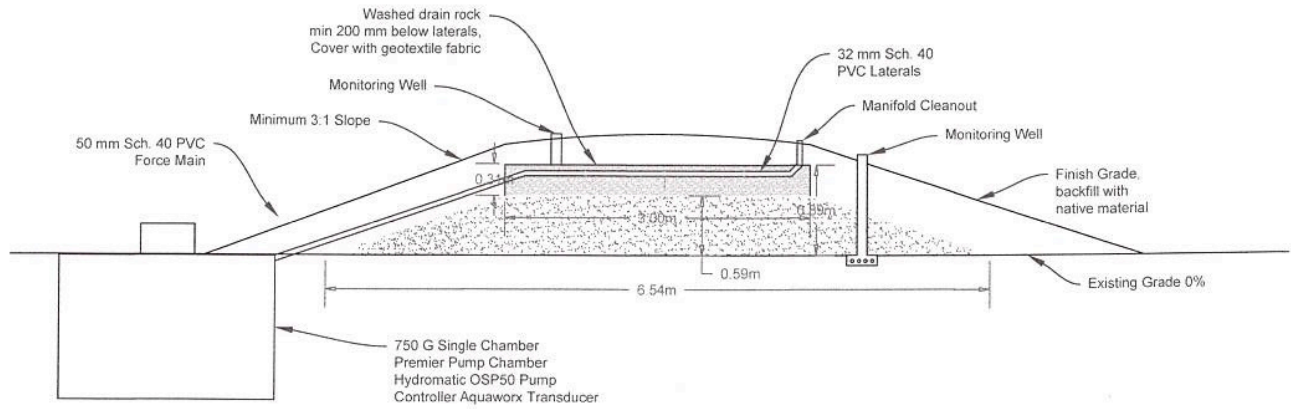
McNally Technical Services
 Alexander McNally P.Eng
 301 Vernon St, Nelson, BC
 V1L 4E3

129 Boulder Beach Rd #2
 Kootenay Bay
 Land Subdivision
 Type 2 Septic System

Lot 5 Plan NEP811 District Lot
 4595 Land District 26 Except
 Plan 3062 16541 R127
 NEP60734 NEP68076
 NEP69201 NEP72451 FOR
 FORESHORE SEE
 786-04737.101

October 31, 2022
 2022-10-MTKB-8RSMTY2
 Scale 1:1,128
 Sheet 1 of 3
 Site Plan
 Rev 0





General Notes

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6. H2 DDF 2800 L/D
7. HLR 60 L/D/m²
8. H1 Dispersal Area 45 m²
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 FORESHORE SEE
 786-04737.101

October 31, 2022
 2022-10-MTKB-8RSMTY2
 Scale 1:500
 Sheet 2 of 3
 Site Plan
 Rev 0



Appendix 2: Site & Soil Evaluation Photos



Figure 1: test pit # 1



Figure 2: Test Pit 2



Figure 5: Organics



Figure 6: Rocks, Clay and Sandy Gravel





Committee Report

Date of Report: May 1, 2024
Date & Type of Meeting: May 15, 2024 - Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: Non-Adhering Residential use
File: A2401G - Measures
Electoral Area/Municipality: 'G'

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider an Agricultural Land Commission (ALC) application for a Non-Adhering Residential Use (NARU) within the Agricultural Land Reserve (ALR) at 8965 Highway 6 in Electoral Area 'G'.

The applicant seeks to convert a portion of an existing horse barn to a second dwelling with a floor area of 150 m². ALC approval is required in order to authorize a secondary residence that is larger than 90 m².

Staff recommend that the Board provide no comment to the ALC regarding this application.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owners: Robert Measures and Yoshie Measures

Agent: Jeremy de Wit

Property Location: 8965 Highway 6, Rural Salmo, Electoral Area 'G'

Legal Description: LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654)

Property Size: 8.9 hectares (22 acres)

Current Zoning: Agriculture (AG), Electoral Area 'G' Land Use Bylaw No. 2453, 2018

Current Official Community Plan Designation: Agriculture (AG), Electoral Area 'G' Land Use Bylaw No. 2453, 2018

SURROUNDING LAND USES

North: Agricultural - AG (within ALR)

East: Environmental Reserve - ER (Salmo River)

South: Agricultural - AG (within ALR)

West: Parks and Recreation – PR (Great Northern Rail Trail and Highway 6)

SITE CONTEXT AND PROPOSAL SUMMARY

The subject property is 8.9 hectares and is presently used for residential and agricultural purposes. It is located 1.5 km north of the Village of Salmo and bounded by the Salmo River to the east, Highway 6 to the west, and

agricultural properties to the north and south. The land use designation (Official Community Plan designation) is Agricultural and the parcel is zoned Agriculture (AG).

The applicant has described the present agricultural uses on the property:

- two horses and 4 beef cattle
- 33 m² semi-automated greenhouse
- 0.8 ha of land is leased to a tree nursery business
- Season average of 100 x 50 lbs bales of grass hay and approximately 1100 lbs of carrots and beets for livestock feed

The existing buildings on the property are a two storey dwelling with a gross floor area of 200 m², a 130 m² carport, a 33 m² greenhouse, and the 111 m² horse barn. The proposal is to convert a portion of the existing horse barn to a secondary residence. This application is required because the proposed size (150 m²) of the secondary residence exceeds the maximum permitted size of 90 m² for secondary residences in accordance with the ALR Use Regulation 30/2019.

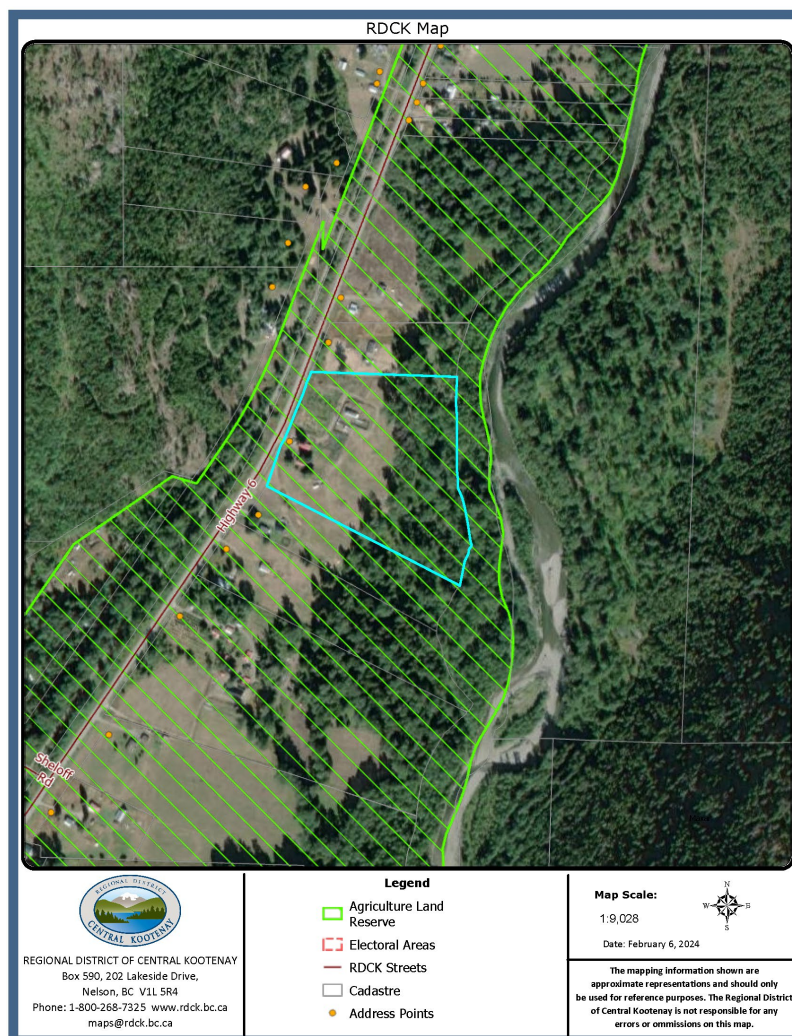


Figure 1 - Overview Map showing the boundary of the ALR (green hatched area)

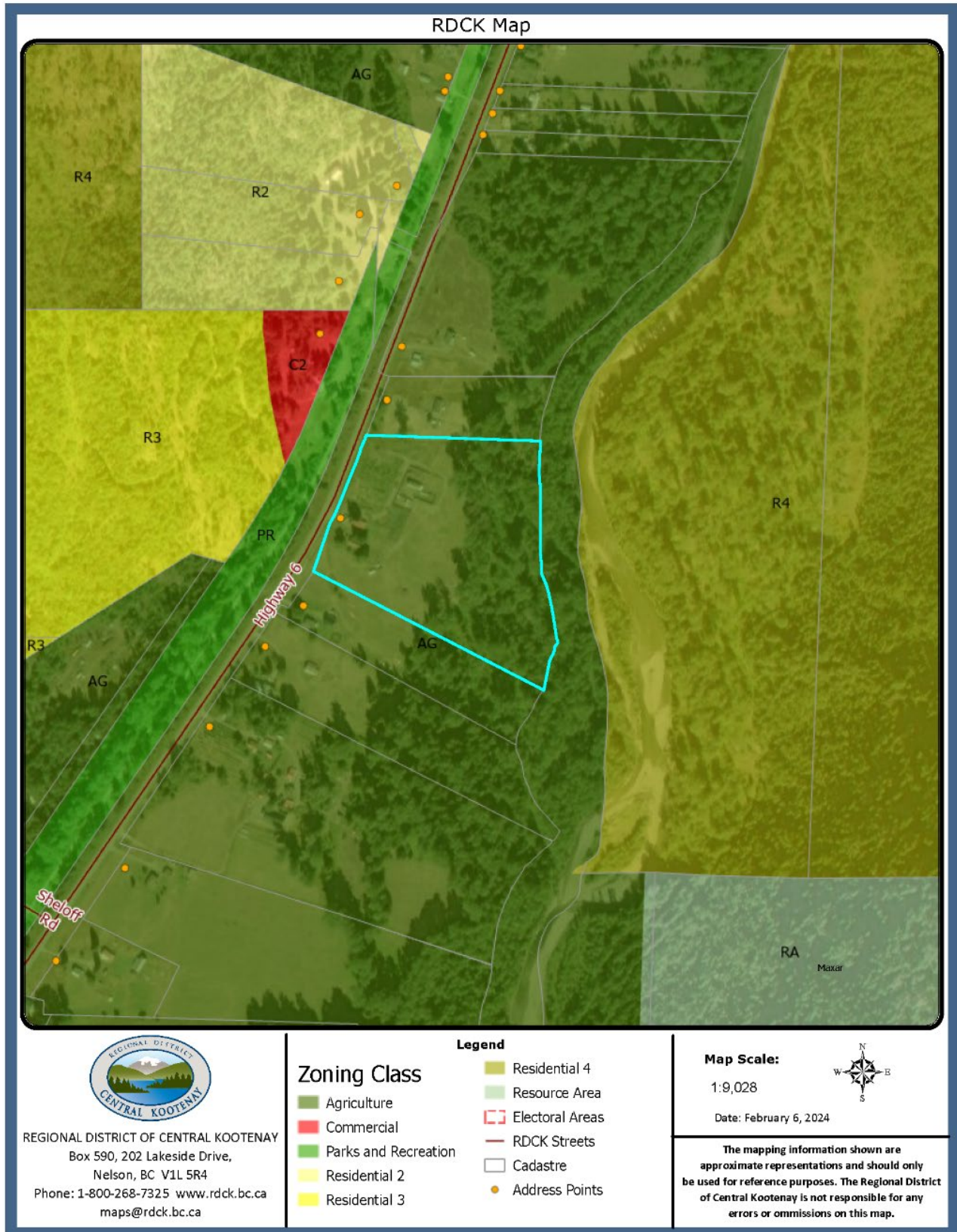


Figure 2 - Zoning Map

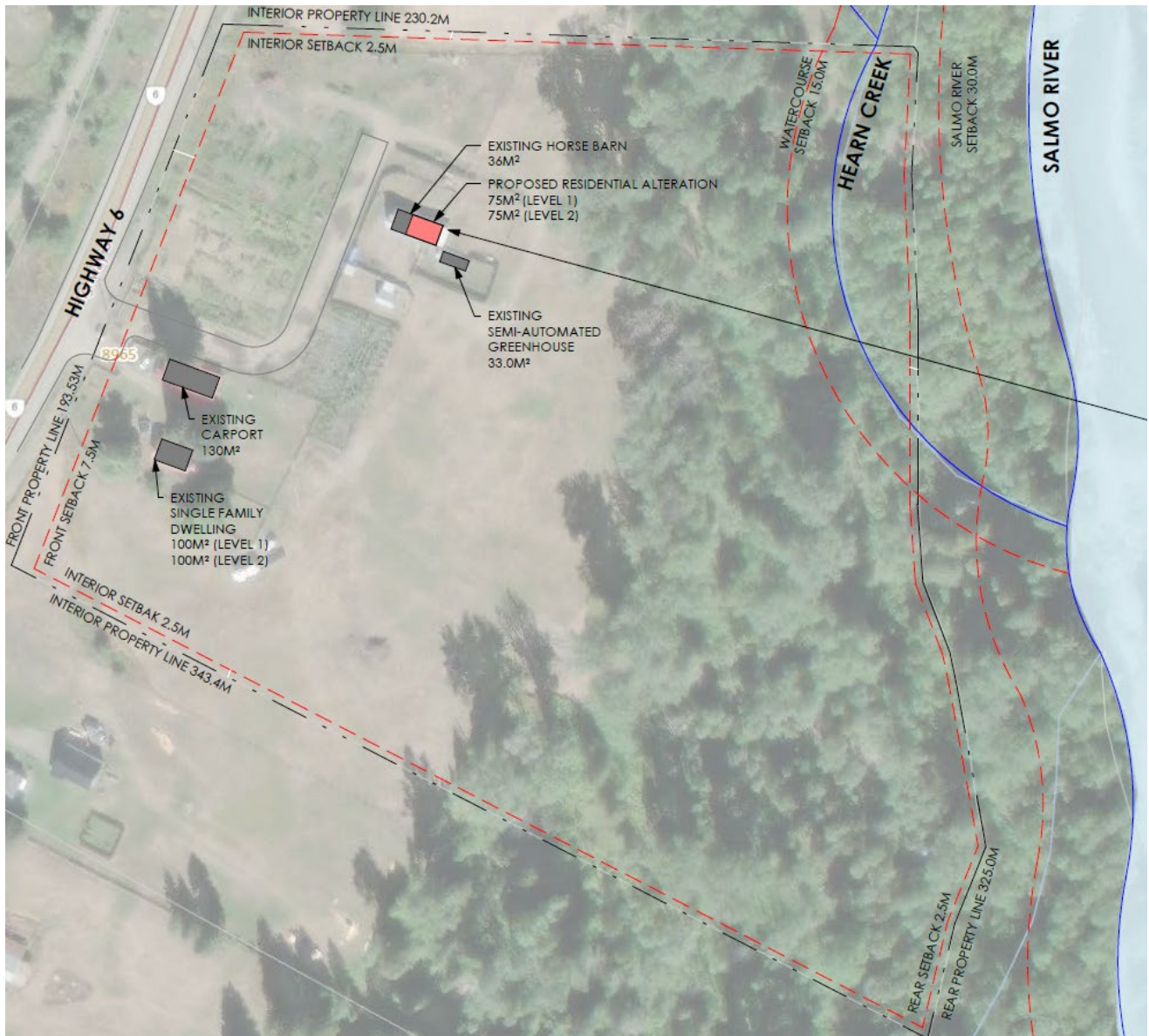


Figure 3 - Proposed location of new dwelling (snippet from Site Plan Drawing)

Agricultural Area Plan

In 2011, the RDCK developed an Agricultural Plan with the overall goal of increasing the quantity and quality of agricultural production in the Region.

The purpose of the Agriculture Area Plan is to ensure that the agricultural capability of the area is realized and protected as part of a secure food supply for the region. Agriculture in the Region is characterized by its diversity, with larger operations predominantly in the Creston Valley and many small-lot farms spread across the RDCK. The Plan's recommendations address all sizes and forms of farm operations.

Some of the issues facing farmers and food producers in the region were identified through public consultation when the Agriculture Plan was developed. Some of the issues that are relevant to the current report include:

- ongoing loss of farmland; and,

- farm income cannot support the purchase of land at residential / recreational market values.

The report goes on to make several recommendations which address agricultural viability, capability and secure food supply recommendations. The recommendation relevant to this application are listed below:

CAPABILITY RECOMMENDATION #3 It is recommended that the RDCK encourage the protection of agricultural land where appropriate, through the Official Community Plan process and other land use planning tools.

CAPABILITY RECOMMENDATION #10

It is recommended that the RDCK encourage the Agricultural Land Commission to update their ALR decision making guidelines incorporating criteria that acknowledges the unique characteristics of this region and the productive capabilities of smaller parcels.

Agricultural Land Use Inventory

The RDCK's Agricultural Land Use Inventory, 2016 (ALUI) was developed for the purpose of building a common understanding of agriculture within the RDCK. Most of the agricultural activity in the area is in the form of smaller scale livestock operations. There are no cereal or oilseed crops in the area but there are small areas of mixed vegetable crops including on the subject property.

Within the RDCK, 30% of the effective ALR was in farmed land cover that includes cultivated crops and barns. 23% of ALR parcels were used for farming and 77% were not used for farming.

The Agricultural Land Use Inventory defines the nature of farming practices. Parcel size must be considered when determining the agricultural potential of a parcel. Larger parcels usually allow farmers greater flexibility to expand or change their type of operation as the economy and markets change. Some types of agriculture can be successful on small parcels (e.g. intensive market gardens, nurseries, and poultry), however, the number of viable farming options generally decreases with a reduced parcel size. Smaller parcels are generally more costly per hectare than larger parcels, and can easily be disassembled from larger farm units and sold. Larger parcels accommodate equipment more efficiently and reduce the need to move farm equipment on public roads.

The Inventory outlines that there is evidence that small parcels are less likely than larger parcels to be utilized for farming. In the Regional District there are 1,178 ALR parcels that are less than 1 hectare. Of these parcels, 5% (60 parcels) are "Used for Farming", 21% (245 parcels) are "Available for Farming", and 74% (873 parcels) are "Unavailable for Farming". Residential use accounts for the majority of the small and "Unavailable for Farming" parcels.

Although the ALUI identifies that the Creston Valley will continue to be the hub of agriculture in the region, the continued fragmentation of larger lots elsewhere in the region can constrain agriculture opportunities and limit the type and amount of agricultural production.

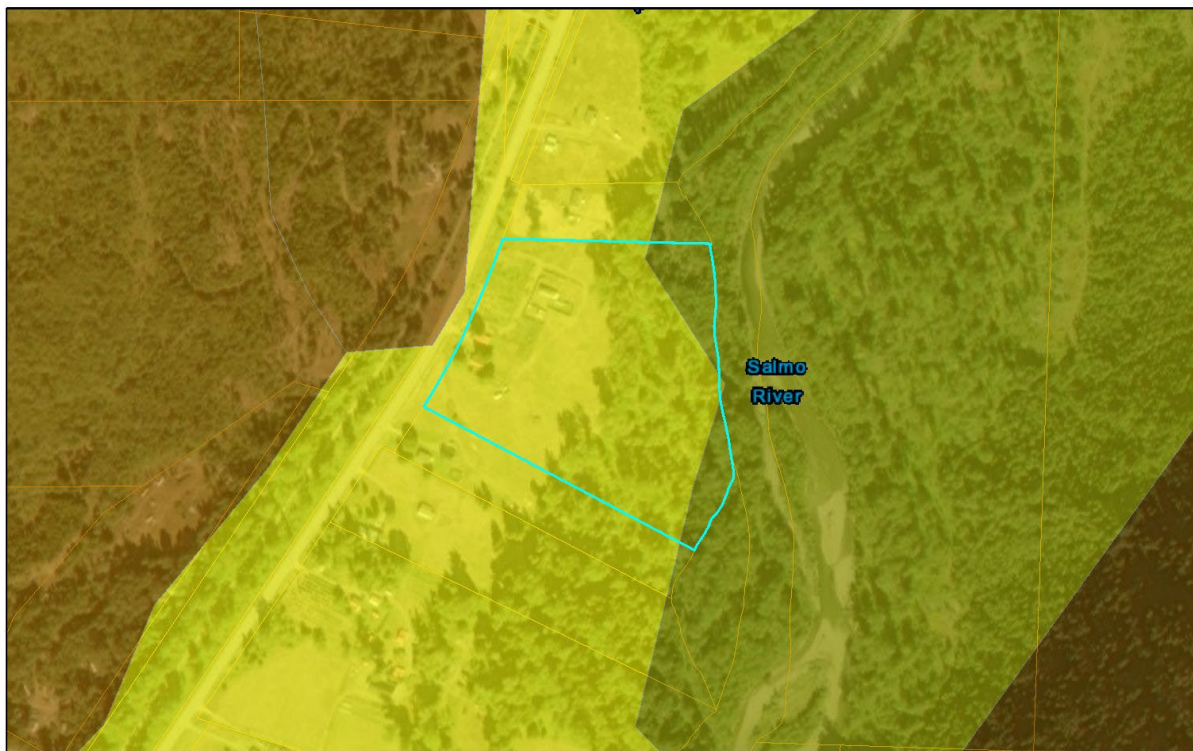
Agricultural Capability Rating

The majority of the subject property has an unimproved agricultural capability rating of Class 3 (identified as the yellow area in 'Figure 4') with the limitation being "soil moisture deficiency" and an improved agricultural capability rating of Class 2 with the limitation being "adverse climate". Small portions of the subject property closer to the Salmo River are identified as Class 5 and Class 7 however these areas are presently forested and more likely subject to seasonal flooding by the Salmo River and the small watercourse identified by the applicant as Hearn Creek.

The portion of the subject property identified in green has an improved agricultural capability rating of Class 4-5. The limitation subclass is topography and excess water. More details regarding soil classes and limitation subclasses can be found in the tables below.

Approximate area of property	Unimproved Capability Class	Improved Capability Class
8 ha	3M	2C
1 ha	7:5IW~3:7PI	7:5IW~3:7PI

Agricultural Capability - RDCK File No. A2401G



4/26/2024, 2:37:13 PM

Agricultural Capability 5 7
3 6 ParcelMap BC Parcel Polygons

1:8,000
0 0.04 0.09 0.17 mi
0 0.05 0.1 0.2 km
Esri, HERE, Garmin, IPC, NRCAN, Maxar

Web AppBuilder for ArcGIS
Maxar | HectaresBC, Ministry of Environment, Terrestrial Ecosystem Information (TEI) | Esri, HERE, Garmin, IPC, NRCAN |

Figure 4 – Map showing Unimproved Agricultural Capability Ratings

Soil Class	Description
Class 3	Land in this class has limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.
Class 4	Land in this class has limitations that require special management practices or severely restrict the range of crops, or both.
Class 5	Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.

Class 6	Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.
Class 7	Land in this class has no capability for arable or sustained natural grazing.

Limitation Subclass	Description
C	Adverse climate (excluding precipitation)
I	Inundation (flooding by streams etc.)
M	Soil moisture deficiency
P	Stoniness
W	Excess water (groundwater)

Soil Type

The Soil Resources of the Nelson Area published by the BC Ministry of Environment categorizes soils having similar agriculturally important characteristics into 'soil association descriptions'. The subject property is composed of soils from the Avis Soil Association. Avis soils are widely variable in texture, stoniness and wetness. Most non-flooding, stone-free map units are very suitable for agricultural production. The region has a shortage of good agricultural land making these soils valuable for agricultural use.

BC Soil Survey - RDCK File No. A2401G



Figure 5 - BC Soil Survey Map. The entire property is within the Avis Soil Class

Archaeological Potential

The subject property is noted as having 'high' archaeological potential (Study: ARROW; ID: 84; Permit: 1996). Staff have advised the property owner that archaeological sites (both recorded and unrecorded) are protected under the Heritage Conservation Act and must not be altered or damaged without a permit from the Archaeology Branch. If any land-altering development is planned for the property, owners and operators should be notified that if an archaeological site is encountered during development, activities must be halted and the Archaeology Branch contacted at 250-953-3334 for direction.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

The applicant has paid the \$750 RDCK Referral Fee pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

This application was processed in accordance with Planning Fees and Procedures Bylaw No. 2457, 2015.

Agricultural Land Commission Act (ALCA)

As per Section 25(1) of the Act, when making a decision on an application for a use or subdivision in the ALR the Agricultural Land Commission may do one of the following:

- (a) refuse permission for the use or subdivision applied for,
- (b) grant permission, with or without limits or conditions, for the use or subdivision applied for, or
- (c) grant permission for an alternative use or subdivision, with or without limits or conditions, as applicable.

Section 25(3) of the ALCA states that a subdivision application may not be proceed to the ALC unless authorized by resolution of the local government. Section 34 states that a local government may include comments and recommendations regarding an application should it resolve to forward the application to the ALC.

Electoral Area 'G' Land Use Bylaw No. 2452, 2018

2.3 Agricultural Objectives

- 6.1 Preserve and promote the use of agricultural land for current and future agricultural production, and protect this land from uses which are inconsistent with agriculture or are incompatible with existing agricultural uses in the area.
- 6.4 Minimize conflicts between agriculture and other land uses.
- 6.5 Encourage diversification and enhancing farm income by enabling uses secondary to and related to agricultural use consistent with the provisions of the Agricultural Land Reserve Act, associated regulations, orders and decisions of the Provincial Agricultural Land Commission.

3.4 Agricultural Policies

The Regional Board:

- 6.10 Directs that the principal use of land designated Agriculture shall be farm use.

- 6.11 Discourages applications to the Agricultural Land Commission for subdivision and nonfarm use in the ALR unless the proposal provides evidence that it does not negatively impact agriculture or agricultural potential on the subject lot and adjacent agricultural operations.
- 6.13 Should consider potential impacts on water resources in agricultural areas when considering land use amendment applications not related to agriculture or subdivision and non-farm use proposals in the Agricultural Land Reserve.
- 6.14 Directs residential and non-farm uses to lands where there is low agricultural capability.
- 6.17 Will enable secondary agricultural uses including home based business, agri-tourism or accessory tourist accommodation opportunities that are consistent with the provisions of the Agricultural Land Reserve Act, associated regulations, orders and decisions of the Provincial Agricultural Land Commission.
- 6.18 May consider secondary dwelling applications within the ALR in accordance with the density provisions of the associated zoning regulations of this Bylaw and with Provincial approval where necessary.

Electoral Area ‘G’ Land Use Bylaw No. 2452 (Zoning Bylaw)

The subject property is zoned Agriculture (AG) in Electoral Area ‘G’ Land Use Bylaw No. 2452. Staff note that if the Board were to support this NARU application and it was subsequently approved by the ALC, a Development Variance Permit application would be required prior to the issuance of a building permit in order to permit a secondary residence to be more than 90 m².

RDCK Floodplain Management Bylaw No. 2080, 2009

The Floodplain Management Bylaw identifies the required flood construction level and floodplain setback from the Salmo River when considering the construction of new buildings or renovation of existing buildings. Based on the RDCK mapping, the proposed secondary residence is within the Flood Plain of the Salmo River. Although the location of the secondary residence would comply with the 30 metre floodplain setback the 1st storey of the building would not comply with the required Flood Construction Level and therefore a Site Specific Floodplain Exemption Application would need to be approved prior to the issuance of a building permit.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

There is no public benefit associated with the application.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The application was referred to various groups including the Ministry of Agriculture and Food, as well as the APHC for Electoral Area ‘G’. The following comments were received:

Area ‘G’ Advisory Planning and Heritage Commission

From the approved minutes of the March 27, 2024 Meeting:

That the Area G Advisory Planning and Heritage Commission SUPPORT the Agricultural Land Reserve Referral Package for the property located at 8965 Highway 6, Rural Salmo, Electoral Area ‘G’, legally described as LOT C

DISTRICT LOTS 273 and 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I and PLAN 5659

Building Department Response

Since the structure is proposed to be attached to an existing farm building, a Structural Engineer would be required to be retained for the structural discipline and aspects of the building addition.

Spatial separations may need to be considered, including the distances of any possible overlap and proximity of the existing greenhouse to the proposed dwelling and building addition. This may result in the greenhouse having to be relocated to meet the required distances outline in 9.10.14 & 9.10.15 of the BCBC.

The following documentation would also be required at the time of Building Application:

- 1. Completed application form*
- 2. Full set of drawings including sealed structural drawings – with associated Letter of Assurance Schedule B.*
- 3. Site plan shall also illustrate the distances from the existing building with proposed addition to adjacent structures and property lines.*
- 4. BC Housing – New home registration*
- 5. Proof of Septic – May require an Registered Onsite Wastewater Practitioner (ROWP) to provide additional filings or sealed letter stating that the capacity of the existing building can support the additional load from a secondary dwelling. Or new septic filing required.*
- 6. Step Code Compliance Checklist from a Certified Energy Advisor – Pre-construction Checklist.*

Please note that upon receipt of the above items, at the time of review of the BP application, the Building Department may request additional applicable documentation prior to issuance of a Permit.

Ministry of Agriculture & Food – Land Use Planner and Regional Agrologist

Thank you for providing Ministry of Agriculture and Food (Ministry) staff the opportunity to comment on File A2401G that proposes to convert a portion of an existing horse barn into a 150 m² additional residence on the Subject Property. From an agricultural planning perspective, Ministry staff offer the following comments:

- Ministry staff recognize that the proposed additional residence will be accessed by the existing driveway and that converting the horse barn into a residence will not increase the existing footprint of the structure which in turn, minimizes the area that is disturbed and ensures that the majority of the Subject Property is available for agricultural use.*
- Ministry staff understand that the applicants operate a small farm on the Subject Property and that the larger additional residence beyond what is permitted by the Agricultural Land Commission Act (ALCA) is being requested for a caretaker to provide care to two horses with special needs.*
- The applicant has indicated that the horses require immediate and frequent care and have also stated that the existing residence is too far from the horse barn to provide adequate care. Ministry staff note however, that the applicant has not stated what special needs might require the caretaker to be located in very close proximity to the horses. Given that the existing residence is located only slightly more than 100 m from the horse barn and that Ministry staff are unaware of any chronic equine health conditions that would require closer proximity than this, it seems unlikely that there is a true need for the horse caretaker to be closer to adequately care for the horses. Overall, it appears that this may be more of an*

issue of convenience and that further, there are also alternative options for monitoring special needs livestock from the existing residence such as security cameras.

- *From the information provided by the applicant and notwithstanding the rationale for increasing the size of the additional residence from 90 m² to 150 m², 90 m² is a sufficient size residence for a single horse caretaker, or even for two people.*
- *While Ministry staff recognize that the applicants operate a small farm, the Subject Property is not farmed to an intensity that typically requires an additional residence (beyond what is already permitted by the ALCA) for farm use. Additionally, as per the ALCA, the Agricultural Land Commission (ALC) can only approve a NARU application if it is necessary for farm use. Given this, and if the RDCK chooses to not forward the application to the ALC for decision, the applicant would not be required to pay the second half of the ALC application fee (\$450).*

Ultimately, while Ministry staff recognize that converting the horse barn into a residence will reduce the impact on the Subject Property, the current level of agricultural production does not appear to warrant a larger additional residence.

Archaeology Branch

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the Heritage Conservation Act and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

*Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.*

If there are no plans for land altering activities on the property, no action is required at this time.

3.7 Staffing/Departmental Workplace Considerations:

Following a Board resolution, staff will forward the report to the Agricultural Land Commission.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS & PROS / CONS

PLANNING DISCUSSION

Generally speaking, development variance permits are appropriate to consider in unique situations where the existing regulations don't achieve the intended goal of the regulation itself. In this circumstance, the regulation that limits the size of the second residence on a property has been adopted to permit a second residence on an agricultural property, but restrict its size so as to minimize the impact to farm land (though the loss of land to the building, driveway, servicing, etc.). This restriction on size also works to minimize the investment in non-agriculture assets, which helps keep agriculture land more affordable for farmers. Staff do not see any rationale to support the expansion of a second residence in this case, and recommend it not be approved. Should the Rural Affairs Committee and Board agree to that recommendation, the application would end there and not be forwarded to the ALC.

Should this NARU application be supported by the Board and approved by the ALC, a Development Variance Permit and a Site Specific Floodplain Exemption application would also be required to facilitate the proposed development.

Option 1:

That the Board PROVIDE NO COMMENT regarding application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Ben Conroy for property located at 8965 Highway 6, Electoral Area 'G' and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

Option 2:

That the Board SUPPORT application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Ben Conroy for property located at 8965 Highway 6, Electoral Area 'G' and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

SECTION 5: RECOMMENDATIONS

That the Board PROVIDE NO COMMENT regarding application A2401G for the proposed Non-Adhering Residential Use in the Agricultural Land Reserve proposed by Ben Conroy for property located at 8965 Highway 6, Electoral Area 'G' and legally described as LOT C DISTRICT LOTS 273 AND 1237 KOOTENAY DISTRICT PLAN 2329, EXCEPT PARTS INCLUDED IN REFERENCE PLAN 103021I AND PLAN 5659 (PID: 008-683-654).

Respectfully submitted,

Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved**

General Manager Development & Sustainability – Sangita Sudan **Digitally approved**

Chief Administrative Officer – Stuart Horn **Digitally approved**

ATTACHMENTS:

Attachment A – ALC Application

Attachment B – Full Size Site Plan

Attachment C – Site Visit Pictures



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 70370

Application Status: Under LG Review

Applicant: Hearn Creek Stables

Agent: de Wit Designs

Local Government: Central Kootenay Regional District

Local Government Date of Receipt: 02/03/2024

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Non-Adhering Residential Use - Additional Residence for Farm Use

Proposal: Alter existing horse barn into horse barn with attached single family dwelling.

Agent Information

Agent : de Wit Designs

Mailing Address :

[REDACTED]

Primary Phone : [REDACTED]

Email : [REDACTED]

Parcel Information

Parcel(s) Under Application

1. **Ownership Type :** Fee Simple

Parcel Identifier : 008-683-654

Legal Description : LOT C, PLAN NEP2329, DISTRICT LOT 273, KOOTENAY LAND DISTRICT, EXCEPT PLAN REF PL 103021I, & DL 1237, & EXC PL 5659

Parcel Area : 9.1 ha

Civic Address : 8965 HIGHWAY 6 SALMO V0G 1Z0

Date of Purchase : 05/01/2014

Farm Classification : Yes

Owners

1. **Name :** Hearn Creek Stables

Address :

[REDACTED]

Phone : [REDACTED]
Email : [REDACTED]

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

Parcel:

contains two horses and four beef cows.

contains 33m² semi-automated greenhouse.

produces seasonal average 100x50 lbs bales of grass hay and approximately 1100 lbs of carrots and beets for livestock feed.

leases 2 acres of land to a tree nursery business.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

Last year, owner:

drilled new \$6,000 well,

installed \$2,500 underground irrigation system to serve livestock waterers and future boarding facility locations.

installed \$4,000 200A to serve future boarding facility and livestock heaters.

installed \$2,500 permanent perimeter electric fencing for livestock.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

Owner rents out primary residence until November 1st, 2024 to which they will then utilize as their primary residence onward.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity : Residential/Agricultural

East

Land Use Type: Unused

Specify Activity : River

South

Land Use Type: Agricultural/Farm

Specify Activity : Residential/Agricultural

West

Land Use Type: Recreational

Specify Activity : Multi-use recreational rail trail

Proposal

1. What is the purpose of the proposal?

Alter existing horse barn into horse barn with attached single family dwelling.

2. Describe the necessity for an additional residence for farm use and how it will support agriculture in the short or long term.

The farm commonly contains two or more horses with special needs. These horses require frequent and immediate care. The attached single family dwelling will be assigned to a designated caretaker who would not reside in the existing single family dwelling. The remaining eight horses will be equipped with a nearby boarding facility separate from this application.

3. Describe the size, type and number, as well as occupancy of all residential structures currently located on the property.

100m² (footprint) 200m² (total) 3-bed single family dwelling

4. What is the total floor area of the proposed additional residence in square metres?

150 m²

5. Describe the rationale for the proposed location of the additional residence.

To provide close-proximity, frequent monitoring, and immediate care for horses with special needs. The existing horse barn is too far from the existing dwelling, ultimately compromising the special needs horses' potential to thrive. The 150m² opposed to the 90m² is being applied for in an effort to fully utilize the existing unoccupied footprint of the building. Given the existing conditions, limiting the space to 90m² would result in an impractical and nonfunctional layout and not establish the intended relationship with the portion that would remain as a stable. Portions of the dwelling will serve as storage for the horses specific needs which would include heated feed. Other portions will also be made accessible to visitors.

6. What is the total area of infrastructure necessary to support the additional residence?

0m². Utilizing existing services.

7. Do you need to import any fill to construct the additional residence or infrastructure?

No

Applicant Attachments

- Agent Agreement - de Wit Designs
- Proposal Sketch - 70370
- Certificate of Title - 008-683-654

ALC Attachments

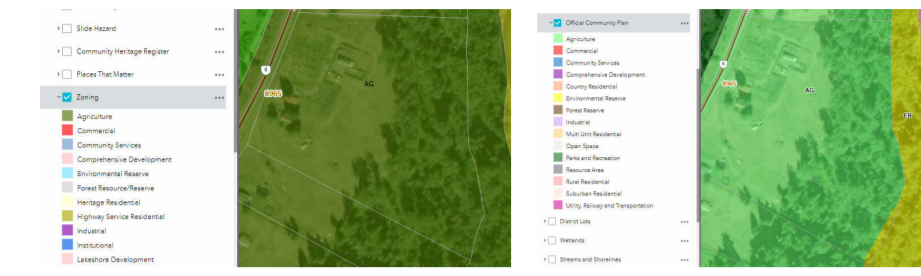
None.

Decisions

None.

ZONING BYLAW SUMMARY

ITEM	DESCRIPTION
CIVIC ADDRESS	8965 HIGHWAY 6 SALMO V0G 1Z0
LEGAL ADDRESS	LOT C, PLAN NEP2329, DISTRICT LOT 273, KOOTENAY LAND DISTRICT, EXCEPT PLAN REF PL 1030211, & DL 1237, & EXC PL 5659, PID: 008-683-654, Roll: 21-707-01327-000
AJH	RDCK
ZONING AREA	ELECTORAL AREA G
BYLAW REFERENCED	SALMO RIVER VALLEY ELECTORAL AREA G LAND USE BYLAW NO. 2452, 2018



ZONING DESIGNATION AG-AGRICULTURE OCP DESIGNATION AG-AGRICULTURE



AGRICULTURAL LAND RESERVE

ITEM	PERMITTED	EXISTING	PROPOSED
1. PRINCIPAL USE	1. FARM BUILDINGS FARM USES DWELLINGS, ONE FAMILY DWELLING, TWO FAMILY DWELLING, TWO FAMILY DWELLING, TWO FAMILY DWELLING, TWO FAMILY SECONDARY DWELLINGS*	1. FARM BUILDINGS FARM USES DWELLING, ONE FAMILY	1. EXISTING
2. ACCESSORY USE	2. ACCESSORY BUILDINGS ACCESSORY DWELLINGS SECONDARY DWELLINGS*	2. ACCESSORY BUILDINGS	2. SECONDARY DWELLING
3. LOT AREA (HA)	3. >4.0	3. 9.1	3. EXISTING
4. FRONT SETBACK (M)	4. >7.5	4. 77.0	4. EXISTING
5. EXTERIOR SETBACK (M)	5. >7.5	5. N.A.	5. EXISTING
6. INTERIOR SETBACK (M)	6. >2.5	6. 61.5	6. EXISTING
7. REAR SETBACK (M)	7. >2.5	7. 164.0	7. EXISTING
8. PROJECTIONS (M)	8. <0.4	8. N.A.	8. EXISTING
9. LOT COVERAGE (%)	9. <35.0	9. 0.4	9. EXISTING
10. PRINCIPAL BUILDING HEIGHT (M)	10. <15.0	10. <15.0	10. EXISTING
11. ACCESSORY BUILDING HEIGHT (M)	11. <6.0	11. <6.0	11. T.B.D.
12. SUBDIVISION LOT AREA (HA)	12. >4.0	12. N.A.	12. N.A.
13. WDPA SALMO RIVER SETBACK	13. >30.0	13. 225.0	13. EXISTING
14. WDPA WATERCOURSE SETBACK	14. >15.0M	14. 156.0	14. EXISTING

*SECONDARY DWELLINGS (SUBJECT TO A LOT BEING AT LEAST 50 HECTARES) NON-FARM USES (AS DEFINED IN THE AGRICULTURAL LAND COMMISSION ACT AND THE AGRICULTURAL LAND RESERVE USE, SUBDIVISION AND PROCEDURES REGULATION)

AGRICULTURAL LAND COMMISSIONS CONSIDERATIONS

- PERTAINING DEFINITIONS:
 "NON-ADHERING RESIDENTIAL USE" MEANS ANY OF THE FOLLOWING:
 A. AN ADDITIONAL RESIDENCE;
 B. A PRINCIPAL RESIDENCE HAVING A TOTAL FLOOR AREA THAT IS MORE THAN 500 M2;
 C. A USE OF A RESIDENTIAL STRUCTURE THAT CONTRAVENES THE REGULATIONS;

"NON-FARM USE" MEANS A USE OF AGRICULTURAL LAND OTHER THAN A FARM USE, A RESIDENTIAL USE OR A SOIL OR FILL USE;

"RESIDENTIAL USE"
 MEANS A USE OF AGRICULTURAL LAND FOR A RESIDENTIAL STRUCTURE, AND
 DOES NOT INCLUDE A FARM USE OR A SOIL OR FILL USE;

"PERMITTED NON-FARM USE" MEANS A NON-FARM USE THAT IS PERMITTED UNDER SECTION 25 OR 45 OR THE REGULATIONS.

(2) AN APPROVING BODY MAY APPROVE OR PERMIT A NON-FARM USE OF AGRICULTURAL LAND ONLY IF THE NON-FARM USE IS A PERMITTED NON-FARM USE.

(3) AN APPROVING BODY MAY APPROVE OR PERMIT A BUILDING OR STRUCTURE TO BE CONSTRUCTED OR ALTERED ON AGRICULTURAL LAND ONLY IF THE BUILDING OR STRUCTURE

(A) IS NOT A RESIDENTIAL STRUCTURE AND WILL BE USED FOR A FARM USE OR PERMITTED NON-FARM USE,

(B) IS A PRINCIPAL RESIDENCE AND

(I) IS OF A SIZE AND IS SITED IN ACCORDANCE WITH SECTION 20.1 (1), OR

(II) IS PERMITTED UNDER SECTION 25 OR 45 OR THE REGULATIONS,

(C) IS AN ADDITIONAL RESIDENCE AND IS PERMITTED UNDER SECTION 25 OR 45 OR THE REGULATIONS, OR

(D) IS A RESIDENTIAL STRUCTURE OTHER THAN A RESIDENCE AND

(I) IS OF A SIZE AND IS SITED IN ACCORDANCE WITH THE REGULATIONS OR AS PERMITTED UNDER AN APPLICATION MADE IN ACCORDANCE WITH THE REGULATIONS, AND

(II) WILL BE USED AS PERMITTED UNDER SECTION 25 OR 45 OR THE REGULATIONS.

RESIDENTIAL USE OF AGRICULTURAL LAND
 20.1 (1) UNLESS PERMITTED UNDER SECTION 20.2, 25 OR 45 OR THE REGULATIONS, AN OWNER OF AGRICULTURAL LAND WHO CONSTRUCTS, ALTERS OR USES A RESIDENTIAL STRUCTURE ON THE AGRICULTURAL LAND MUST COMPLY WITH ALL OF THE FOLLOWING:

(A) THE AGRICULTURAL LAND MAY HAVE NO MORE THAN ONE RESIDENCE PER PARCEL;

(B) THE TOTAL FLOOR AREA OF A PRINCIPAL RESIDENCE MUST BE 500 M2 OR LESS;

(C) THE RESIDENTIAL STRUCTURE MUST BE SIZED, SITED AND USED, IN ACCORDANCE WITH ALL APPLICABLE REGULATIONS.

(2) AN OWNER MAY APPLY

(A) TO THE COMMISSION FOR PERMISSION UNDER SECTION 25 FOR A NON-ADHERING RESIDENTIAL USE, OR

(B) IN THE MANNER SET OUT IN THE REGULATIONS FOR A VARIATION OF OR EXEMPTION FROM A REGULATION WITH RESPECT TO SIZE OR SITING.

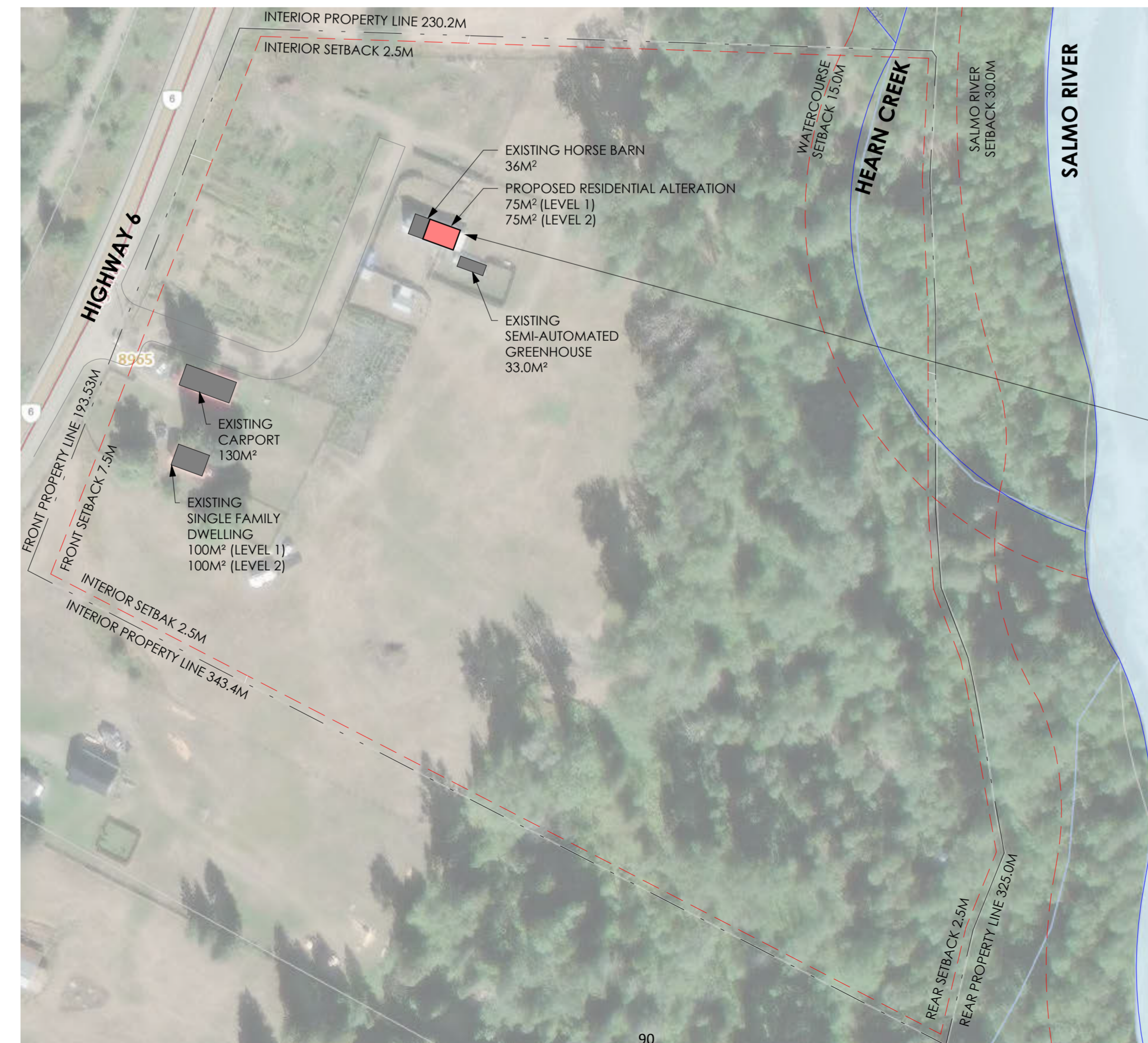
APPLICATIONS BY OWNER
 25 (1.1) IN MAKING A DETERMINATION UNDER SUBSECTION (1) (B) WITH RESPECT TO AN APPLICATION FOR A NON-ADHERING RESIDENTIAL USE, THE COMMISSION

(A) MUST CONSIDER THE PRESCRIBED CRITERIA, IF ANY, AND

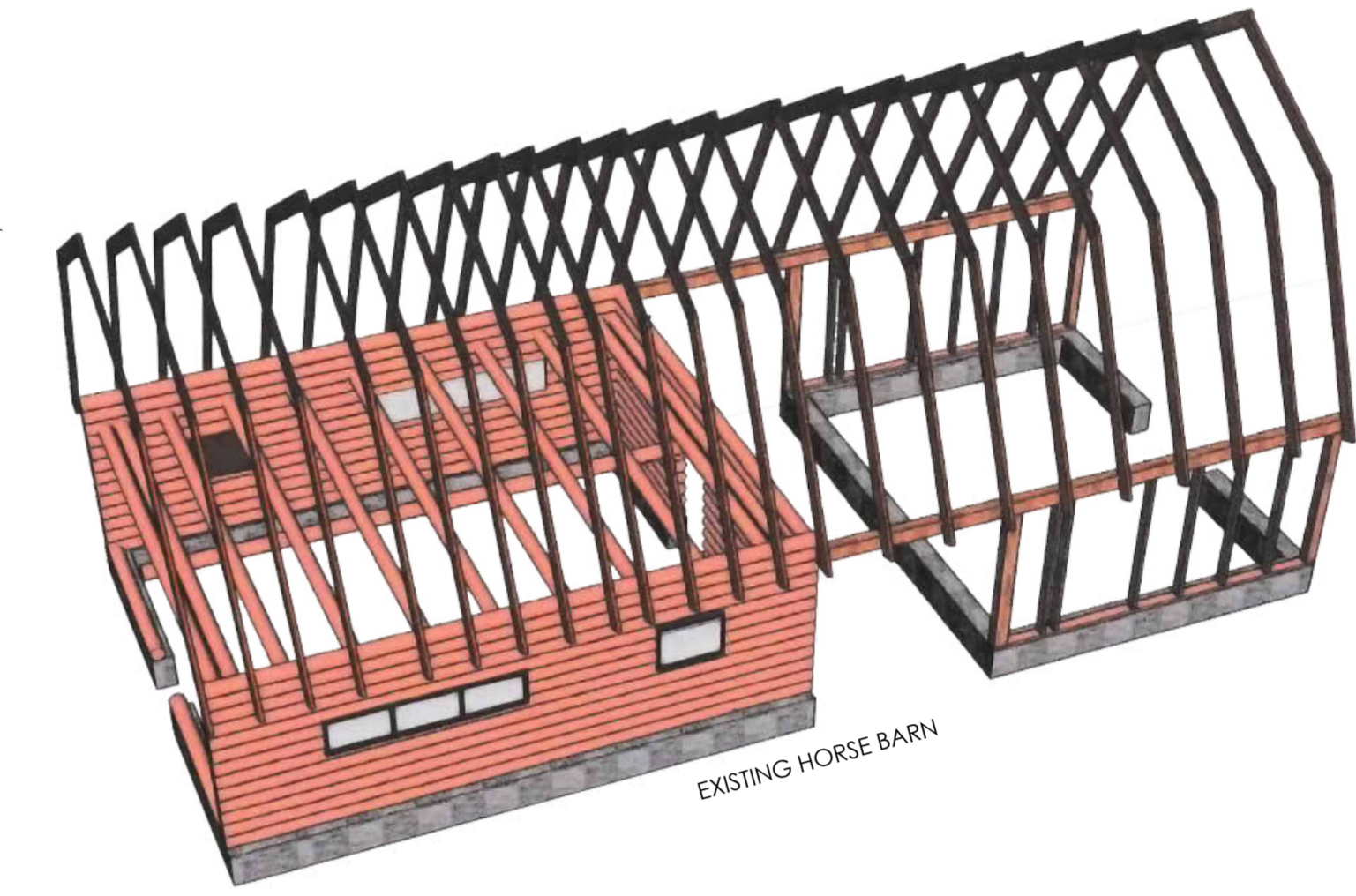
(B) MUST NOT GRANT PERMISSION FOR AN ADDITIONAL RESIDENCE UNLESS THE ADDITIONAL RESIDENCE IS NECESSARY FOR A FARM USE.



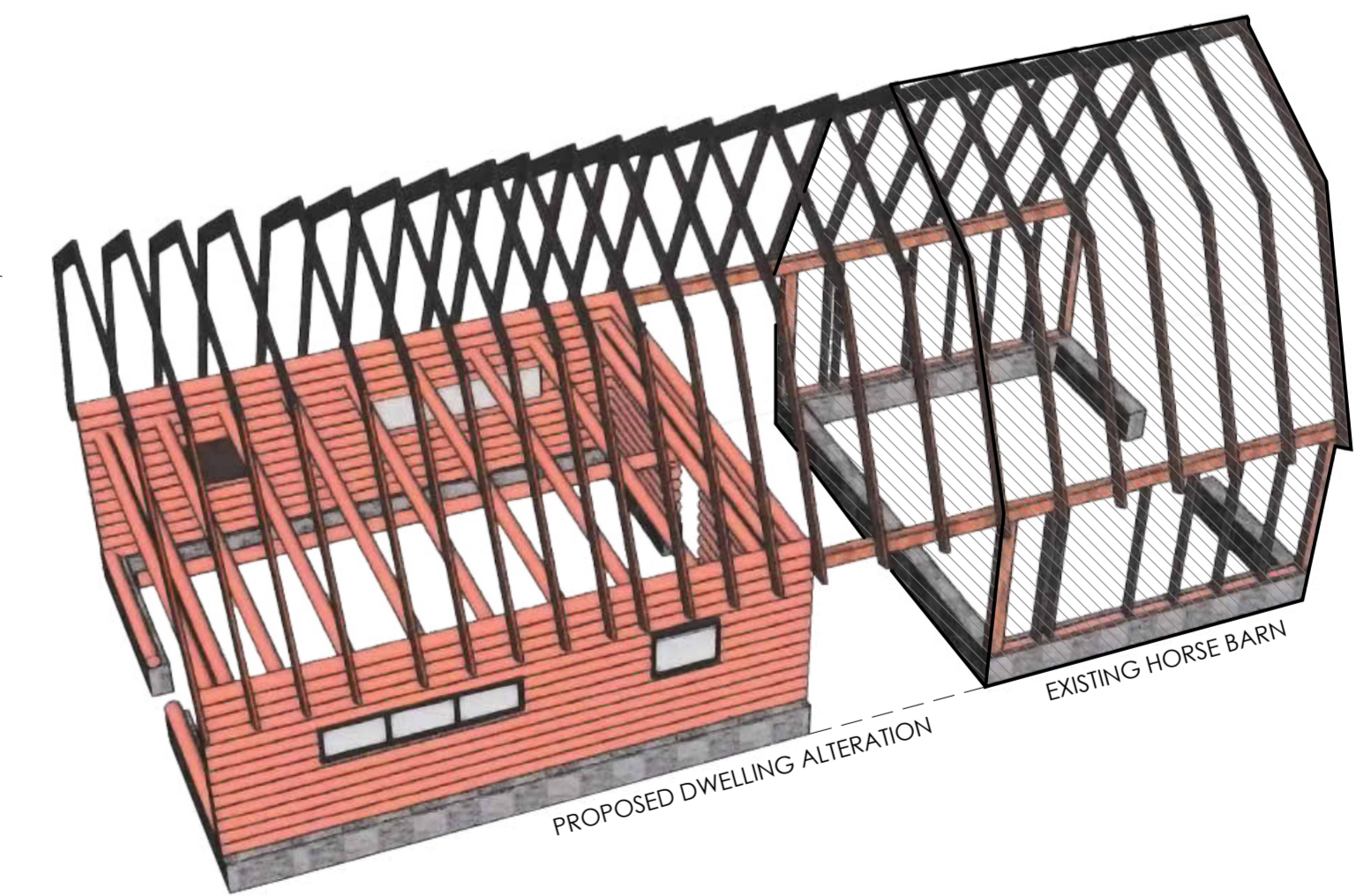
1 SITE-EXISTING
1 : 1250



2 SITE-PROPOSED
1 : 1250



3 PERSPECTIVE-EXISTING
1 : 50



4 PERSPECTIVE-PROPOSED
1 : 50

PROJECT NAME
 8965 HIGHWAY 6 ALTERATION

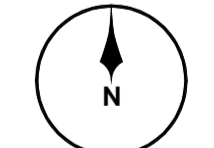
ADDRESS
 8965 HIGHWAY 6
 SALMO BC

CLIENT
 ROBERT MEASURES

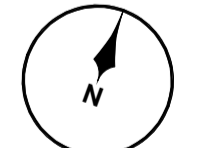
DRAWING NOTES

SITE DATA DERIVED FROM SCALED
 RDCK MAPPING SERVICES AND ARE
 APPROXIMATE.

TRUE



PROJECT



REVISIONS/HISTORY

DATE	NUMBER	DESCRIPTION
2024-01-15	0	IFR

SHEET NAME
 SITE

SHEET NO.

A3

REV. NO.

A2401G: Site Visit Pictures (8965 Highway 6, Electoral Area 'G')



Figure 1 - View north facing the existing agricultural building that shows the breezeway between the two portions of the building. The left side of the building will be used for horses and the right side of the building will be converted to a dwelling.



Figure 2 - View looking east at the portion of the building that will remain as an agricultural use.



Figure 3 - Looking west at the portion of the building that is proposed to be converted to a dwelling.



Committee Report

Date of Report: May 1, 2024
Date & Type of Meeting: May 15, 2024, Rural Affairs Committee
Author: Stephanie Johnson, Planner
Subject: BYLAW AMENDMENTS
File: Z2402J-01555.100-Whitehead-BA000080
Electoral Area/Municipality J

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider an application for amendments to the Official Community Plan Bylaw (OCP) and Zoning Bylaw to consider the development of a daycare at 3124 Waldie Avenue in Robson, Electoral Area 'J'. The proposed amendment bylaws are as follows:

- **OCP Designation:** From Suburban Residential (SR) to Community Service (CS)
- **Zoning Designation:** From Suburban Residential One (R1) to Institutional (I) site specific

Staff recommend that the OCP and Zoning amendment bylaws be given first and second readings by content and referred to a public hearing.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION
Property Owner: Jessilyn Melville and Jarrod Whitehead
Property Location: 3124 Waldie Avenue, Robson, Electoral Area 'J'
Legal Description: LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 9317 (PID: 013-130-871)
Property Size: 0.08 hectares (ha) / 809 m ²
Current Zoning: Suburban Residential (R1)
Current Official Community Plan Designation: Suburban Residential (SR)

SURROUNDING LAND USES
North: Robson Community School - Institutional use (I) and Waldie Avenue
East: Suburban Residential (R1) uses
South: Broadwater Road, Robson Boat Ramp Regional Park and the Columbia River
West: Suburban Residential (R1) uses

Background and Site Context

The subject property is located in the community of Robson and is accessed off of Waldie Avenue and Broadwater Road. The existing driveway to the two (2) attached garage parking spaces are also accessed off of Broadwater Road. The lot is less than 25 metres from the Robson Community School grounds, and is also across the road to the south from the Robson Boat Launch Regional Park, which is located on the north shore of the

Columbia River across from the City of Castlegar. The lot is 809 m² in size, and an existing residence currently occupies the site. A BC Transit bus stop is located adjacent to the Robson Community Hall, which is approximately 150 metres from the subject property.



Figure 1: Location Overview Map

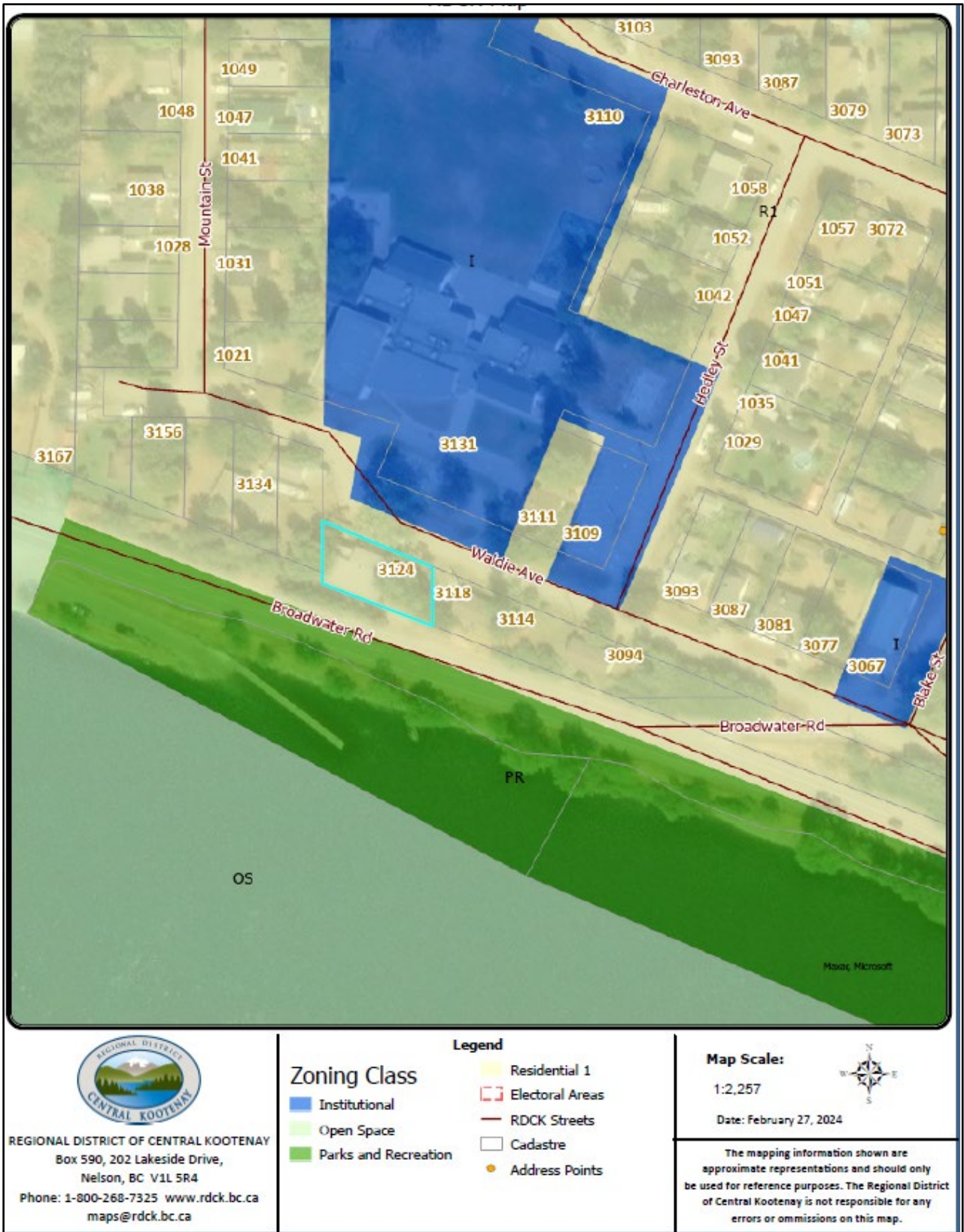


Figure 2: Zoning Map

Development Proposal

The purpose of this application is to change the OCP designation from Suburban Residential (SR) to Community Services (CS) and to rezone the subject property from Suburban Residential One (R1) to Institutional (I) site specific to reflect the siting of the existing building and lot size. The Blue Berry Community School (BCCS) seeks the above bylaw amendments to facilitate the purchase and development of a daycare by converting the existing building on the subject property for this use.

The proposal includes the conversion of an existing residence (approximately 220 m² / 2,368 ft² in size) into a daycare facility. The site plan (Figure 3) shows five (5) surface vehicle parking spaces and two (2) in the attached single care garages accessed off of Broadwater Road. An outdoor play area to meet the Province’s licensing requirements will also be developed. The daycare programming and operations propose to include approximately seven staff members, and have been designed to accommodate 42 daycare spaces broken down by the following age categories:

- 0-2 year olds – 12 spaces
- 3-5 year olds – 20 spaces
- 5-12 year olds – 10 after school care spaces

The proposed Institutional Zone (Attachment ‘A’) will include site-specific land use regulations for density, building setbacks and parking to reflect the reuse and conversion of the building from a dwelling to an institutional daycare use. The proposed site specific regulations are summarized below:

Density - The minimum site area for a daycare centre use shall be 0.08 ha.

Setbacks - To reflect the siting of the existing principal building the setbacks shall be as follows:

- Front setback - 4.5 metres;
- Exterior setback (rear) - 1.8 metres; and
- Exterior setback (west) - 1.8 metres.

Parking - The minimum number of off-street parking spaces shall be seven (7).

Regulation Type	Zoning Bylaw Requirement	Proposed
<i>Minimum Parcel Size</i>	1.0 hectare (ha)	0.08 ha
<i>Principal Building Setbacks</i>		
Front:	7.5 metres	4.5 metres
Exterior:	7.5 metres	1.8 metres
Side:	2.5 metres	2.5 metres
<i>Off-Street Parking Requirements</i>		
Childcare Centre – 4.4 spaces per 100 m ² of GFA	9	7

Table 1: Zoning Bylaw Regulation Review



Figure 3: Site Plan

Planning Policy

Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

Suburban Residential (SR)

Residential Objectives

2.1.3. To provide for a choice of housing

2.1.6 To maintain the rural character, environmental integrity, the social and cultural diversity of the Plan Area.

Suburban Residential Policies

3.2.2.1 The principal use shall be residential.

Specific Community Policies

3.10.1 Robson/Raspberry

Community Services

3.9 Community Service Policies:

3.9.1 Community Services permitted on lots designated for Community Service on Schedule 'B' - Land Use Designations, shall include public recreation facilities, community halls, public utility structures and services, schools, universities/colleges, fire halls, greenspace, museums, hospitals and similar uses.

Official Community Plan Consultation, RDCK Policy No. 400-02-19

The purpose of this policy is to establish a consistent process to comply with Local Government Act (LGA) consultation requirements during a minor amendment to an OCP, which is the case with this application. Further to that policy the consultation process includes the following requirements:

Consultation in the early stages of the plan development process will include initial contact to apprise persons of the nature of the proposed amendment, and the Board will consider any comments received prior to proceeding to any public hearing.

Further consultation prior to proceeding to any public hearing will include:

- i. Referral of the plan, as prepared for first reading, for comment to be received by the party consulted under 'Early and Ongoing Consultations with Persons', within 30 days;
- ii. Board consideration of every comment received in writing; and
- iii. A staff report to clarify issues that might arise during the consultation process, and delivery of such submissions with the staff report to the Board for Board consideration prior to any public hearing.

This consultation process should be construed as the minimum. Should the Board desire increased consultation, they may pass a resolution detailing additional desired consultation.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No

The joint OCP/Rezoning application fee was paid in full pursuant to *Planning Procedures and Fees Bylaw No. 2457, 2015*.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

If the amending bylaws receive first and second readings, the proposed OCP and Zoning amendment bylaws will be advertised in a locally circulating newspaper and a Public Hearing will be held to allow public comment, in accordance with Section 464 of the *Local Government Act*.

3.3 Environmental Considerations

The proposed daycare will repurpose an existing residential building, and minimal site alterations are proposed for this developed site.

3.4 Social Considerations:

Much like the social determinants of health, early learning programs and care spaces are key to a healthy community. Access to quality child care is directly linked to better later-life outcomes for children, is a vital factor to achieving gender equity and contributes to overall economic health in communities.

3.5 Economic Considerations:

Returning to work after starting a family is a decision with personal, professional and practical implications. Values, beliefs, finances, and occupational outcomes factor into families' choices on whether or not to seek professional child care for their children. However, the current lack of accessible options means that families are left to make alternative decisions that have the potential to impact their careers and the economy in general. According to Statistics Canada, almost one in 10 parents of children aged 0–5 (9%) changed their work schedule because they had difficulty finding child care, with nearly 13% working fewer hours or postponing their return to work. When families are unable to find child care, women are disproportionately leaving the workforce entirely or returning to work part-time in order to care for children, as women account for 90% of stay-at-home parents. Recognizing the above, no negative economic considerations are anticipated.

3.6 Communication Considerations:

In accordance with Schedule 'C' of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, a 'Notice of Development' sign was placed in a visible location on the subject property. Notice of this proposal was given to owners and tenants of all parcels within 100 meters of the subject property pursuant to *Planning Procedures and Fees Bylaw No. 2457, 2015*. To date, no responses to the above notification have been received.

The following referral responses were received from internal RDCK departments, external stakeholders, advisory commissions, government agencies and First Nations:

RDCK Building Department

"Due to the type of proposed occupancy (A2 – Assembly Classification), an Architect would be required to be engaged for the project and provide a Schedule A – Letter of Assurance as a Coordinating Registered Professional (CRP), as well as a Schedule B- Letter of Assurance for the Architectural Discipline. The Architect will also review the building and should be able to direct the owners as to if and what other qualified professionals are required to be involved with the project, depending on the necessary scope of work for the change of use of the building.

The following is a list of required documentation that shall be included in the Building Permit Application:

1. Completed application form – signed by the registered owner.
2. A copy of the Property Title that is within 30 days of the application - this can also be pulled by the RDCK at a small cost that would be added to the permit fee once the permit has been approved and ready for pick up.
3. A complete set of design drawings, including a Building Code Analysis of the building completed by the Architect. The drawings and scope shall be determined by your consultant, and will likely include Architectural, but also may include Structural, mechanical, electrical and fire safety / suppression drawings – if they are determined to be applicable.
4. Proof of septic – depending on the type of system and capacity, further evaluation by a professional may be required in order to permit the use of the building. The Building Department suggests that the owner engage a professional to review the existing septic system to determine if upgrades are required

Prior to occupancy approval of the building with this use, the RDCK Building Official will also request copy of the Operating Permit issued by Interior Health Authority, any applicable approvals by any other applicable health authorities for the specific use of the building, Fire Alarm verification report and tests – completed by a third party agency, and all completed Schedule C-B – Letters of Assurance from all involved Registered Professionals.

A Building Permit would not be issued until the RDCK receives confirmation from the Province’s Archaeological Branch that their requirements have been satisfied.

Please note that this is a high level review of the Bylaw Amendment application, a full comprehensive review of the Building Permit may reveal other required documentation and or clarification required in addition to the above noted items required”.

RDCK Fire Services

Fire Services has “no issues whatsoever. This property is immediately protected by a hydrant and the walls of this building are 18 inch thick concrete”. The building is “very well constructed and very well accessible”.

Interior Health (IH)

“This referral has been reviewed from Healthy Community Development and Environmental Public Health perspective and the following is for your consideration.

There are many intersecting factors that contribute to the health of individuals and communities, including our social and physical environments, our genetics, and our access to doctors and hospitals. We know that the social determinants of health (i.e., income, education, employment, etc.) have the biggest influence. Early learning programs and childcare spaces contribute to early childhood development and creating a healthy community. For example, access to quality childcare contributes to better later-life outcomes for children, is a vital factor to achieving gender equity and contributes to overall economic health in communities.

For the applicants information I’ve provided a link to our public website the speaks to Child Care Licensing including how to apply for a license: [Licensing | Child Care & Community Care Home Providers | IH \(interiorhealth.ca\)](http://interiorhealth.ca).

If the proposed daycare will be connected to existing community services (e.g. community drinking water system and community sewer system) our interests are unaffected.

If the building serving as a daycare will be serviced by private onsite services (e.g. individual well and septic system), we offer the following for consideration:

Drinking Water

Providing drinking water to consumers (children and staff at the daycare) may require a valid operating permit or approval under the Drinking Water Protection Act and Regulation. More information can be found at [Drinking Water Providers & Operators | Businesses | IH \(interiorhealth.ca\)](#).

Sewerage Disposal

Per the [Standard Practice Manual](#) (SPM) under the Sewerage System Regulation, if the existing sewerage disposal system is being repurposed to serve a new or expanded use (e.g. the daycare), to determine whether the existing system will be adequate and appropriate for the intended use and will not create a health hazard, we would recommend requiring a compliance inspection and a performance inspection, as identified in the SPM, being completed by an authorized person.

Overall, from a healthy community development and population health perspective we are supportive of this proposed development. Interior Health is committed to working collaboratively with the Regional District of Central Kootenay to support healthy, sustainable community development, land use planning and policy creation”.

Ministry of Transportation and Infrastructure (MOTI)

“In principle, the Ministry has no concerns over this Zoning Bylaw amendment; however, we want to ensure the proponent is aware of the commercial access requirements they will need to adhere to.

The Ministry has the following comments that should be shared with the proponent regarding access requirements:

- *A commercial access permit will be required for the facility. As part of this permit, the proponent will need to demonstrate how the property can accommodate both parking and complete turn around of vehicles on site as vehicles exiting the property must do so forward facing due to safety concerns.*
- *The Ministry will not permit parking on the road right-of-way for either Waldie Avenue or Broadwater Road.*
- *The Ministry preference would be to limit the property to only one access point; however, given the constraints of the property we will consider the request for a secondary access off Broadwater Road, utilizing the ‘large drive aisle’ as noted in the application letter, provided the following can be accommodated:*
 - *Safe sight lines can be met for the ingress and egress of this drive aisle, which would be 180m for Broadwater Road.*
 - *Vehicles utilizing this access are required to park and turnaround on private property. Please note: This ‘large drive aisle’ is almost completed contained on Ministry right-of-way making it unsuitable for parking or vehicle turnaround.*

The proponent can learn more about and apply for a commercial access permit here:

<https://www2.gov.bc.ca/gov/content/transportation/funding-engagement-permits/permits/access/commercial>”

Advisory Planning and Heritage Commission (APHC)

Due to a lack of quorum, the APHC for Electoral Area ‘J’ has not yet provided a recommendation on this bylaw amendment application. Should the APHC meet before the relevant Rural Affairs Committee meeting staff will provided a verbal update.

Archaeological Branch

“According to Provincial records, there are no known archaeological sites recorded on the subject property.

However, archaeological potential modelling for the area indicates there is high potential for previously unidentified archaeological sites to exist on the property, as indicated by the purple colour shown over everything in the second screenshot below.

Archaeological potential modelling is compiled using existing knowledge about archaeological sites, past indigenous land use, and environmental variables. Models are a tool to help predict the presence of archaeological sites, and their results may be refined through further assessment.

Archaeology Branch Advice -

If land-altering activities (e.g., home renovations, property redevelopment, landscaping, service installation) are planned for the subject property, a Provincial heritage permit is not required prior to commencement of those activities.

However, a Provincial heritage permit will be required if archaeological materials are exposed and/or impacted during land-altering activities. Unpermitted damage or alteration of a protected archaeological site is a contravention of the Heritage Conservation Act and requires that land-altering activities be halted until the contravention has been investigated and permit requirements have been established. This can result in significant project delays.

Therefore, the Archaeology Branch strongly recommends engaging an eligible consulting archaeologist prior to any land-altering activities. The archaeologist will review the proposed activities, verify archaeological records, and possibly conduct a walk-over and/or an archaeological impact assessment (AIA) of the project area to determine whether the proposed activities are likely to damage or alter any previously unidentified archaeological sites.

*Please notify all individuals involved in land-altering activities (e.g., owners, developers, equipment operators) that if archaeological material is encountered during development, they **must stop all activities immediately** and contact the Archaeology Branch for direction at 250-953-3334.*

If there are no plans for land altering activities on the property, no action is required at this time.

Rationale and Supplemental Information -

- *There is high potential for previously unidentified archaeological deposits to exist on the property.*
- *Archaeological sites are protected under the Heritage Conservation Act and must not be damaged or altered without a Provincial heritage permit issued by the Archaeology Branch. This protection applies even when archaeological sites are previously unidentified or disturbed.*
- *If a permit is required, be advised that the permit application and issuance process takes approximately 20 to 40 weeks; the permit application process includes referral to First Nations and subsequent engagement.*
- *The Archaeology Branch must consider numerous factors (e.g., proposed activities and potential impacts to the archaeological site[s]) when determining whether to issue a permit and under what terms and conditions.*
- *The Archaeology Branch has the authority to require a person to obtain an archaeological impact assessment, at the person’s expense, in certain circumstances, as set out in the Heritage Conservation Act.*

- *Occupying an existing dwelling or building without any land alteration does not require a Provincial heritage permit”.*

Penticton Indian Band (PIB)

The PIB circulated a standard referral response requesting a referral processing fee (i.e. \$500) to commence their review process.

Ktunaxa Nation Council

“The Ktunaxa Nation Council has no further concerns with this [Bylaw] Amendment”.

Okanagan Indian Band

“The Territorial Stewardship Division would like to acknowledge receipt of the above referral. The Okanagan Indian Band (“OKIB”) has conducted a desktop review of the project. The location of the project to which the referral relates is within Syilx (Okanagan Nation) territory, and may have impacts on Syilx Aboriginal Title and Rights, which OKIB holds as part of the Syilx. However, the project is located outside the OKIB’s Area of Responsibility as a member of the Syilx. At this time, we defer to the Penticton Indian Band...for a more in depth review”.

3.7 Staffing/Departmental Workplace Considerations:

Upon receipt of an application, accompanied with the relevant documents and fee, staff review the application in accordance with the Land Use Amendments Procedures within Schedule ‘D’ of the *Planning Procedures and Fees Bylaw No. 2547, 2015*. Should the Board give the amending bylaws first and second readings, staff will coordinate the scheduling of a public hearing.

3.8 Board Strategic Plan/Priorities Considerations:

The application falls under the operational role of Planning Services.

SECTION 4: OPTIONS & PROS / CONS

Planning Discussion

Please find the following planning rationale behind the staff recommendation:

- This development proposal represents an opportunity to repurpose an existing dwelling in to a daycare facility, which would help to address the need for child care in the Robson area, and would help with minimizing existing gaps in providing this service, including after school care.
- The subject site and proposed institutional use would be complementary to the area, which has a mixed land use pattern of residential and institutional uses, including the Robson Community School, the Robson Community Hall and the Robson and District Volunteer Fire Department.
- The proposed site specific Institutional zoning regulations are designed to accommodate converting the existing dwelling in to a daycare centre, by formally recognizing the current siting (e.g. setbacks), exiting parcel size, and reduces the minimum number of parking spaces from 9 to 7 to avoid having vehicles park on the MOTI’s road right-of-way. The MOTI also acknowledges the constraints of this site, and is amenable to permitting two accesses for this development proposal given the community benefit.
- The subject property is approximately 25 metres from the neighbouring elementary school, and is accessible by BC Transit (closest stop is less than 150 metres) with week day service from approximately seven (7) AM to five (5) PM.

- To date, no community feedback and or inquiries have been received or fielded by staff.
- Should the bylaw amendments be supported by the Regional Board, modifications to the building to ensure the daycare centre will meet the licensing requirements of the Province, as well as, the BC Building Code requirements will be necessary.

It is for the above reasons, that staff support these bylaw amendments proceeding to a public hearing.

Options

Option 1

1. That *Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024* being a bylaw to amend the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
2. That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
3. That in accordance with *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, Electoral Area 'J' Director Hanegraaf is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Option 2

1. That no further action be taken with respect to *Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024* being a bylaw to amend the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996*.
2. And that no further action be taken with respect to *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004*.

SECTION 5: RECOMMENDATIONS

1. That *Kootenay-Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024* being a bylaw to amend the *Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
2. That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024* being a bylaw to amend the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
3. That in accordance with *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, Electoral Area 'J' Director Hanegraaf is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Respectfully submitted,

"Submitted electronically"

Stephanie Johnson, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved**

Sangita Sudan – General Manager of Development and Community Sustainability **Digitally approved**

Stuart Horn – Chief Administrative Officer **Digitally approved**

ATTACHMENTS:

Attachment A – Relevant Bylaw Excerpts

Attachment B – Draft *OCP Amendment Bylaw No. 2964, 2024*

Attachment C – Draft *Zoning Amendment Bylaw No. 2965, 2024*

KOOTENAY COLUMBIA RIVERS

KOOTENAY-COLUMBIA RIVERS
OFFICIAL COMMUNITY PLAN BYLAW NO.
1157, 1996

- 3.2.1.2 Zoning shall limit subdivision pursuant to Section 996 of the *Municipal Act* on land outside the Agricultural Land Reserve.
- 3.2.1.3 Clustering of residential development shall be permitted in order to create separation between neighbouring developments and to ensure that they do not form continuous development.
- 3.2.1.4 Zoning regulations shall provide for a mix of residential lot sizes.
- 3.2.1.5 An adequate supply of potable water as specified in regulation, must be proven for each new lot created by subdivision.
- 3.2.1.6 The Approving Officer is requested to ensure that before a subdivision is approved, it must be demonstrated that where required through regulation, withdrawal of ground water for new lots will not adversely affect the supply to existing and potential water users.
- 3.2.1.7 Flood proofing regulations on setback of buildings and structures from water bodies and elevation of ground floors above water bodies shall be articulated either through zoning regulations or by adoption of a Floodplain Management Bylaw pursuant to Section 969 of the *Municipal Act*.
- 3.2.1.8 A conservation zone may be assigned to land covenanted or deeded against further development or use, including common property in strata title subdivisions.

3.2.2 Suburban Residential Policies (As shown on Schedule 'B' - Land Use Designations)

- 3.2.2.1 The principal use shall be residential.
- 3.2.2.2 The minimum lot size shall be 2000 square metres.
- 3.2.2.3 One dwelling unit shall be permitted per 2000 square metres of site area except one dwelling unit and one secondary suite shall be permitted on Lot 2 District Lot 4598 Kootenay Land District EPP75763 (PID 030-260-191).
- 3.2.2.4 Shall be serviced by a community water system.
- 3.2.2.5 In areas where individual septic systems are adversely affecting the environment or the quality of water, a sewer system may be required where the minimum lot size for a single detached dwelling shall be 700 square metres.

3.2.3 Country Residential 1 Policies (As shown on Schedule 'B' - Land Use Designations)

- 3.2.3.1 The principal use shall be residential and/or agriculture.
- 3.2.3.2 One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every one (1) hectare of lot area over one (1) hectare.

- 3.2.3.3 The minimum lot size shall be one (1) hectare.
 - 3.2.3.4 The clustering of development in either single detached or multi-residential dwellings subject to the maintenance of buffers on non-agricultural lands will be considered and encouraged by the Board of the Regional District.
 - 3.2.4 Country Residential 2 Policies
 - 3.2.4.1 The principal use shall be residential and/or agriculture.
 - 3.2.4.2 One single detached dwelling or duplex shall be permitted per lot. In addition, if a lot is developed with a single detached dwelling, a manufactured home may be placed on the lot to provide temporary accommodation for a relative of the occupant of the principal dwelling. Lands within the Agricultural Land Reserve shall comply with the *Agricultural Land Commission Act, Regulations and Orders*.
 - 3.2.4.3 The minimum lot size shall be one (1) hectare with the exception of Lot 19, District Lot 1239, Kootenay District Plan 5230 which shall be .39 hectare and with the exception of Lot 1, District Lot 11912, Kootenay District Plan EPP82210 which shall be 0.79 hectare.
 - 3.2.5 Rural Residential Policies (As shown on Schedule 'B' - Land Use Designations)
 - 3.2.5.1 The principal use shall be residential or agricultural.
 - 3.2.5.2 One dwelling unit shall be permitted per lot and one additional dwelling shall be permitted for every two (2) hectares of lot area over two (2) hectares.
 - 3.2.5.3 The average lot size for subdivision of Rural Residential land shall be at least two (2) hectares.
 - 3.2.5.4 Within this designation a number of different zones may be applied allowing differing levels of uses accessory to residential uses.
 - 3.2.5.5 The clustering of development in either single detached or multi-residential dwellings subject to the maintenance of buffers on non-agricultural lands will be considered and encouraged by the Board of the Regional District.
 - 3.2.6 Remote Residential Policies (As shown on Schedule 'B' - Land Use Designations)
 - 3.2.6.1 The principal use shall be residential or agricultural.
 - 3.2.6.2 Non-ALR lands greater than ten (10) hectares in area that are limited by access, topography and/or natural hazards shall be designated *Remote Residential*.
 - 3.2.6.3 Lands designated *Remote Residential* shall have a minimum lot size of two (2) hectares. One single detached dwelling or duplex is permitted and one additional single detached dwelling or duplex shall be permitted per every additional four (4) hectares of lot area.
-

3.8.3.3.2.9 consider and make recommendation as to the highest and best use of such adjacent lands.

3.8.3.3.3 Commercial uses confined indoors;

3.8.3.3.4 Light industrial uses shall be considered only if they are directly related to an Airport activity.

3.8.3.4 Zoning provisions shall reflect subsections 3.8.3.1 to 3.8.3.3.

3.8.4 Trail Development

3.8.4.1 A comprehensive trail development system for pedestrians and cyclists shall be considered as a high priority on lands adjacent to the Kootenay and Columbia Rivers as shown on attached Schedule 'C' - Trail Development.

3.8.4.2 In general, recreation trails shall be directed away from the Agricultural Land Reserve areas. However, where such trails are proposed on land within the Reserve, the onus shall be on the proponent to demonstrate that the proposed trail system shall not interfere or otherwise restrict the optimum agricultural operation of adjacent or potential agricultural holdings.

3.8.4.3 In determining the appropriateness of a proposed recreation trail within the Agricultural Land Reserve, the proponent shall submit information documenting the likely impacts on adjacent existing and potential agricultural operations as well as possible mitigative measures including the use of vegetative screening and buffers, natural features and fencing. The proponent shall also demonstrate that the proposal has the support of adjacent agricultural operators and local agricultural organizations.

3.8.4.4 On land within the Agricultural Land Reserve, proposed recreation trails where approved by the Agricultural Land Commission shall not bisect existing or potential agricultural operations and such trails shall be directed to the periphery of the Agricultural Land Reserve block.

3.8.4.5 Where recreation trails are proposed on land within the Agricultural Land Reserve, the proponent shall obtain approval of the Agricultural Land Commission prior to development.

3.9 Community Service Policies

- 3.9.1 Community Services permitted on lots designated for Community Service on Schedule 'B' - Land Use Designations, shall include public recreation facilities, community halls, public utility structures and services, schools, universities/colleges, firehalls, greenspace, museums, hospitals and similar uses.
- 3.9.2 Subdivision approval within the entire Plan Area shall be subject to proof of adequate potable water supply to every newly created parcel and soil
-

conditions suitable for sewage disposal by septic tank systems if the properties are not serviced by community sewer system.

- 3.9.3 The Board of the Regional District will continue to undertake detailed planning, engineering and environmental impact studies to meet the long term sanitary landfill requirements to serve the Plan Area.
- 3.9.4 The Board of the Regional District will continue to maintain and enhance fire protection throughout the Plan Area.
- 3.9.5 In all subdivision applications involving land adjacent to water bodies, the Approving Officer shall be requested to require access to that water body.
- 3.9.6 New and improved domestic water supply systems shall be designed and constructed to provide hydrants and sufficient flows for fire protection and the Regional District recommends to Improvement and Irrigation Districts, the City of Castlegar and the Regional District of Central Kootenay owned water systems that the same utility standards be used so that in case of emergencies, fire equipment can be interchanged and critical repairs made.
- 3.9.7 The Plan supports the provision and enhancement of public transit services to the Plan Area.
- 3.9.8 Encouragement shall be given to the use of subdivision designs that accommodate services, such as public transit vehicles, emergency vehicles, group mail boxes.
- 3.9.9 The Board of the Regional District shall continue to work closely with school and health authorities to plan for school and health care facilities as settlement occurs.
- 3.9.10 The City of Castlegar, the Regional District of Central Kootenay, the Provincial Government and the public are encouraged to jointly develop an emergency measures plan that covers the City of Castlegar and the Plan Area.
- 3.9.11 Institutional zoning shall be provided for public institutional uses.

3.10 Specific Community Policies

3.10.1 Robson/Raspberry

- 3.10.1.1 The Provincial Government is encouraged to acquire the right-of-way for the proposed upper Robson Road and construct the road.
 - 3.10.1.2 The minimum lot size for single detached housing within Robson is 700 square metres provided it is serviced by a community water system and a community sewer system.
 - 3.10.1.3 Land serviced only by the Robson/Raspberry Improvement District's community water system shall have a minimum lot size of 2000 square metres.
 - 3.10.1.4 Within upper Raspberry land shall be designated as Country Residential as shown on Schedule 'B'.
-

- 3.10.1.5 The Board of the Regional District encourages the development of a community sewer system for all lands serviced by the Robson/Raspberry Improvement District.
 - 3.10.1.6 All other private lands not serviced by the Robson/Raspberry Improvement District's community water system shall be designated Country Residential, Rural or Agricultural.
 - 3.10.1.7 All existing Manufactured Home Parks serviced by the Robson/Raspberry Improvement District shall be designated as High Density Residential.
 - 3.10.1.8 Consideration may be given to identifying lands near or adjacent to the old ferry landing for higher density residential development for seniors housing, lower income housing or strata development subject to servicing by a community sewer system.
 - 3.10.1.9 Commercial Development is only encouraged on lands near or adjacent to the old ferry landing subject to landscaping requirements.
 - 3.10.1.10 The Board of the Regional District encourages the Ministry of Transportation and Highways to maintain public access to the old ferry landing and the old Robson Wharf.
 - 3.10.1.11 Light industrial/commercial uses adjacent to both the access to the Robson bridge and to the Castlegar Sewage Lagoon may be considered.
- 3.10.2 Blueberry Creek/Fairview**
- 3.10.2.1 Land serviced by the community water system operated by the Blueberry Creek Irrigation District shall have a minimum lot size of 2000 square metres and shall be designated as Suburban Residential as shown on Schedule 'B'.
 - 3.10.2.2 Consideration for the development of a neighbourhood commercial development within Blueberry may be considered subject to good access and landscaping standards.
 - 3.10.2.3 On District Lot 7163 and remainder of District Lot 7164, priority shall be given to the extraction and processing of sand and gravel resources. After extraction is complete, consideration may be given to the development of lots for residential purposes.
 - 3.10.2.4 Consideration for the designation of District Lots 7163, 7164 and 7166 shall be to Suburban Residential subject to the completion of detailed feasibility studies which accurately assess subdivision potential with respect to water supply, sewage disposal as well as other services.
- 3.10.3 Ootischenia Community Specific Policies**
- 3.10.3.1 Residential Development Policies**
-

ELECTORAL AREAS F, I, J AND K

**REGIONAL DISTRICT OF CENTRAL
KOOTENAY ZONING BYLAW NO.
1675, 2004**

Permitted Uses

700 Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:

Dwellings:

One-Family

Two-Family

Accessory Uses:

Accessory Buildings and Structures

Accessory Tourist Accommodation

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Farm Products

Development Regulations

701

1 The minimum site area for the following uses shall be required as follows:

	Community Water Supply and Community Sewer System	Community Water Supply Only	On-Site Servicing Only
One-Family Dwelling	700 square metres	0.2 hectare	1.0 hectare
Two-Family Dwelling	1,000 square metres	0.4 hectare	1.0 hectare

2 The maximum site coverage is 50 percent of the site area.

3 Buildings and structures shall not cover more than 33 percent of the site area.

4 The keeping of farm animals shall comply with the requirements of section 613 except that under all circumstances swine shall not be kept on any lot.

5 Farm animals and poultry shall be caged, fenced or housed at all times.

6 No principal building may exceed ten (10) metres in height.

7 The maximum height of any accessory building or structure shall not exceed 6 metres.

8 The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.

- 9 The cumulative gross floor area of all accessory buildings or structures shall not exceed 200 square metres.
- 10 Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 11 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 12 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.

DIVISION 45 INSTITUTIONAL (I)

Permitted Uses

4500 Land, buildings and structures in the Institutional (I) zone shall be used for the following purposes only:

- Cemeteries
- Churches
- Community Care Facilities
- Community Halls
- Convention Facilities
- Day Care Centres
- Educational Facilities
- Group Care Facilities
- Historic Interpretative Facilities (accessory uses include heritage restaurants, retail sales of heritage products, small scale manufacture of heritage products)
- Hospitals
- Quasi-Governmental Offices supporting permitted uses
- Recycling Depot
- Retreat Centre
- Accessory Uses:
 - Accessory Buildings and Structures
 - One Dwelling Unit

Site Specific - Lot 3, District Lot 302A, Kootenay District, Plan 1318, Except part included in Plan 12613 - Division 32, Institutional Permitted Uses, 3200, "Government Offices" be added as a permitted use.

Site Specific - Lot 1 District Lot 9156 Kootenay Land District Plan NEP6680 (PID 014-045-052) to reduce minimum parcel size to 0.2 hectares.

Development Regulations

4501

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The maximum site coverage shall be 50 percent of the lot area.
- 3 The maximum size of accessory use structures for Historical Interpretative Facilities shall be 300 square metres.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2964, 2024

A Bylaw to amend Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

WHEREAS it is deemed expedient to amend the Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

- 1 That Schedule 'B' of the Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 be amended by changing the Future Land Use Designation of LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 9317 (PID: 013-130-871) from Suburban Residential (R1) to Community Services (CS) as shown on Schedule 'A' which is attached hereto and forms part of this bylaw.
2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as "Kootenay Columbia Rivers Official Community Plan Amendment Bylaw No. 2964, 2024."

READ A FIRST TIME this [Date] day of [Month], 2024.

READ A SECOND TIME this [Date] day of [Month], 2024.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month], 20XX.

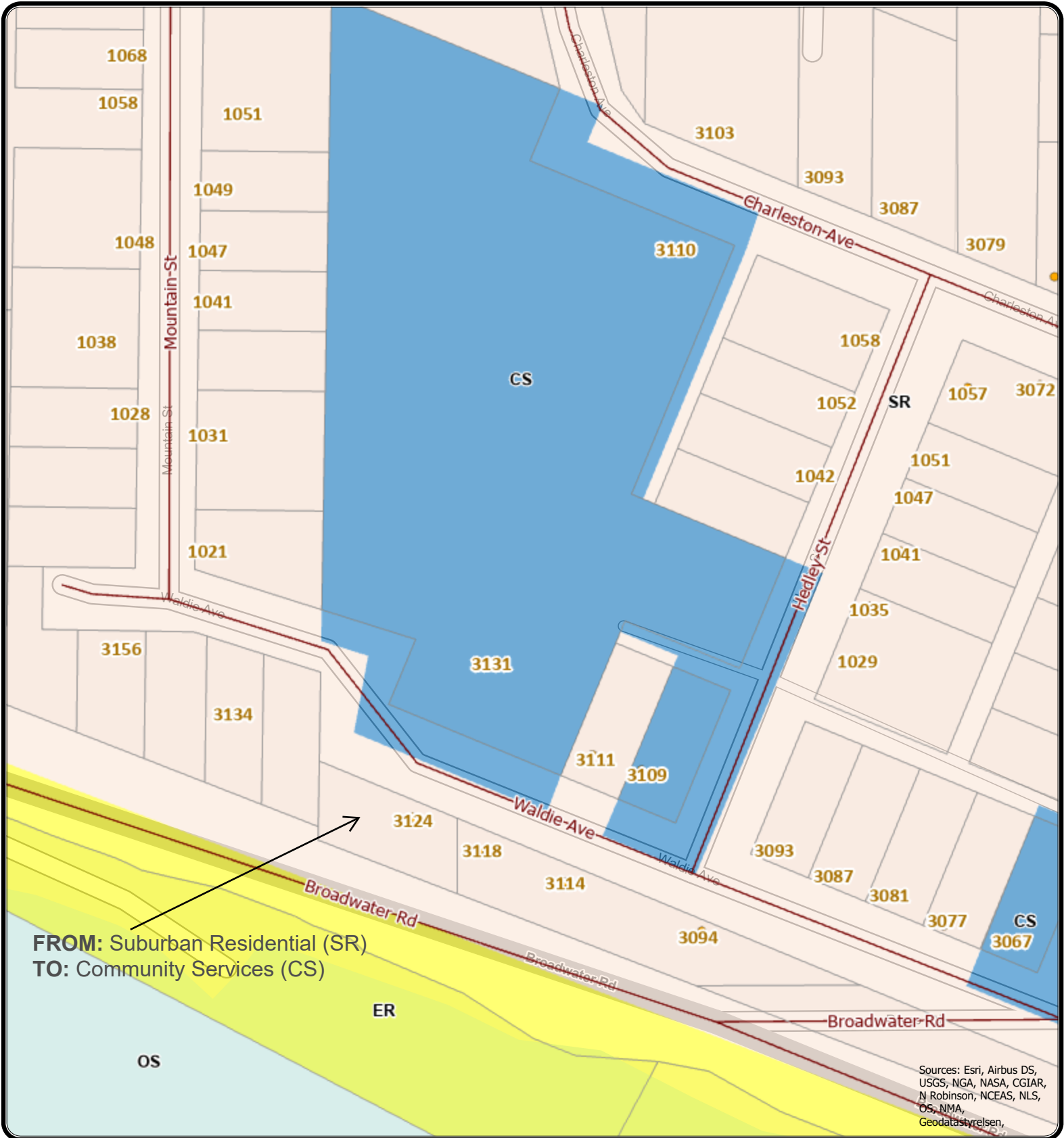
READ A THIRD TIME this [Date] day of [Month], 20XX.

ADOPTED this [Date] day of [Month], 20XX.

Amy Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 'A'



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
 Phone: 1-800-268-7325 www.rdck.bc.ca
 maps@rdck.bc.ca

Proposed Official Community Plan
 Amendment Bylaw No. 2964, 2024
 Schedule 'A'

Z2402J - Whitehead

Map Scale:

1:2,000

Date: April 30, 2024



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2965, 2024

A Bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

- 1** That Schedule 'A' of the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* be amended by adding after Division 45 'Institutional (I)', Section 4600 'Permitted Uses' in the case of LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 9317 (PID: 013-130-871) the following provisions shall apply:

Site Specific - LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 9317 (PID: 013-130-871) the following provisions shall apply:

- i. The minimum parcel size for a daycare centre use shall be 0.08 hectares.
 - ii. Notwithstanding Section 605 1 the minimum setbacks for the principal building shall be 4.5 metres from the front setback, 1.8 from the western exterior setback and 1.8 metres for the rear setback.
 - iii. Notwithstanding the Table 'Off-Street Parking and Loading Space Requirements' the minimum number of off street parking spaces shall be 7.
- 2** That Schedule 'B' of the *Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004* be amended by changing the Zoning Designation of LOT A DISTRICT LOT 301A KOOTENAY DISTRICT PLAN 9317 (PID: 013-130-871) from Suburban Residential (R1) to Institutional (I), as shown on the attached Map.
- 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

- 4** This Bylaw may be cited as "***Regional District of Central Kootenay Zoning Amendment Bylaw No. 2965, 2024.***"

READ A FIRST TIME this [Date] day of [Month] , 2024.

READ A SECOND TIME this [Date] day of [Month] , 2024.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month] ,20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

ADOPTED this [Date] day of [Month] , 20XX.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 'A'



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
 Phone: 1-800-268-7325 www.rdck.bc.ca
 maps@rdck.bc.ca

**Proposed Zoning Amendment
 Bylaw No. 2965, 2024
 Schedule 'A'**

Z2402J - Whitehead

Map Scale:

1:2,257

Date: April 30, 2024



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.



Committee Report

Date of Report: April 30, 2024
Date & Type of Meeting: May 15, 2024 Rural Affairs Committee
Author: Dana Hawkins, Planner 2
Subject: Bill 44 Implementation – Small Scale Multi Unit Housing
File: 10-5110-20-Provincial Housing Changes
Electoral Area/Municipality: A, B, C, D, F, G, I, J & K

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to introduce proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, which includes provisions to allow Small-Scale Multi-Unit Housing across BC. The RDCK must allow for a minimum of one secondary suite and/or one detached accessory dwelling unit in all restricted zones (i.e. zones where the residential use is restricted to single detached and duplex housing) in all electoral areas.

These requirements will require changes to the following bylaws:

- Electoral Area 'A' Land Use Bylaw No. 2315, 2013;
- Electoral Area 'B' Land Use Bylaw No. 2316, 2013;
- Electoral Area 'C' Land Use Bylaw No. 2317, 2013;
- Electoral Area 'D' Land Use Bylaw No. 2435, 2016;
- Electoral Area 'G' Land Use Bylaw No. 2452, 2018; and,
- Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004.

Staff is recommending first, second and third readings of the amending bylaws and referral to the Ministry of Transportation and Infrastructure for signature prior to adoption. A public hearing will not be held as per section 464(4) of the *Local Government Act*.

SECTION 2: BACKGROUND/ANALYSIS

4.1 BACKGROUND

Homes for People

In spring 2023 the Provincial government released Homes for People – ‘a housing action plan to meet the challenges of today and deliver more homes for people, faster’. Within the plan, the Province identified strategies with the intent to help close the gap between housing demand and supply and to create more homes for people, faster.

Provincial Bills

In late 2023 the BC Legislature passed several pieces of legislation that changed the local government land use planning framework with the purpose to provide more housing, in the right places, faster. This included Bill 44 Housing Statutes (Residential Development) Amendment Act, Bill 46 Housing Statutes (Development Financing)

Amendment Act, and Bill 47 Housing Statutes (Transit-Oriented Areas) Amendment Act. These bills received royal assent on December 7, 2023. Additional bills have been tabled; Bill 16 Housing Statutes Amendments Act received second reading on April 9, 2024.

Small-Scale Multi-Unit Housing (SSMUH)

This report deals with the requirements of Bill 44 for local governments to permit between two to six housing units in residential zones that are otherwise restricted to single detached and duplex housing. SSMUH refers to a range of housing forms that can provide more affordable and diverse options than single detached homes.

Examples of SSMUH forms include:

- secondary suites in single detached housing;
- accessory dwelling units (e.g. detached garden suites, laneway homes, carriage homes);
- duplexes;
- townhomes; and
- house-plexes.

SSMUH offers housing options that are ground-oriented and compatible in scale and form with established single detached neighbourhoods. These housing forms typically offer more family-oriented units than larger-scale multi-unit housing like condominium towers, and more affordable options than single detached homes.

All municipalities and regional districts in BC are required to comply with the SSMUH legislation applicable to their situation. Within the RDCK, a minimum of one secondary suite and/or one detached accessory dwelling unit (ADU) must be permitted. In order to comply, RDCK may choose to do any of the following for single detached residential lots:

- permit only one secondary suite;
- permit only one ADU;
- allow landowners to choose either a secondary suite or an ADU; or
- permit the construction of both a secondary suite and an ADU.

4.2 PROCESS

Compliance with the SSMUH regulations are required to be completed no later than June 30, 2023. The process and applicable dates are outlined below:

- Bill 44 received royal assent December 7, 2023;
- Provincial Policy Manual provided to local governments December 2023;
- Research and review winter 2024;
- Draft zoning amendments spring 2024;
- Referral of draft bylaws sent and posted to applications in progress webpage April 2-30, 2024;
- Notice of first reading published in local papers April 29-May 13, 2024;
The SSMUH legislation prohibits local governments from holding a public hearing on a zoning bylaw or amendments to zoning bylaw proposed for the sole purpose of complying with the SSMUH legislation.
- Board consideration of 1st, 2nd and 3rd readings May 16, 2024;
- Notify the Minister of Housing in writing that the zoning bylaw amendments necessary for compliance with the SSMUH requirements have been adopted June 30, 2024; and,
- Update Official Community Plans December 31, 2025.
Typically, all bylaws enacted after the adoption of an Official Community Plan (OCP) must be consistent with OCP policy. However, zoning bylaws updates required to align with the SSMUH legislation are

explicitly excluded from this requirement until December 31, 2025. Amendments to RDCK OCPs will come to the Board at a future date.

4.3 PROPOSED AMENDMENTS

Small-Scale Multi-Unit Housing (SSMUH)

In general the RDCK proposes that residential zones with lot sizes one hectare (2.5 acres) or less in size allow a single detached home, duplex and/or secondary suite with a maximum density of two dwelling units. Residential zones with lot sizes over one hectare in size allow a single detached home, duplex, detached accessory dwelling unit (ADU) and/or secondary suite with a maximum density of two dwelling units. This is aligned with the Provincial policy manual recommendations for only secondary suites (not ADUs) to be permitted on properties less than one hectare in size that are not serviced by sewer systems operated by a local government. It is also important to note that the requirements of other provincial legislation and regulations must be met (e.g. the Drinking Water Protection Act and the Sewerage System Regulation).

To implement this, other amendments such as to definitions, general use regulations, density provisions, and non-residential zones are proposed. These amendments are discussed below and catalogued in the Table of Concurrence included in the staff report as Attachment 'B'.

Accessory Dwelling Units (ADU)

Across the RDCK secondary suites were mostly permitted except for some small lot residential zones. ADUs were less consistently permitted in some zones in some electoral areas, but continue to be a common front counter request and several rezoning applications have been received in the past few years to allow ADUs on a site-specific basis. Staff felt the SSMUH requirements were an opportunity to review our regulations and provide clarity and consistency across all zoned areas.

A consistent definition of ADUs and secondary suites has been added to each bylaw and general use regulations have been added which would apply to every zone that permits an ADU.

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property.

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling.

An accessory dwelling unit is subject to the following regulations:

- a) The maximum number of accessory dwelling units per lot is one.
- b) The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
- c) Notwithstanding section (b) secondary suites are permitted on all lots.
- d) The maximum gross floor area is 90.0 square metres.
- e) The maximum height is 8.0 metres.
- f) The maximum number of storeys is 2.
- g) An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.
- h) An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short-term rental.

- i) The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
- j) A secondary suite shall not be connected to a single detached house by a breezeway or carport.

Bill 44 requires that the [Provincial policy manual](#) be considered when creating zoning regulations. Table 1 below identifies the recommendations from the policy manual – site standards package A and compares them to RDCK staff’s recommendations.

Table 1: Recommended zoning regulations for lots requiring a minimum of 2 units

Zoning Bylaw Parameter	Recommended Benchmark Regulation	RDCK Proposal	Comments
Front Lot Line Setback	Minimum of 5 – 6 metres	Keep existing setbacks which vary by zoning bylaw.	Keep existing rural character. Setbacks are usually 7.5 metres or less and should not hinder the ability to add an ADU. Smaller lots generally have a setback of 4.5 metres.
Rear Lot Line Setback	Minimum of 6 metres for principal buildings Minimum of 1.5 metres for ADUs	Keep existing setbacks which vary by zoning bylaw.	Keep existing rural character. There are very few lanes in the RDCK which is the rationale for the 1.5 metre setback.
Side Lot Line Setbacks	Minimum of 1.2 metres	Keep existing setbacks which vary by zoning bylaw.	Keep existing rural character and fire separation requirements.
Maximum Height	Maximum building height of 11 metres to the mid-point of a pitched roof or highest point of a flat roof on principal buildings At least 8 metres for ADUs	Keep existing heights for principal buildings. Add a maximum height of 8 metres for ADUs.	Most zones do not have a height limit for the principal building.
Maximum Number of Storeys	3 storeys for principal dwellings 2 storeys for ADUs	Keep existing heights for principal buildings. Add a maximum of 2 storeys for ADUs.	No limit to number of storeys for the principal building.
Maximum Lot Coverage	25-40%	Keep existing site coverage. Add a maximum gross floor area of 90 square metres for ADUs.	A maximum gross floor area is intended to ensure the ADU is accessory to the principal building, as on large lots site coverage is not a constraint like it would be in urban settings.
Off-Street Parking Requirements	One space per dwelling unit	Keep existing parking regulations and add a	Due to the rural nature and large lots in the RDCK parking requirements

		requirement for 1 space for an ADU.	should not hinder the ability to add an ADU.
--	--	-------------------------------------	--

Density

Adding a detached accessory dwelling unit (ADU) added uncertainty in the interpretation of density. In most zones a minimum site area was used – meaning multiple principal uses were permitted if the lot size was greater than the site area.

The Country Residential (R2) zone is used below as an example:

A site area of 1 hectare would permit 1 single detached house on a 1 hectare lot, 2 on a 2 hectare lot, 5 on a 5 hectare etc. Site area was also considered to be the minimum lot size. Therefore, lots in the R2 zone must be at least 1 hectare when subdivided.

It was unclear how density for an accessory dwelling unit would be calculated in the current scheme. Therefore, staff recommend introducing a maximum density and minimum lot size to single detached and duplex residential zones.

Again looking at the R2 zone:

The proposed maximum density is 2 dwelling units. This could be a single detached house and secondary suite, single detached house and ADU, or duplex, but no more than 2 dwelling units are allowed no matter the lot size. The minimum lot size is 1 hectare, so again new lots must be at least 1 hectare in size when subdivided.

Reasonably density is not lessened; rather a subdivision would be required to maximize density instead of multiple dwellings being built on a lot. This is a preferable option to staff due to the servicing review that takes place at time of subdivision ensuring enough potable water and sustainable sewerage disposal with back up area.

Another change regarding density is to the Suburban Residential (R1) zones. Typically these zones have a site area based on level of servicing and number of dwelling units. Due to all lots now permitting at least two dwelling units under SSMUH legislation, the site areas were updated to remove reference to lot sizes for One-Family Dwellings. The Suburban Residential (R1) zone is used below as an example:

Table 2: R1 Development Regulations

Existing Bylaw wording	Proposed Amendment	Comment
<p>The minimum site area for the following uses shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 1,000 square metres</p> <p>Community Water Supply Only: One-Family Dwelling 0.2 hectare</p>	<p>The minimum lot size shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: 0.1 hectare</p> <p>Community Water Supply Only: 0.4 hectare</p> <p>On-Site Servicing Only: 1.0 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated using Two-Family Dwelling as a guide.</p>

Two-Family Dwelling 0.4 hectare		
On-Site Servicing Only:		
One-Family Dwelling 1.0 hectare		
Two-Family Dwelling 1.0 hectare		

Caretaker Suite

Many commercial and industrial zones currently permit an accessory use of ‘one dwelling unit’, which is ambiguous. As one dwelling unit could conceivably take the form of a single detached home these zones could also be considered restricted zones requiring SSMUH under the Province’s definition. As the intention for an accessory dwelling unit in these zones was to house proprietors, staff or security tied to the business, staff have added clarity to the zoning bylaws and amended ‘one dwelling unit’ to ‘caretaker suite’ as defined below:

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site.

Updated terms

As many text amendments were already required to the zoning bylaws, staff felt this was a good chance to update terminology surrounding housing. In the past housing was defined by who occupied it (e.g. single family home); however, common practice now is to define by form (e.g. single detached house). Staff have taken this opportunity to update our definitions to single detached housing, duplex housing, multi-unit housing and household. Other updates have been made to use consistent terms for example relying on ‘kitchen’ instead of sometimes using ‘cooking facility’.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No
Debt Bylaw Required: Yes No **Public/Gov’t Approvals Required:** Yes No

The bylaw amendments were completed in house by the Planner 2 and only advertising costs were incurred. The Province provided the RDCXK with \$279,143 of funding for local government implementation of the legislative changes to support housing initiatives, including SSMUH, proactive planning, development finance, and transit-oriented development.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

The proposed zoning changes implement the requirements of Bill 44 Housing Statutes (Residential Development) Amendment Act for SSMUH.

3.3 Environmental Considerations

Local governments can continue to use their authorities under section 491(1) of the *Local Government Act* to specify areas of land that warrant special measures for the protection of the natural environment on lots to which SSMUH requirements apply, provided this authority does not unreasonably obstruct the intent of the SSMUH legislation. RDCK’s Riparian Protection Development Permit Areas would apply. Further development permit areas and/or guidelines may be developed as part of future Official Community Plan updates (required by December 2025) to address additional needs to assess servicing sustainability and protect groundwater due to SSMUH densities.

3.4 Social Considerations:

Single detached homes are out of reach for many people in a growing number of BC communities. However, zoning regulations that exclusively permit single detached homes often cover 70-85% of the privately held residential land base in communities. Not only are less expensive multi-unit forms of housing not permitted in most areas of our communities, but they are also subjected to more layers of process and regulations like rezoning and design requirements. The aim of the SSMUH legislation is to increase housing supply, create more diverse housing choices, and over time, contribute to more affordable housing across BC.

SSMUH requirements are aligned with a recommendation of the RDCK Affordable Housing Action Plan (2023):

- Identify areas for (and reduce limitations on) infill or moderate density housing options, including duplex or triplex housing, secondary suites, and accessory dwelling units.

3.5 Economic Considerations:

Due to the high cost of land and building in BC, as well as extensive zoning regulations that were typically designed to regulate larger multi-unit building forms, the economic viability of building SSMUH forms has been limited throughout most of the province. Creating a favourable regulatory environment for SSMUH housing could help overcome these barriers by reducing processing times and costs and adding certainty.

3.6 Communication Considerations:

The proposed amendments were referred for a 30 day period (April 2-30, 2024) to internal departments, external agencies, First Nations, Improvement Districts, RDCK Advisory Planning and Heritage Commissions, and the RDCK Creston Valley Agricultural Committee. Referral comments received are included as Attachment 'A'.

Notice of the proposed amendments were advertised in the following local newspapers in compliance with section 467 of the *Local Government Act* and were available for inspection online on the applications in progress webpage and hardcopy at the Lakeside office:

- Pennywise (Castlegar/Slocan, Nelson/Salmo, Kootenay Lake) April 29 & May 13 editions;
- Creston Valley Advance May 2 & May 9 editions; and,
- Arrow Lakes News May 2 & May 9 editions.

3.7 Staffing/Departmental Workplan Considerations:

The proposed amendments were prepared by the Planner 2 with support from the Development & Community Sustainability Services Department.

3.8 Board Strategic Plan/Priorities Considerations:

The proposed amendments are aligned with the following Areas of Focus:

- Simplify land use planning while respecting our unique challenges to ensure our ability to provide water and other infrastructure is maintained; and,
- Support and encourage housing initiatives where servicing and amenities can support densification.

SECTION 4: OPTIONS & PROS / CONS

4.1 SUMMARY

The RDCK is required to update its zoning bylaws to comply with the Small-Scale Multi-Unit Housing requirements of Bill 44 prior to June 30, 2024. A minimum of one secondary suite and/or one detached accessory dwelling unit

(ADU) must be permitted in all restricted zones. In general, staff propose that residential zones with lot sizes one hectare or less in size allow a single detached home, duplex and/or secondary suite with a maximum density of two dwelling units. Residential zones with lot sizes over one hectare in size allow a single detached home, duplex, ADU and/or secondary suite with a maximum density of two dwelling units. Other amendments such as to definitions, general use regulations, density provisions, and non-residential zones are proposed to implement these changes. All amendments are catalogued in the Table of Concurrence (Attachment 'B') showing existing bylaw wording, proposed changes and rationale.

Staff recommend three readings of the following bylaws:

- Electoral Area 'A' Land Use Bylaw No. 2315, 2013;
- Electoral Area 'B' Land Use Bylaw No. 2316, 2013;
- Electoral Area 'C' Land Use Bylaw No. 2317, 2013;
- Electoral Area 'D' Land Use Bylaw No. 2435, 2016;
- Electoral Area 'G' Land Use Bylaw No. 2452, 2018; and,
- Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004.

4.2 OPTIONS

Recommended Option

Grant Three Readings

THAT [*Name of new Bylaw No. XXXX, 20XX*] being a bylaw to amend the [*Original Bylaw No. XXXX, 20XX*] is hereby given FIRST, SECOND and THIRD READING.

Staff note: As no public hearing is able to be held, staff recommend three readings of the amending bylaws (noting that this is different than the typical process for zoning amendments). Prior to adoption of the bylaws, a signature is required by the Ministry of Transportation and Infrastructure.

Other Options

Defer Decision to Future Board Meeting

That further consideration of [*Name of new Bylaw No. XXXX, 20XX*] being a bylaw to amend the [*Original Bylaw No. XXXX, 20XX*] BE REFERRED to the [*Date of RAC meeting*] Rural Affairs Committee meeting.

Staff note: Deferral is not recommended as adoption should take place at the June 13, 2024 Board meeting in order to meet the Province's June 30, 2024 deadline. Any significant concerns could be tackled with a future bylaw amendment.

SECTION 5: RECOMMENDATIONS

1. THAT Electoral Area 'A' Land Use Amendment Bylaw No. 2953, 2024 being a bylaw to amend the Electoral Area 'A' Land Use Bylaw No. 2315, 2013 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.
2. THAT Electoral Area 'B' Land Use Amendment Bylaw No. 2954, 2024 being a bylaw to amend the Electoral Area 'B' Land Use Bylaw No. 2316, 2013 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.

3. THAT Electoral Area 'C' Land Use Amendment Bylaw No. 2955, 2024 being a bylaw to amend the Electoral Area 'C' Land Use Bylaw No. 2317, 2013 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.
4. THAT Electoral Area 'D' Land Use Amendment Bylaw No. 2956, 2024 being a bylaw to amend the Electoral Area 'D' Land Use Bylaw No. 2435, 2016 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.
5. THAT Electoral Area 'G' Land Use Amendment Bylaw No. 2957, 2024 being a bylaw to amend the Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.
6. THAT Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST, SECOND and THIRD READING, AND FURTHER, that consideration of adoption be withheld until Ministry of Transportation and Infrastructure signs Amending Bylaw.

Respectfully submitted,

Dana Hawkins, MCIP, RPP Planner 2

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved**

General Manager Development & Sustainability – Sangita Sudan **Digitally approved**

Chief Administrative Officer – Stuart Horn **Digitally approved**

ATTACHMENTS:

Attachment A – Referral Comments

Attachment B – Table of Concurrence

Attachment C – Electoral Area 'A' Land Use Amendment Bylaw No. 2953, 2024

Attachment D – Electoral Area 'B' Land Use Amendment Bylaw No. 2954, 2024

Attachment E – Electoral Area 'C' Land Use Amendment Bylaw No. 2955, 2024

Attachment F – Electoral Area 'D' Land Use Amendment Bylaw No. 2956, 2024

Attachment G – Electoral Area 'G' Land Use Amendment Bylaw No. 2957, 2024

Attachment H – Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024

Attachment I - Frequently Asked Questions for Bill 44 (Small-Scale, Multi-Unit Housing)



Bylaw Amendment Referral Form

Amendment to Zoning Bylaw Nos. 1675, 2004; 2315, 2013;
2316, 2013; 2317, 2013; 2435, 2016 & 2452, 2018

Date: March 28, 2024

You are requested to comment on the attached bylaw amendments for potential effect on your agency's interests. We would appreciate your response within 30 days (**PRIOR TO APRIL 30TH, 2024**). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF THE BYLAW AMENDMENT:

The purpose of the proposed bylaw amendments are to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, which includes provisions to allow small-scale multi-unit housing (SSMUH) across B.C. The RDCK must allow for a minimum of 1 secondary suite and/or 1 detached accessory dwelling unit in all restricted zones (i.e. zones where the residential use is restricted to detached single-family dwellings), in all electoral areas. More information on the Provincial requirements can be found [here](#).

These requirements will require changes to the following bylaws:

Electoral Area 'A' Land Use Bylaw No. 2315, 2013	Electoral Area 'A' Land Use Amendment Bylaw No. 2953, 2024
Electoral Area 'B' Land Use Bylaw No. 2316, 2013	Electoral Area 'B' Land Use Amendment Bylaw No. 2954, 2024
Electoral Area 'C' Land Use Bylaw No. 2317, 2013	Electoral Area 'C' Land Use Amendment Bylaw No. 2955, 2024
Electoral Area 'D' Land Use Bylaw No. 2435, 2016	Electoral Area 'D' Land Use Amendment Bylaw No. 2956, 2024
Electoral Area 'G' Land Use Bylaw No. 2452, 2018	Electoral Area 'G' Land Use Amendment Bylaw No. 2957, 2024
Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004	Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024

(Full existing bylaws can be found [here](#), and amending bylaws can be found [here](#).)

Attached to this referral is a Table of Concordance, which outlines the proposed amendments by comparing the existing zoning regulations with the proposed changes and their rationale. **IN GENERAL** (please refer to the table for detail) the RDCK proposes that residential zones with lot sizes 1 hectare (2.5 acres) or less in size allow a single detached home, duplex and/or secondary suite with a maximum density of 2 dwelling units. Residential zones with lot sizes over 1 hectare (2.5 acres) in size allow a single detached home, duplex, detached accessory dwelling unit (commonly known as a carriage house, cottage or garden suite) and/or secondary suite with a maximum density of 2 dwelling units. To implement this, other amendments such as to definitions, general use regulations, density provisions, and non-residential zones are proposed.

LOCATION:

The proposed amendments affect all zoned areas in the RDCK – Electoral Areas A, B, C, D, F, G, I, J & K (see attached map).

AREA OF PROPERTY AFFECTED:
n/a

ALR STATUS:
The proposed amendments include properties zoned agriculture within and outside the ALR.

ZONING DESIGNATION:
All zones that meet the Provincial definition of 'restricted zone'.

OFFICIAL COMMUNITY PLAN DESIGNATION:
Typically, all bylaws enacted after the adoption of an OCP must be consistent with the OCP. However, zoning bylaw updates required to align with the SSMUH legislation are excluded from this requirement until December 31st, 2025. Therefore, no OCP amendments are proposed at this time.

APPLICANT:

RDCK Planning Department

Please fill out the Response Summary on the back of this form. If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy, which would affect our consideration of this permit.

DANA HAWKINS, MCIP, RPP, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 AGRICULTURAL LAND COMMISSION
 REGIONAL AGROLOGIST
 MUNICIPAL AFFAIRS & HOUSING
 INTERIOR HEALTH HBE Team, Nelson
 WATER SYSTEM OR IRRIGATION DISTRICT
 WYNNDEL IRRIGATION DISTRICT
 KITCHENER IMPROVEMENT DISTRICT
 NORTH CANYON IMPROVEMENT DISTRICT
 ORDE CREEK IMPROVEMENT DISTRICT
 RYKERT IRRIGATION DISTRICT
 SOUTH CANYON IMPROVEMENT DISTRICT
 CRESTON DYKING DISTRICT
 NICKS ISLAND DYKING DISTRICT
 NASOOKIN IMPROVEMENT DISTRICT
 SITKUM CREEK IMPROVEMENT DISTRICT
 BONNINGTON IMPROVEMENT DISTRICT
 BOURKE CREEK IMPROVEMENT DISTRICT
 CLAYTON CREEK IMPROVEMENT DISTRICT
 LEECREST IMPROVEMENT DISTRICT
 RIDGEWOOD IMPROVEMENT DISTRICT
 TAGHUM IMPROVEMENT DISTRICT
 WHITEHEAD WATERWORKS DISTRICT
 GLADE IRRIGATION DISTRICT
 PLAYMOR JUNCTION IMPROVEMENT DISTRICT
 VOYKIN IMPROVEMENT DISTRICT
 BRILLIANT WATERWORKS DISTRICT
 OOTISCHENIA IMPROVEMENT DISTRICT
 POUPORE IMPROVEMENT DISTRICT
 ROBSON-RASPBERRY IMPROVEMENT DISTRICT
 ARMSTRONG BAY IMPROVEMENT DISTRICT
 UTILITIES
 FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER

REGIONAL DISTRICT OF CENTRAL KOOTENAY

DIRECTORS FOR:

A B C D E F G H I J K

ALTERNATIVE DIRECTORS FOR:

A B C D E F G H I J K

APHC AREAS A, B, C, D, G, H & J, CVAAC

RDCK FIRE SERVICES

RDCK EMERGENCY SERVICES

RDCK BUILDING SERVICES

RDCK UTILITY SERVICES

FIRST NATIONS

- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 YAQAN NU?KIY (LOWER KOOTENAY)
 ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 ?AKISQNUK (COLUMBIA LAKE)
 ?AQ'AM (ST. MARY'S)
 OKANAGAN NATION ALLIANCE
 C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 SNPÍNTKTN (PENTICTON)
 STQA?TKWƏ?WT (WEST BANK)
 SUKNAQÍNX (OKANAGAN)
 SWÍWS (OSOYOOS)
 SPAXOMƏN (UPPER NICOLA)
 SHUSWAP NATION TRIBAL COUNCIL
 KENPÉSQT (SHUSWAP)
 QW?EWT (LITTLE SHUSWAP)
 SEXQELTQÍN (ADAMS LAKE)
 SIMPCW (SIMPCW)
 SKEMTSIN (NESKONLITH)
 SPLATSÍN (SPLATSÍN FIRST NATION)
 SKEETCHESTN INDIAN BAND
 TK'EMLUPS BAND
 SINIXT (COLVILLE CONFEDERATED TRIBES)

The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

RESPONSE SUMMARY
FILE: 10-5110-20-SSMUH APPLICANT: RDCK

Name:

Date:

Agency:

Title:

RETURN TO: DANA HAWKINS, PLANNER
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-8153
Email: plandept@rdck.bc.ca

RDCK Emergency Services - April 3, 2024

No comments on the bylaws, I assume that each individual development application will still be reviewed to assess specific hazards associated with it.

Jon Jackson, Emergency Program Coordinator

RDCK Emergency Services – May 3, 2024

Thanks for the opportunity to comment. Building on Jon’s comments, from a bylaw amendment standpoint, our department is “Unaffected.”

That said, densification in rural WUI communities increases the impact of wildfires by increasing assets in areas classified as “high-risk” regarding wildfires. Therefore, my team takes this opportunity to revoice its support for RDCK adoption of Wildfire Development Permit Areas (WDPA).

Furthermore, we highlight that from a risk standpoint, densification also creates additional challenges for egress during an emergency. If roads and evacuation routes are not also increasing in capacity, we run the risk of residents being unable to efficiently evacuate when needed due to new pinch points.

Densification also emphasises the need for us to limit development in high-risk flood areas and for enforcement when bylaws are ignored.

Happy to further discuss, while I also recognize the above is not all in your sphere of influence ;)

Dan Séguin | Manager Community Sustainability

Ministry of Transportation and Infrastructure – April 4, 2024

The Ministry has no concerns with the proposed bylaw amendments. Please send the final document to BCMOT.WKD@gov.bc.ca for signature once ready.

Mikaela Wheaton, Development Services Officer | West Kootenay District

BC Hydro – April 10, 2024

Thank you for sending this Bylaw Amendment Referral to BC Hydro for review. Please note that we have no concerns with the proposed amendments.

Vanessa Gowing | Property Coordinator, Property Rights Services

Public – April 29, 2024

Dear Area I Director, Andy Davidoff , Board members and Planning Dept, RDCK.

I am writing to express my deep concerns regarding the implementation of Bill 44 and its potential ramifications for our community and other regions across the province.

While addressing housing affordability and supply challenges is undoubtedly a pressing issue, the blanket approach taken by Bill 44 fails to account for the diverse needs and environmental considerations of different communities. By overriding existing laws, bylaws, and environmental regulations, this policy risks undermining the hard-won protections and safeguards that have been put in place to preserve our local environments and ensure public health and safety.

As elected officials entrusted with the well-being of our community, I believe it is our duty to push back against policies that threaten to disregard the unique characteristics and needs of our region. We must advocate for more thoughtful and tailored solutions that balance the imperative of housing affordability with environmental sustainability and community resilience.

I urge our board to take a strong stance against the implementation of Bill 44 and to engage in robust discussions with provincial authorities to voice our concerns and advocate for amendments that better reflect the interests and priorities of our community. In cases where the implementation of this policy directly conflicts with our local laws and environmental regulations, we should not hesitate to explore all available avenues, including litigation if necessary, to protect our community's best interests.

Thank you for considering my concerns, and I look forward to your leadership and advocacy on this critical issue.

Regards

Colin Rorick, Area I Resident

Post Script; This Bills legacy will be felt in its heavy handedness and ineptness for years to come and in many cases undermine and contradict the Climate/Environmental strategies that our current Governments claim to stand for. As it is known Shoreacres has a developmental limit on such density housing as to protect the aquifer. Further development will come with unknown prices and costs to local residents who deserve better.

Ministry of Agriculture and Food – April 30, 2024

Nice chatting with you today about the various bylaw amendments that are being proposed to implement the requirements of Provincial Bill 44 Housing Statutes (Residential

Development) Amendment Act. As discussed, I note that as written, it's not clear if an Accessory Dwelling Unit (ADU) is a Dwelling Unit and that further, part of the definition for an ADU states that it is "a self-contained residential accommodation unit". Given that there is no definition for a self-contained residential accommodation unit, Ministry staff suggest replacing "self-contained residential accommodation unit" with 'dwelling unit' (similar to the existing definition for an ADU that is contained within many (all?) of RDCK's Comprehensive Land Use Bylaws).

Reed Bailey, Team Lead - Land Use Planning (acting)

Public – April 30, 2024

Re: RESPONSE SUMMARY FILE: 10-5110-20-SSMUH APPLICANT: RDCK

https://www.rdck.ca/assets/Services/Land~Use~and~Planning/Active~Applications/2024-04-04-Referral_Package-v2-reduced.pdf

To Whom It May Concern;

I was alerted to the Bylaw Amendment from the RDCK website and discussion with your colleague regarding our land in Shoreacres, and would like to comment. I'm not sure as a concerned citizen if this is the opportunity, or when public consultation will begin, but I am taking this opportunity in light of the April 30th deadline from the enclosed link.

Firstly, do I think there are ways to make available additional sustainable housing? Of course. '

However, should the amendment pass as written, here are our immediate concerns:

1. Prohibition of food production on vacant land.

eg. Currently our 'vacant land' has been leased in order to grow vegetables to sell in the community. This is a primary land use (Horticulture). The amended bylaws remove Horticulture from a primary to an accessory use and therefore would discourage food production unless housing is provided. In that case the area of land farmed would significantly decrease because of housing infrastructure, or, if housing is not built, fall into disuse.

2. With increased density comes significant infrastructure impacts. ie. substantial increases in water use and sewage disposal, traffic, noise, bylaw violations (for eg. we currently live with at least five families living in RV's and outbuildings already), garbage, policing required, and the rest. There will hardly be an area of all our lives that will not be affected. Who's going to provide all of the services required?? Who's going to pay for it???

3. We moved here precisely because of the peace and quiet afforded to us in a low density environment. Our neighbourhood as we know could be diminished in every way that has made it a joy to live here, and why we chose this place so many years ago.

Isn't zoning prescribed, in most cases, for very valid reasons? Land use regulations were a major consideration upon the purchase of our home and property (isn't everyone's?).

Zoning changes must be made with a scalpel, not a sledge hammer. As proposed this is a one-size-fits-all solution that will create 10 more equally significant problems, while perhaps solving one.

Each community has unique characteristics which must be considered in improving density. We need OPEN consultation with the community.

I look forward to being involved with you to this end, and I submit the proposed bylaw amendments not pass as is currently written.

Yours Sincerely,

Stephanie & Cal Lorencz

Interior Health Authority – May 2, 2024

This email is to pass you the info that we chatted about on the phone on Tuesday. I meant to send to you in a more professional letter, and will still do that when I get back to the office.

I found the staff report to CSRD Board from February that lays out the proposed changes and explanations for what is being proposed. See pdf page 82 – 84 related to secondary dwellings, minimum property sizes based on servicing and the proposed wording for the zoning requirements – related to backup sewerage fields, covenants and potable water. Page 84 offers explanation. I think reading this will be better than me suggesting wording. I am not certain, because I haven't gone looking to confirm, but I think the Board were in support of the Zoning Amendment; I haven't heard anything different.

eSCRIBE Agenda Package (escribemeetings.com)

Also, fyi... the CSRD had 2 projects that they had started a long time ago, which ran into and became their work to be in compliance with the new housing legislation: secondary dwellings project and an accessory building project. They kind of go hand in hand. If you keep scrolling through the link passed the secondary dwellings report (the one in which page 82 – 84 are located) you will come to the accessory dwelling report.

I trust this is helpful. I'll forward a proper response when I get back to have in your file.

Anita Ely, Specialist Environmental Health Officer | Healthy Community Development

Ministry of Housing – May 2, 2024

Thank you for your email from April 2, 2024, regarding a referral of your local government's proposed bylaw amendments to implement the requirements of Bill 44, Housing Statutes (Residential Development) Amendment Act, 2023. Apologies for the delayed response.

We appreciate you taking the time to share this information with the Ministry of Housing, but local governments are not required to submit their bylaw for review and approval by the Ministry of Housing, prior to adopting their amended zoning bylaw to comply with the legislative requirements of Bill 44.

As I'm sure you are aware, the Provincial Policy Manual and Site Standards was developed to support local governments in implementing the small-scale multi-unit housing legislation, including amending zoning bylaws to be in compliance with the legislated requirements of Bill 44.

I would like to recognize and thank you and your staff for the intense and complex work currently underway to implement the legislative requirements from the Fall 2023 legislative session, as well as the ongoing and day-to-day work that is essential to the management of your community.

Matthew Smith, Senior Planning Analyst | Planning and Land Use Management (PLUM) Branch



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Project Name:

Proposed Bylaw Amendment - Provincial Housing Changes

FN Consultation ID:

L-240403-10-5110-20-SSMUH

Consulting Org Contact:

Laura Christie

Consulting Organization:

[Regional District of Central Kootenay](#)

Date Received:

Wednesday, April 3, 2024

File number:

10-5110-20-SSMUH

April 3, 2024

WITHOUT PREJUDICE

Attention: Laura Christie

We are in receipt of the above referral. This proposed activity is within the PIB Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

PIB has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.

1. Invoice Number: L-240403-10-5110-20-SSMUH

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ 500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

We accept cash and cheque via mailing as well as EMT. Our mailing address is 841 Westhills Drive Penticton BC, V2A 0E8. Our EMT is PIBPayments@pib.ca.

Please have 'ATTN: Natural Resources File # [insert referral number] PC:132 ' in the notes if you are using EMT or if you are using another method, please supply the referral number with it .

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, PIB will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limləmt,

Madison Terbasket
Interim Referrals Coordinator
Penticton Indian Band
Natural Resources
email: mterbasket@pib.ca
office: 250-492-0411
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



Shuswap Band

Project Name:

Proposed Bylaw Amendment - Provincial Housing Changes

FN Consultation ID:

10-5110-20-SSMUH

Consulting Org Contact:

Laura Christie

Consulting Organization:

[Regional District of Central Kootenay](#)

Date Received:

Wednesday, April 3, 2024

April 3, 2024

Weyt-k (Hello),

Shuswap Band is in receipt of the project information for: -Proposed Bylaw Amendment - Provincial Housing Changes.

The proposed project is located within Shuswap Band's Caretaker Area, within the greater Secwépemcúlecw (Secwepemc Traditional Territory). As land users and stewards, Shuswap Band members continue to exercise their Section 35 Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering, and fishing, along with rights associated with spiritual and cultural traditions that are practiced in accordance with Secwepemc customs, laws, and governance structures. Secwepemc share an obligation of caretaker responsibility (stewardship) which is to act mindfully, learning from and caring for surrounding ecosystems for the health and survival of future generations, as is their Indigenous right (UNDRIP, Bill 41, Bill C15) Secwepemc culture hinges on the belief that the land responds positively to care and respect, and that tmicw (the air, lands, and resources) is interconnected at a watershed level. It is therefore critical for Shuswap Band to be actively engaged and consulted on all developments occurring within their Caretaker Area.

Based on our initial review, the nature of the proposed activity, its location, the current information available to our office at this time, we do not see any apparent significant impacts to our indigenous rights, including title at this time. However, we may at future date want to revisit consultation on this matter should new information become available.

Further, the watersheds in this area are significant to Shuswap Band's cultural heritage, as an area of ancestral land use, and presently significant as an area needing restoration and protection. Currently, Shuswap Band members collect medicines and berries in the surrounding area, fish the area waters, and camp nearby. While the area and its vitality has been impacted by industry developments, Shuswap Band has been actively involved in research and other initiatives which aim to restore this region to an ecologically and culturally thriving place.

Wherever possible, Shuswap Band recommends the reuse of existing infrastructure so as to avoid unnecessary ground disturbance and additional cumulative impacts to the region. It is Shuswap Bands expectation that all disturbed areas be reclaimed as soon as possible with the areas being monitored and treated for invasive plants to aid the ecosystem in its healing.

The province is responsible for ensuring adequate consultation and where appropriate, accommodation to address potential impacts of proposed developments on asserted Aboriginal rights including title. It is Shuswap Band expectation that continued consultation on projects and on matters that may affect our long-term traditional land use, occupancy and access, including potential cumulative impacts between proposed activity and other previous or future developments within the

project footprint and in adjacent areas (watershed, habitat type, aquifer, viewscape, etc).

Kukwstsétsemc (Thank you).

Referrals Coordinator

"Our people are our strength. Our children are our future."

cc: Barb Cote - Chief, Shuswap Band

Mark Thomas - Councilor, Shuswap Band

Richard Martin - Councilor, Shuswap Band

Manon Moreau - Director, Territorial Stewardship, Shuswap Band

Travis Yeats - Referrals Coordinator, Shuswap Band

Joshua Martin - Guardian Manager, Shuswap Band

Enola Eugene - Culture, Shuswap Band



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**AREA D ADVISORY PLANNING AND HERITAGE
COMMISSION
OPEN MEETING MINUTES**

Time: 6:00pm

Date: Tuesday, April 16th 2024

Location: Remote via Webex

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=m7c240d8e40f218bb7e2c0115f83ae950>

Join by Phone:

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2770 358 3073

Meeting Password: bgJvgf7zY52 (24584379 from phones)

COMMISSION/COMMITTEE MEMBERS

Commissioner Gerry Devine	Area D
Commissioner Deb Borsos	Area D
Commissioner Fraser Bonner (Chair)	Area D

MEMBERS ABSENT

Commissioner Sarah Sinclair	Area D
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STAFF

Laura Christie	Planning Technician
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PUBLIC

One unidentified member of the public

3 out of 4 voting commission members were present – quorum was met.

1. CALL TO ORDER

Commissioner Bonner called the meeting to order at 6:13 p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

3. ADOPTION OF AGENDA

MOVED and seconded,
 AND Resolved:

The Agenda for the April 16th, 2024 Area D Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The January 18th, 2024 Area D Advisory Planning and Heritage Commission minutes have been received.

5. STAFF REPORTS- APPLICATIONS

5.1 Bylaw Amendments – Small Scale Multi Unit Housing (SSMUH)

The Referral Package dated March 28th, 2024 from Dana Hawkins, Planner, regarding the proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, has been received.

- Several commissioners indicated support for increased density in the Ainsworth area.
- One commissioner commented that if tourism is the focus in Ainsworth, more density in the area could be beneficial.
- Commissioner Devine had general questions about the impact of Bill 44 on the Area D Official Community Plan and the process for updating an OCP.

Moved and seconded,
 AND Resolved that it be recommended to the Board:

That the Area D Advisory Planning and Heritage Commission SUPPORT the proposed RDCK bylaw amendments as outlined in the March 28th, 2024 referral package prepared by Dana Hawkins to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act.

Carried

6. PUBLIC TIME

The Chair will call for questions from the public at 6:27 p.m.

-The unidentified member of the public expressed their concern (via the 'chat' option) that the new provincial legislation may provide a conduit through which a regional OCP could take away the autonomy of the individual Electoral Areas.

7. NEXT MEETING

The next Area D Advisory Planning and Heritage Commission meeting is scheduled for Tuesday, May 21st, 2024 at 6:00p.m.

8. ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Area D Advisory Planning and Heritage Commission meeting be adjourned at 6:33 p.m.

Carried

Approved by:



TAGHUM IMPROVEMENT DISTRICT

April 18, 2024

Tagum Improvement District
5592 Wapple Road
Nelson, BC, V1L 6Y3
taghumidad@gmail.com

Nelson Wight
Planning Manager
Central Kootenay Regional District
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

By email: nwight@rdck.bc.ca

Dear Nelson Wight:

The Taghum Improvement District (TID) manages a small community water system that provides water to a portion of the homes and businesses in the Taghum area. Drinking water for the system is drawn from Smallwood Creek, which is a relatively small creek with low flows during the summer and fall months. The water system was developed in the early 1960's through 1995 and has negligible storage capacity.

The TID Board is focused on ensuring there is sufficient domestic water to supply the residents of the Improvement District. Recent efforts on this front have included new water conservation measures and information for residents, as well as improved clarity in bylaws on the process and limitations for any new connections and or expansions to the system.

Currently, we are not allowing for any new connections or expansions on existing connected lots – due to uncertainty on water supply and a permanent boil water advisory (generally aligning with Interior Health's approach for no new connections for systems on a boil water advisory). The exception to this are lots that are already connected but undeveloped, which were approved at the time of subdivision many years ago. We are in the process of reviewing options to improve water storage for the TID being mindful of the Regional Health Authority requirements on drinking water.

As the province's drought conditions continue and our communities continue to grow, we are concerned about the capacity of the TID water system to support additional housing as well as what demands may be placed on the system as communities adjust for higher density housing requirements.

TAGHUM IMPROVEMENT DISTRICT

We have the following questions for the Regional District:

-Will the Regional District be evaluating water capacity of community systems when considering building permit applications? We have historically not been contacted by the RDCK and only in some instances contacted by homeowners about water availability for proposed buildings.

-Will the regional district place restrictions on the size of homes (or number of dwelling units) to limit total occupancy due to limited water supply? How will the new provincial policies on additional housing density factor into this?

-What information might the Regional District require from an Improvement District to inform a prospective builder on the limitations of water supply in a subdivision? Is there a process in place for this currently?

Any information or assistance you might provide regarding these questions would be greatly appreciated.

Yours Truly,

A handwritten signature in black ink, appearing to read "Scott Benton". The signature is stylized and cursive.

Scott Benton
Taghum improvement District Trustee



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**Area G Advisory Planning and Heritage Commission
OPEN MEETING MINUTES**

7:00 pm

Wednesday, April 24th, 2024

Online via WebEx

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

Join by Video:

<https://nelsonho.webex.com/nelsonho/j.php?MTID=me86136abfc8b9c68576e6e217ebb2781>

Join by Phone:

+1-604-449-3026 Canada Toll (Vancouver)

Meeting Number (access code): 2770 538 4546

Meeting Password: rqMeAMDk255 (77632635 from phones)

In-Person Location: Online only

COMMISSION MEMBERS

Commissioner/Committee Member Dave Lang	Area G
Commissioner/Committee Member Laurie MacDonald	Area G
Commissioner/Committee Member Carla Stephenson	Area G
Commissioner/Committee Member Tom Nixon	Area G

MEMBERS ABSENT

Commissioner/Committee Member Tammy Rushforth	Area G
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STAFF

Laura Christie	Planning Technician
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PUBLIC

One unidentified member of the public

1. CALL TO ORDER

Chair Lang called the meeting to order at 7:07 p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the April 24th, 2024 Area G Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The March 27th, 2024 Area G Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS- APPLICATIONS

5.1 Zoning Bylaw Amendments Referral – Small Scale Multi Unit Housing (SSMUH)

The Referral Package dated March 28th, 2024 from Dana Hawkins, Planner, regarding the proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, has been received.

-The commissioners discussed increased density and pressure that development puts on water resources and watersheds in the rural area.

-Commissioner Nixon stated his concerns about the impacts of density on transportation and infrastructure.

-Several commissioners commented on the positive aspects of clarifying the language of the bylaw.

-Several commissioners stated that they weren't familiar enough with the details of the referral to support it at this time. They will email their individual comments to Planner Dana Hawkins.

Moved and seconded,
AND Resolved:

That the Area G Advisory Planning and Heritage Commission comments on the proposed RDCK bylaw amendments as outlined in the March 28th, 2024 referral package prepared by Dana Hawkins to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act be entered into the April 24th meeting minutes and shared with the Board.

Carried

6. PUBLIC TIME

The Chair will call for questions from the public at 7:44 p.m.

-The unidentified member of the public shared their concerns about the impacts of increased development on water resources.

7. NEXT MEETING

The next Area G Advisory Planning and Heritage Commission meeting is scheduled for May 29th, 2024 at 7:00pm.

8. ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Area G Advisory Planning and Heritage Commission meeting be adjourned at 7:46 p.m.

Carried

Approved by:



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**AREA B ADVISORY PLANNING AND HERITAGE
COMMISSION
OPEN MEETING MINUTES**

**7:00pm PST
Tuesday, April 23rd, 2024
Hybrid**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

<https://nelsonho.webex.com/nelsonho/j.php?MTID=mf6d7770b31f14811dbf61620585d72c0>

Join by Phone: 604-449-3026
Meeting Number (access code): 2771 509 7677
Meeting Password: 2s3uR4f8Qxa (27387438 from phones)

In-Person Location: Creston & District Community Complex – Erickson Room - 312 19th Avenue North, Creston, BC

COMMISSIONERS

Commissioner Daryl Bjarnason	Electoral Area B
Commissioner Lon Main	Electoral Area B
Commissioner Adam Mjolsness	Electoral Area B
Commissioner Jerry Bauer	Electoral Area B
Commissioner Jon Delcaro	Electoral Area B
Commissioner Randy Meyer	Electoral Area B
Commissioner Karen Kraan	Electoral Area B

DIRECTORS

Roger Tierney	Electoral Area B, Director
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STAFF

Laura Christie	RDCK Planning Technician
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PUBLIC

Two unidentified members of the public joined via Webex

7 out of 11 voting Commission/Committee members were present – quorum was met.

1. CALL TO ORDER

Acting Chair Main called the meeting to order at 7:03 p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We would like to acknowledge that this meeting is being held on the unceded traditional territory of the Ktunaxa Nation and the Yaqan Nuʔkiy People.

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the April 23rd, 2024 Electoral Area B Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The February 27th, 2024 Electoral Area B Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS

5.1 Zoning Bylaw Amendments Referral – Small Scale Multi Unit Housing (SSMUH)

The Referral Package dated March 28th, 2024 from Dana Hawkins, Planner regarding the proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act has been received.

-Several commissioners commented that the proposed bylaw amendments should only be accepted if the regulations implemented through the Agricultural Policy Review to restrict residential development in agricultural zones are maintained.

-Commissioner Meyer shared the view of the Creston Valley Agricultural Advisory Commission (CVAAC), stating the CVAAC wants housing unchanged in the Ag zones.

-General support was shown for bylaw amendments proposed for the Residential zones.

-The APHC would like further clarity on the proposed changes to the Agriculture zones.

-Staff noted that they will request more details on the Agricultural zones from Planner Dana Hawkins and provide the Area B APHC with her response.

MOVED and seconded,
AND Resolved that it be recommended to the Board:

That the Area B Advisory Planning and Heritage Commission **SUPPORT** the RDCK bylaw amendments as outlined in the March 28, 2024 referral package prepared by Dana Hawkins to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, except for the amendments to the

agricultural zones; the group would like clarity on the proposed changes to the agricultural zones.

Carried

6. PUBLIC TIME

The Chair will call for questions from the public at 7:41 p.m.

- No questions from the public.

7. NEXT MEETING

The next Electoral Area B Advisory Planning and Heritage Commission Meeting is scheduled for May 28th, 2024 at 7:00pm.

- Director Tierney informed the members that Miriam Chatwin has resigned from the commission.

ADJOURNMENT

MOVED and seconded,

AND Resolved:

The Electoral Area B Advisory Planning and Heritage Commission meeting be adjourned at 7:44 p.m.

Carried

Approved by



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**CRESTON VALLEY AGRICULTURAL ADVISORY
COMMISSION**

OPEN MEETING MINUTES

7:00pm PST
Monday, April 22nd, 2024
Hybrid Meeting

In-Person Location: Erickson Room, Creston and District Community Complex, Creston, BC

COMMISSIONERS

Commissioner Randy Meyer	Electoral Area B, Chair
Commissioner David Mutch	Electoral Area B
Commissioner Owen Edwards	Electoral Area B
Commissioner Dean Eastman	Electoral Area C
Commissioner Dale McNamar	Electoral Area C

DIRECTORS

Garry Jackman	Electoral Area A, Director
Roger Tierney	Electoral Area B, Director

STAFF

Sadie Chezenko	Planning Technician
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5 out of 6 voting Commission/Committee members were present – quorum was met.

1. CALL TO ORDER

Chair Meyer called the meeting to order at 7:06 p.m

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the April 22nd, 2024 Creston Valley Agricultural Advisory Commission meeting, be adopted with the addition of item 5.2.

Carried

Add an item on bylaw enforcement

4. RECEIPT OF MINUTES

The March 4th, 2024 Creston Valley Agricultural Advisory Commission minutes, have been received.

5. STAFF REPORTS

5.1 Zoning Bylaw Amendments Referral – RDCK all zoned areas

The Referral Package dated March 28th, 2024 from Dana Hawkins, Planner, regarding the proposed bylaw amendments to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act, has been received.

The following was discussed: the short time frame to review the provincial changes, concern about additional density, definitions of bed and breakfast, short term rentals and vacation rentals, water systems and water provisions, the response from the Agricultural Land Commission. The commission expressed that they did not want to see additional density on ag lands or changes that would undo the changes that were adopted as a result of the recent agricultural policy review.

Moved and seconded,

AND Resolved that it be recommended to the Board:

That the Creston Valley Agricultural Advisory Commission SUPPORT the proposed RDCK bylaw amendments, as applicable to Electoral Areas A, B and C, to implement the requirements of Provincial Bill 44 Housing Statutes (Residential Development) Amendment Act given that for Ag zones:

- there are no changes to the maximum sizes of principal residences
- there are no changes to the maximum sizes of secondary suites
- there is no additional density proposed and;
- the spirit of the recent changes from the ag policy review (amending bylaws no. 2834, 2835, 2836) are maintained.

Carried

5.2 Bylaw Enforcement Review

The commission discussed the recent bylaw enforcement session including the following: the reactivity and challenge of doing Bylaw enforcement in the RDCK, the challenge of escalating bylaw enforcement to court injunctions, loopholes in the system, the value of fines, health and safety, the cost of demolition, the notice on title process and issues on and off Crown land.

6. PUBLIC TIME

The Chair will call for questions from the public at 9.00 p.m.

7. NEXT MEETING

The next Creston Valley Agricultural Advisory Commission Meeting is to be determined at a future date.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Creston Valley Agricultural Advisory Commission meeting be adjourned at 9:01 p.m.



Agricultural Land Commission
 201 – 4940 Canada Way
 Burnaby, British Columbia V5G 4K6
 Tel: 604 660-7000 | Fax: 604 660-7033

May 3, 2024

Reply to the attention of Michael McBurnie
 ALC Planning Review: 46858

Dana Hawkins
 Planner, Regional District of Central Kootenay
 plandept@rdck.bc.ca

Re: Housing Zoning Amendments to align with Bill 44

Thank you for forwarding a draft copy of the regional district-wide bylaw amendments for review and comment by the Agricultural Land Commission (the “ALC” or “Commission”). The following comments are provided to help ensure that the bylaw amendments are consistent with the purposes of the *Agricultural Land Commission Act* (the “ALCA”), the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The package of amendments proposes to update all comprehensive land use bylaws to align with provincial Bill 44 Housing Statutes (Residential Development). Bill 44 requires local governments to allow for a minimum of one secondary suite or one detached accessory dwelling unit in all restricted zones (ie. zones where the residential use is restricted to detached single-family dwellings).

ALC staff understand that almost all ALR land within the RDCK is designated “Agriculture” and the current bylaws generally permit one single detached residence plus one secondary suite per parcel. The result of the bylaw amendments is that all ALR land will now permit one single detached residence plus one “Accessory Dwelling Unit”, which could be either a secondary suite or an additional residence with a maximum gross floor area of 90 m². There is also an allowance for additional farmworker housing if it is approved by the ALC. To this end, the amended bylaws state that the maximum residential density in the Agriculture zones will be “2 Dwelling Units not including a Farmworker Dwelling Unit.”

ALC staff understand that the bulk of the amendments are updates to definitions and wording and that there are no other substantive changes that affect ALR land.

The ALC Act and regulations currently permit a maximum of three residential units in the ALR:

- One principal residence up to 500 m²,
- One suite within the principal residence, and
- One additional residence up to 90 m² (on parcel up to 40 ha) or 186 m² (on parcels over 40 ha)

However, local governments have the ability to further restrict the number and size of residences in the ALR so long as it does not exceed what is permitted in the ALR.

As the proposed amendments fall within what is allowed in the ALC regulations and ALC staff have no concerns with the bylaw amendments.

One minor note, in the Area G bylaw, ALC staff noticed two references to the former "Agricultural Land Reserve Use, Subdivision and Procedures Regulation" in relation to definitions of *Farm Use* and *Non-Farm Use*. This is now the "Agricultural Land Reserve Use Regulation".

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-3246 or by e-mail (ALC.Referrals@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Michael McBurnie, Regional Planner

Enclosure: Referral of Housing Zoning Amendments to align with Bill 44

CC: Ministry of Agriculture – Attention: Reed Bailey

46858m1

From: [Manda McIntyre](#)
To: [Dana Hawkins](#); [Laura Christie](#)
Cc: [Suzanne Nedham-McBriar](#); [Graham Gordon](#); [Gina Harding](#); [Erik Stout](#); [Chris Gainham](#); [John Purdy](#)
Subject: RE: multi dwelling referral
Date: May 3, 2024 3:32:48 PM
Attachments: [RE Agency Referral - Bylaw Amendment Referral Form - Provincial Housing Changes .msg](#)

Hi Dana,

Most of our concerns can also be taken account for under the BP applications too.

Building Department comments:

1. Spatial Separation and Limiting Distances:
 - a) Limiting distance and fire department response (9.10.15.3 BCBC) – the RDCK has volunteered fire departments resulting in a reduced response time, all spatial separation and limiting distances described in 9.10.14 shall be doubled.
 - b) with existing structures and D.U. on site the spatial requirements involving distances between buildings, type of construction, and type of cladding (*non-combustible vs combustible*), these requirements will be dictated or worked backwards from the existing. For example, if an existing home has non-combustible cladding and framing, and has 7% unprotected openings in the exposed building face (elevation that faces another buildings elevation or a property line), then the new building – if it is proposed to be of the same construction and cladding type with the same 7% openings would be required to be a minimum of 4.8m (2.4m for one building elevation to an imaginary line between the buildings, plus another 2.4m for the second building)
2. Fire Department access to buildings 9.10.20.3. & 3.2.5.6.(1) the BCBC Article 3.2.5.5.5. Access routes shall be provided to a building so that
 - a) for a building provided with a fire department connection, a fire department pumper vehicle can be located adjacent to the hydrants referred to in Article 3.2.5.15.,
 - b) for a building not provided with a fire department connection, a fire department pumper vehicle can be located so that the length of the access route from a hydrant to the vehicle plus the unobstructed path of travel for the firefighter from the vehicle to the building is not more than 90 m, and
 - c) the unobstructed path of travel for the firefighter from the vehicle to the building is not more than 45 m
3. 3.2.5.6. Access Route Design
 - 1.) A portion of a roadway or yard provided as a required access route for fire department use shall
 - a) have a clear width not less than 6 m, unless it can be shown that lesser widths are satisfactory,
 - b) have a centre-line radius not less than 12 m,
 - c) have an overhead clearance not less than 5 m,
 - d) have a change of gradient not more than 1 in 12.5 over a minimum distance of 15 m,
 - e) be designed to support the expected loads imposed by firefighting equipment and be surfaced with concrete, asphalt or other material designed to permit accessibility under all climatic conditions,

f) have turnaround facilities for any dead-end portion of the access route more than 90 m long, and

g) be connected with a public thoroughfare. (See Note A-3.2.5.6.(1).)

2.) For buildings conforming to Article 3.2.2.50. or 3.2.2.58., no portion of the access route described in Sentence 3.2.2.10.(3) shall be more than 20 m below the uppermost floor level

4. A-3.2.5.6.(1) Fire Department Access Route. The design and construction of fire department access routes involves the consideration of many variables, some of which are specified in the requirements in the Code. All these variables should be considered in relation to the type and size of fire department vehicles available in the municipality or area where the building will be constructed. It is appropriate, therefore, that the local fire department be consulted prior to the design and construction of access routes.
5. Site water for suppression: please see attached FUS – Water supply for public fire protection in Canada and NFPA 1720 – standard for rural firefighting.
6. Other items that will be required prior to occupancy will be IHA approvals for sewerage and water, as well the resort operating permit.
7. The Building Department may request more documentation and clarification after the submission of the Building Permits (prior to issuance), upon review of your applications.

Other comments from the Team:

8. This may be a good time to discuss the zoning changes coming up soon as they will affect larger properties in the RDCK –the new zoning changes will only allow 2 dwelling units per lot. I (Suzanne) chatted with Dana about sending out a “courtesy letter” to large parcels that are co-ownership and have many owners on one property- ie Whatshan developments. Could we discuss this at the meeting too?
9. John Purdy’s feedback From the referral package (I’ve attached his whole response email to this email):

IN GENERAL (please refer to the table for detail) the RDCK proposes that residential zones with lot sizes 1 hectare (2.5 acres) or less in size allow a single detached home, duplex and/or secondary suite with a maximum density of 2 dwelling units. Residential zones with lot sizes over 1 hectare (2.5 acres) in size allow a single detached home, duplex, detached accessory dwelling unit (commonly known as a carriage house, cottage or garden suite) and/or secondary suite with a maximum density of 2 dwelling units. To implement this, other amendments such as to definitions, general use regulations, density provisions, and non-residential zones are proposed.

Currently, residential zones typically allow 1 principle use per Ha of minimum parcel area. This GENERAL statement suggests that a maximum of two dwelling units will be allowed on ANY residential parcel, which seems to be going the opposite direction of the legislative intent.

From the Concurrence Table:

10. Why are there three separate and conflicting definitions for Dwelling Unit?
- Pg 2 - Accessory Dwelling Unit definition b) has cooking, sleeping and bathroom facilities, and
 - Dwelling Unit definition: means one or more rooms with self-contained eating, living, sleeping and sanitary facilities, used or intended to be used as a
 - residence for no more than one household; **WHAT IS AN EATING FACILITY (I would suggest it is anywhere that you can eat, or a licensed commercial restaurant...) AND WHY IS IT DIFFERENT FROM ACCESSORY DWELLING UNIT? We are defining kitchen...use kitchen**
 - pg 5 PRINCIPAL DWELLING DEFINITION; and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle
 - pg 4 *KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances; **Does this work?***
11. Should we also consider adding our popular (and highly restrictive) definition for “decommission” from the Area G zoning Bylaw? This is the only bylaw containing this definition, I don’t agree with cabinets, overheads make sense but not bases. I also don’t agree with “laundry facilities” but I’m pretty liberal (in respect of my generous nature, not my political views...shockingly)
- DECOMMISSION means the decommissioning of a dwelling where required and verified by the RDCK building authority and includes removal of the following: all kitchen facilities; Schedule B - Electoral Area ‘G’ Land Use Bylaw No. 2452, 2018 47 including cabinets, counter tops, sinks and associated plumbing; all kitchen appliances, including stoves, fan hoods, microwaves and hot plates; all 220 volt electrical connections for the kitchen; all laundry facilities and associated plumbing; and all bathroom fixtures including toilets, bathtub/shower facilities and associated plumbing;
12. DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above or below each other. This type of development is designed and constructed as two dwelling units at initial construction. I suggest “living independently in dwellings units fully separated either horizontally or vertically, or a combination thereto”. We may require more nuance to differentiate secondary suite from duplex.
13. Pg 7 – Consider reducing parking requirements for multi-unit residential – this is more of a general initiative to reduce cost and increase density, not really in our lane.
14. Pg 8 – Accessory Dwelling unit rules; 8m height is restrictive where the unit is above a garage, I suggest “except where located over a garage where the maximum height may be 9m” or something to that effect
15. Pg 12 – R2 as per **IN GENERAL** section above; a 20Ha R2 lot currently allows 20 1fam/2fam dwellings subject to servicing capacity. This is going backward for promoting additional housing.
- To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.

16. Pg 16 – allow detached accessory dwelling unit in all AG districts

Kind Regards,

Manda McIntyre, RBO, Dipl. Arch. Tech. | Senior Building Official / Plumbing Official
Phone: 250.352.1500 | Fax: 250.352. 9300 | Inspection Booking: 250.352.8155

Representing Diverse Communities in the Kootenays

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From: Dana Hawkins <DHawkins@rdck.bc.ca>
Sent: May 3, 2024 3:02 PM
To: Manda McIntyre <MMcIntyre@rdck.bc.ca>
Subject: RE: multi dwelling referral

OK the sooner the better as my RAC report was due on Wednesday. So hopefully no big issues. But I appreciate you taking a look and getting me your comments.

Cheers,

Dana Hawkins MCIP, RPP | Planner
Phone: 250.352.8153 | Fax: 250.352.9300

From: Manda McIntyre <MMcIntyre@rdck.bc.ca>
Sent: May 3, 2024 12:03 PM
To: Dana Hawkins <DHawkins@rdck.bc.ca>
Subject: FW: multi dwelling referral

Hi Dana,

I have some comments from the BD side for the referral for multi residential areas. Sorry I forgot the deadline was Monday. Ill have it to you by the end of the day.

Kind Regards,

Manda McIntyre, RBO, Dipl. Arch. Tech. | Senior Building Official / Plumbing Official
Phone: 250.352.1500 | Fax: 250.352. 9300 | Inspection Booking: 250.352.8155

Representing Diverse Communities in the Kootenays

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Attachment 'B': Concurrence Table

Amendments to Electoral Area 'A' Land Use Bylaw No. 2315, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Interpretation 17.0		NEW BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Clarify for Accessory Tourist Accommodation.
Interpretation 17.0		NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Interpretation 17.0	DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three (3) or more children under six (6) years of age not forming part of the operator's family ;	AMEND DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household ;	Household is a more modern term and will be used throughout the bylaw.
Interpretation 17.0	DENSITY means density means the number of dwellings, visitor or resort accommodation units on a site expressed in units per acre or	AMEND DENSITY means the number of dwelling, visitor or resort accommodation units on a site	Align with how bylaw calculates density.

Attachment 'B': Concurrence Table

	hectare, or alternatively as the site area required per dwelling unit;	expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	
Interpretation 17.0	DWELLING means one or more rooms that are self-contained, intended for domestic use as a residence by one or more persons, and containing kitchen, living, sleeping and sanitary facilities;	DELETE	Refer to Dwelling Unit definition.
Interpretation 17.0	DWELLING, ACCESSORY means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath; common accessory dwellings include, but are not limited to, secondary suites, cottages, carriage houses and garage suites;	AMEND ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	Updated and consistent definition across all bylaws.
Interpretation 17.0	DWELLING, ONE-FAMILY means a detached building used exclusively for occupancy by one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;	Clarify and modernize.
Interpretation 17.0	DWELLING, TWO-FAMILY means a detached building or pair of attached buildings used exclusively for occupancy by two (2) families living independently of each other;	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above,	Clarify and modernize.

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		below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;	
Interpretation 17.0	DWELLING, MULTI-FAMILY means a building or portion thereof containing three (3) or more dwelling units;	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	Modernize definition.
Interpretation 17.0	DWELLING UNIT means one (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Interpretation 17.0	FAMILY means one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying a dwelling unit; or not more than five (5) unrelated persons sharing a dwelling unit; or residents of a group home;	AMEND HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or c) a group of not more than five persons, including boarders, who are not related by blood,	Household is a more modern term and will be used throughout the bylaw.

Attachment 'B': Concurrence Table

		<p>marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
Interpretation 17.0	<p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight (8) persons under care who operate as the functional equivalent of a family; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>AMEND</p> <p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>Household is a more modern term and will be used throughout the bylaw.</p>
Interpretation 17.0		<p>NEW</p> <p>KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking</p>	<p>Important definition for enforcement on what constitutes a dwelling unit.</p>

Attachment 'B': Concurrence Table

		appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;	
Interpretation 17.0	PRINCIPAL DWELLING means a principal residential unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not a secondary or accessory dwelling unit, or any vehicle.	AMEND PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;	Keep terminology consistent.
Interpretation 17.0	SHORT TERM RENTAL means the use of a one-family dwelling or two-family dwelling for temporary accommodation (less than 30 days) on a commercial basis;	AMEND SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;	Update terms.
Interpretation 17.0		NEW SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;	New definition to implement accessory dwelling unit regulations.
Interpretation 17.0	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	AMEND SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;	Consistently use kitchen definition.
Site Areas 18.4	The minimum parcel size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the	Use consistent terms when referring to subdivision.

Attachment 'B': Concurrence Table

	which the parcel is located unless otherwise stated.	minimum lot size of the zone in which the parcel is located unless otherwise stated.	
Reduction of Minimum Site Areas -Lot Sizes 18.10	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 18.11	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 18.12	The minimum site area for a lot created under sub-section 11 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under sub-section 11 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 18.13	Despite sub-section 12, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area .	AMEND Despite sub-section 12, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property	Use consistent terms when referring to subdivision.

Attachment 'B': Concurrence Table

		owners to legitimize the structure as long as no lot is reduced in lot size .	
Off-Street Parking Standards 18.68	Required parking and associated manoeuvring aisles in all multi-family residential , commercial and industrial zones shall be surfaced with either asphalt or concrete pavement or a suitable alternative, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.	AMEND Required parking and associated manoeuvring aisles in all multi-unit housing , commercial and industrial zones shall be surfaced with either asphalt or concrete pavement or a suitable alternative, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one disabled person's parking space for every ten parking spaces required.	Update term.
Off-Street Parking Standards 18.72	The maximum slope for the required off-street parking in all multi-family residential , commercial and industrial zones to accommodate more than three (3) spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.	AMEND The maximum slope for the required off-street parking in all multi-unit housing , commercial and industrial zones to accommodate more than three (3) spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.	Update term.
Off-Street Parking and Loading Space Requirements	Single-family 2 spaces per dwelling unit Two-family 2 spaces per dwelling unit /4 spaces total Multi-family Residential 1.2 spaces per dwelling unit	AMEND Single Detached Housing 2 spaces Duplex Housing 4 spaces Accessory Dwelling Unit 1 space Multi-Unit Housing 1.2 spaces per dwelling unit	Update terms and include requirements for accessory dwelling unit.
General Regulations for Landscaping 18.100	In a multi-family residential development including manufactured home parks, any part of a lot not used for structures and	AMEND In a multi-unit residential development including manufactured home parks, any part of a lot not used	Update term.

Attachment 'B': Concurrence Table

	associated parking areas should be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.	for structures and associated parking areas should be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.	
General Regulations for Landscaping 18.100	At least 30 percent of the total area of any lot used for multi-family residential purposes shall be maintained as open space landscaped area in a permeable state.	AMEND At least 30 percent of the total area of any lot used for multi-unit residential purposes shall be maintained as open space landscaped area in a permeable state.	Update term.
Development Permit Variances 18.107	Pursuant to Section 498 of the Local Government Act variances to setback, height, landscaping or parking requirements may be approved by the Regional District in conjunction with the issuance of a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-family developments can be achieved provided that no siting variances cross a property line.	AMEND Pursuant to Section 498 of the Local Government Act variances to setback, height, landscaping or parking requirements may be approved by the Regional District in conjunction with the issuance of a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-unit developments can be achieved provided that no siting variances cross a property line.	Update term.
Accessory Dwelling Units 18.108		NEW An accessory dwelling unit is subject to the following regulations: <ul style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. 	General regulations to apply to all zones permitting accessory dwelling units.

Attachment 'B': Concurrence Table

		<ul style="list-style-type: none"> c. Notwithstanding section 108(b) secondary suites are permitted on all lots. d. The maximum gross floor area is 90.0 square metres. e. The maximum height is 8.0 metres. f. The maximum number of storeys is 2. g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required. h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental. i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle. j. A secondary suite shall not be connected to a single detached house by a breezeway or carport. 	
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Attachment 'B': Concurrence Table

<p>Suburban Residential (R1) Permitted Uses 19.1</p>	<p>Dwellings: - One-family - Two-family</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling</p>	<p>AMEND</p> <p>Dwellings: - Single Detached Housing - Duplex Housing</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce</p>	<p>Update terms.</p>
<p>Suburban Residential (R1) Development Regulations 19.2</p>	<p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer One-family 700 m2 Two-family 1000 m2</p> <p>Community Water or Sewer One-family 0.2 hectares Two-family 0.4 hectares</p> <p>On Site Only One-family 1 hectare Two-family 1 hectare</p>	<p>AMEND</p> <p>The minimum lot size for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer 0.1 hectare</p> <p>Community Water or Sewer 0.4 hectares</p> <p>On Site Only 1.0 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the lot sizes have been updated using minimum lot size.</p>
<p>Suburban Residential (R1) Development Regulations</p>		<p>NEW</p> <p>The maximum density is 2 Dwelling Units.</p>	<p>New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.</p>

Attachment 'B': Concurrence Table

19.2B			
<p>Suburban Residential (R1) Accessory Dwelling 19.13-16</p>	<p>13. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>14. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>15. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p>	<p>DELETE</p>	<p>See general use regulations 18.108.</p>

Attachment 'B': Concurrence Table

	16. Accessory dwellings shall not be used as tourist accommodation.		
Country Residential (R2) Permitted Uses 20.1	<p>Dwellings:</p> <ul style="list-style-type: none"> - One-family - Two-family Horticulture <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only) 	<p>AMEND</p> <p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only) 	<p>Update terms.</p> <p>Delete additional reference to horticulture.</p>
Country Residential (R2) Development Regulations 20.2	The minimum site area for each permitted use shall be one (1) hectare.	<p>AMEND</p> <p>The minimum lot size is 1.0 hectare.</p>	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 20.2B		<p>NEW</p> <p>The maximum density is 2 Dwelling Units.</p>	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior	The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with	Use consistent terms.

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20.3	Health Authority, shall be 0.8 hectares.	the approval of the Interior Health Authority, shall be 0.8 hectares.	
Country Residential (R2) Accessory Dwelling 20.11-14	<p>11. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>12. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>13. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p>	DELETE	See general use regulations 108.18.

Attachment 'B': Concurrence Table

	14. Accessory dwellings shall not be used as tourist accommodation.		
Rural Residential (R3) Permitted Uses 21.1	<p>Dwellings:</p> <ul style="list-style-type: none"> - One-family - Two-family <p>Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing 	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing 	Updated terms and add accessory dwelling unit.
Rural Residential (R3) Development Regulations 21.2	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3) Development Regulations 21.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.

Attachment 'B': Concurrence Table

Rural Residential (R3) Development Regulations 21.6	Despite subsection 2, a manufactured home on a non-permanent foundation may be permitted in addition to a one-family dwelling.	DELETE	Replaced by accessory dwelling unit.
Rural Resource (R4) Permitted Uses 22.1	<p>Dwellings:</p> <ul style="list-style-type: none"> - One-family - Two-family <p>Horse Riding Stables and Boarding Stables Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Guest Accommodation - Temporary Farmworker Housing 	<p style="text-align: center;">AMEND</p> <p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horse Riding Stables and Boarding Stables Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Guest Accommodation - Temporary Farmworker Housing 	Updated terms and add accessory dwelling unit.
Rural Resource (R4) Development Regulations	The minimum site area for each permitted use shall be two (2) hectares.	<p style="text-align: center;">AMEND</p> <p>The minimum lot size is 2.0 hectares.</p>	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.

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22.2			
Rural Resource (R4) Development Regulations 22.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Multi-Family Multi-Unit Residential (R6) Permitted Uses 24.1	<p>Dwellings:</p> <ul style="list-style-type: none"> - One-family - Two-family - Multiple Family <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails) - Maintenance and Utility Buildings 	<p>AMEND</p> <p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing - Multi-Unit Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails) - Maintenance and Utility Buildings 	Updated terms and add accessory dwelling unit.
Multi-Family Multi-Unit Residential (R6) Development Regulations 24.2	<p>The minimum site area (per unit) for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System</p> <p>One-family 700 m² Two-family/Unit 500 m² Multi-Family/Unit 300 m²</p> <p>Community Water Supply Only</p> <p>One-family 0.2 hectare Two-family/Unit 0.4 hectare</p>	<p>AMEND</p> <p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System</p> <p>Single Detached and Duplex Housing 0.1 hectare Multi-Unit/ Dwelling Unit 300 square metres</p> <p>Community Water Supply Only</p>	As all lots are now required to permit 2 dwelling units, the site areas have been updated.

Attachment 'B': Concurrence Table

	Multi-Family/Unit 0.1 hectare On Site Only One-family 1.0 hectare Two-family/Unit 0.75 hectare Multi-Family/Unit 0.4 hectare	Single Detached and Duplex Housing 0.8 hectare Multi-Unit/Dwelling Unit 0.1 hectare On Site Only Single Detached and Duplex Housing 1.0 hectare Multi-Unit/Dwelling Unit 0.4 hectare	
Multi-Family Multi-Unit Residential (R6) Development Regulations 24.2B		NEW The minimum lot size for subdivision is 0.1 hectares.	Add clarity.
Agriculture 1 (AG1) Permitted Uses 25.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 1 (AG1) Development Regulations 25.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.
Agriculture 1 (AG1) Development Regulations 25.6	The Maximum Gross Floor Area of the Single Family Dwelling is 185.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 185.0 square metres.	Use consistent language.
Agriculture 2 (AG2) Permitted Uses 26.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 2 (AG2)		NEW	Add clarity.

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Development Regulations 26.2B		The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	
Agriculture 2 (AG2) Development Regulations 26.6	The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.	Use consistent language.
Neighbourhood Commercial (C1) Permitted Uses 27.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
General Commercial (C2) Permitted Uses 28.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Tourist Commercial (C3) Permitted Uses 29.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Light Industrial (M1) Permitted Uses 30.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Medium Industrial (M2) Permitted Uses 31.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Heavy Industrial (M3) Permitted Uses 32.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.

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		- business office	
Railway (RW) Permitted Uses 33.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - warehousing	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - warehousing	Update term.
Community Services (CS) Permitted Uses 34.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Park and Recreation (PR) Permitted Uses 35.1	Accessory Uses: - Accessory Buildings or Structures - one dwelling unit - concession booth - club house(s) - storage facilities	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - concession booth - club house(s) - storage facilities	Update term.
Quarry (Q) Permitted Uses 37.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Forest Resource (FR) Permitted Uses 38.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Environmental Reserve (ER) Permitted Uses 39.1	Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - Caretaker Suite	Update term.

Attachment 'B': Concurrence Table

Amendments to Electoral Area 'B' Land Use Bylaw No. 2316, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Interpretation 15.0		NEW BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Clarify for Accessory Tourist Accommodation.
Interpretation 15.0		NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Interpretation 15.0	CARRIAGE HOUSE OR GARAGE SUITE means a secondary dwelling or suite located above a detached garage or accessory building, subordinate to the principal dwelling;	DELETE	See Accessory Dwelling Unit definition.
Interpretation 15.0	DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three (3) or more children under	AMEND DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under	Household is a more modern term and will be used throughout the bylaw.

Attachment 'B': Concurrence Table

	six (6) years of age not forming part of the operator's family ;	six years of age not forming part of the operator's household ;	
Interpretation 15.0	DENSITY means density means the number of dwellings, visitor or resort accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit;	AMEND DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	Align with how bylaw calculates density.
Interpretation 15.0	DWELLING means one or more rooms that are self-contained, intended for domestic use as a residence by one or more persons, and containing kitchen, living, sleeping and sanitary facilities;	DELETE	Refer to Dwelling Unit definition.
Interpretation 15.0	DWELLING, ACCESSORY means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath; common accessory dwellings include, but are not limited to, secondary suites, cottages, carriage houses and garage suites;	AMEND ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	Updated and consistent definition across all bylaws.
Interpretation 15.0	DWELLING, ONE-FAMILY means a detached building used exclusively for occupancy by one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite;	Clarify and modernize.

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		This use includes manufactured homes.	
Interpretation 15.0	DWELLING, TWO-FAMILY means a detached building or pair of attached buildings used exclusively for occupancy by two (2) families living independently of each other;	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;	Clarify and modernize.
Interpretation 15.0	DWELLING, MULTI-FAMILY means a building or portion thereof containing three (3) or more dwelling units;	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	Modernize definition.
Interpretation 15.0	DWELLING UNIT means one (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Interpretation 15.0	FAMILY means one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying a dwelling unit; or not more than five (5) unrelated persons	AMEND HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated	Household is a more modern term and will be used throughout the bylaw.

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	<p>sharing a dwelling unit; or residents of a group home;</p>	<p>through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
<p>Interpretation 15.0</p>	<p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight (8) persons under care who operate as the functional equivalent of a family; including such supervision and care by supportive staff as may be necessary to meet the physical,</p>	<p>AMEND GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary</p>	<p>Household is a more modern term and will be used throughout the bylaw.</p>

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	emotional, and social needs of the residents;	to meet the physical, emotional, and social needs of the residents;	
Interpretation 15.0		NEW KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;	Important definition for enforcement on what constitutes a dwelling unit.
Interpretation 15.0	PRINCIPAL DWELLING means a principal residential unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not a secondary or accessory dwelling unit, or any vehicle.	AMEND PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;	Keep terminology consistent.
Interpretation 15.0	SHORT TERM RENTAL means the use of a one-family dwelling or two-family dwelling for temporary accommodation (less than 30 days) on a commercial basis;	AMEND SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;	Update terms.
Interpretation 15.0	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	AMEND SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;	Consistently use the kitchen definition.

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Interpretation 15.0		NEW SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling.	New definition to implement accessory dwelling unit regulations.
Site Areas 16.4	The minimum parcel size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum lot size of the zone in which the parcel is located unless otherwise stated.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas-Lot Sizes 16.10	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas-Lot Sizes 16.11	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas-Lot Sizes 16.12	The minimum site area for a lot created under Section 16.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under Section 16.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4	Use consistent terms when referring to subdivision.

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		hectares where not serviced by a community water system.	
Reduction of Minimum Site Areas-Lot Sizes 16.13	Despite Section 16.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area .	AMEND Despite Section 16.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size .	Use consistent terms when referring to subdivision.
Off-Street Parking and Loading Space Requirements	Single-family 2 spaces per dwelling unit Two-family 2 spaces per dwelling unit /4 spaces total Multi-family Residential 1.2 spaces per dwelling unit	AMEND Single Detached Housing 2 spaces Duplex Housing 4 spaces Accessory Dwelling Unit 1 space Multi-Unit Housing 1.2 spaces per dwelling unit	Update terms and include requirements for accessory dwelling unit.
Accessory Dwelling Units 16.108		NEW An accessory dwelling unit is subject to the following regulations: <ul style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. c. Notwithstanding section 108(b) secondary suites are permitted an all lots. d. The maximum gross floor area is 90.0 square metres. e. The maximum height is 8.0 metres. f. The maximum number of storeys is 2. 	General regulations to apply to all zones permitting accessory dwelling units.

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		<p>g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.</p> <p>h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.</p> <p>i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.</p> <p>j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.</p>	
<p>Suburban Residential (R1) Permitted Uses 17.1</p>	<p>Dwellings: - One-family - Two-family</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture</p>	<p>AMEND</p> <p>Dwellings: - Single Detached Housing - Duplex Housing</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility</p>	<p>Update terms.</p>

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	<ul style="list-style-type: none"> - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling 	<ul style="list-style-type: none"> - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce 	
Suburban Residential (R1) Development Regulations 17.2	<p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer One-family 700 m2 Two-family 1000 m2</p> <p>Community Water or Sewer One-family 0.2 hectares Two-family 0.4 hectares</p> <p>On Site Only One-family 1 hectare Two-family 1 hectare</p>	<p>AMEND The minimum lot size for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer 0.1 hectare</p> <p>Community Water or Sewer 0.4 hectares</p> <p>On Site Only 1.0 hectare</p>	As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.
Suburban Residential (R1) Development Regulations 17.2B		<p>NEW The maximum density is 2 Dwelling Units.</p>	New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.
Suburban Residential (R1) Accessory Dwelling 17.13-16	13. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single	<p>DELETE</p>	See general use regulations 16.108.

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	<p>family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>14. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>15. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>16. Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Country Residential (R2) Permitted Uses 18.1</p>	<p>Dwellings: - One-family - Two-family Horticulture</p> <p>Accessory Uses:</p>	<p>AMEND Dwellings: - Single Detached Housing - Duplex Housing</p> <p>Accessory Uses:</p>	<p>Update terms. Delete duplicate of horticulture.</p>

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	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling - Portable Sawmills (for processing of materials harvested on-site only) 	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only) 	
Country Residential (R2) Development Regulations 18.2	The minimum site area for each permitted use shall be one (1) hectare.	AMEND The minimum lot size is 1.0 hectare.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 18.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 18.3	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.	The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.	Use consistent terms.
Country Residential (R2) Accessory Dwelling 18.11-14	11. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single	DELETE	See general use regulations 16.108.

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	<p>family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>12. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>13. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>14. Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Rural Residential (R3) Permitted Uses 19.1</p>	<p>Dwellings: - One-family - Two-family Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>Dwellings: - Single Detached Housing - Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>Updated terms.</p>

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	<p>Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling - Small Scale Wood Product Manufacturing - Temporary Farmworker Housing 	<p>Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing 	
Rural Residential (R3) Development Regulations 19.2	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3) Development Regulations 19.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3) Development Regulations 19.6	Despite subsection 2, a manufactured home on a non-permanent foundation may be permitted in addition to a one-family dwelling.	DELETE	Replaced by accessory dwelling unit.
Rural Residential (R3) Accessory Dwelling 19.13-16	13. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as	DELETE	See general use regulations 16.108.

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	<p>an accessory use to a single family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>14. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>15. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>16. Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Rural Resource (R4) Permitted Uses 20.1</p>	<p>Dwellings: - One-family - Two-family Horse Riding Stables and Boarding Stables Horticulture</p>	<p>AMEND Dwellings: - Single Detached Housing - Duplex Housing Horse Riding Stables and Boarding Stables</p>	<p>Updated terms and add accessory dwelling unit.</p>

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	<p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills -Temporary Farmworker Housing</p>	<p>Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills -Temporary Farmworker Housing</p>	
Rural Resource (R4) Development Regulations 20.2	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource (R4) Development Regulations 20.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Multi-Unit Residential (R6) Permitted Uses 22.1	<p>Dwellings: - One-family - Two-family - Multiple Family</p> <p>Accessory Uses:</p>	AMEND <p>Dwellings: - Single Detached Housing - Duplex Housing - Multi-Unit Housing</p>	Updated terms and add accessory dwelling unit.

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	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business 	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business 	
Multi-Unit Residential (R6) Development Regulations 22.2	<p>The minimum site area (per unit) for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System One-family 700 m² Two-family/Unit 500 m² Multi-Family/Unit 300 m²</p> <p>Community Water Supply Only One-family 0.2 hectare Two-family/Unit 0.4 hectare Multi-Family/Unit 0.1 hectare</p> <p>On Site Only One-family 1.0 hectare Two-family/Unit 0.75 hectare Multi-Family/Unit 0.4 hectare</p>	<p>AMEND</p> <p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System Single Detached and Duplex Housing 0.1 hectare Multi-Family/ Dwelling Unit 300 square metres</p> <p>Community Water Supply Only Single Detached and Duplex Housing 0.8 hectare Multi-Family/Dwelling Unit 0.1 hectare</p> <p>On Site Only Single Detached and Duplex Housing 1.0 hectare Multi-Family/Dwelling Unit 0.4 hectare</p>	As all lots are now required to permit 2 dwelling units, the site areas have been updated.
Multi-Unit Residential (R6) Development Regulations 22.2		<p>NEW</p> <p>The minimum lot size for subdivision is 0.1 hectares.</p>	Add clarity.
Agriculture 1 (AG1) Permitted Uses	<p>...</p> <p>Single Family Dwelling</p> <p>...</p>	<p>AMEND</p> <p>...</p> <p>Single Detached Housing</p>	Use consistent language.

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23.1		...	
Agriculture 1 (AG1) Development Regulations 23.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.
Agriculture 1 (AG1) Development Regulations 23.6	The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.	Use consistent language.
Agriculture 2 (AG2) Permitted Uses 24.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 2 (AG2) Development Regulations 24.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.
Agriculture 2 (AG2) Development Regulations 24.6	The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.	Use consistent language.
Agriculture 3 (AG3) Permitted Uses 25.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 3 (AG3) Development Regulations 25.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.

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Agriculture 3 (AG3) Development Regulations 25.6	The Maximum Gross Floor Area of the Single Family Dwelling is 375.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 375.0 square metres.	Use consistent language.
Neighbourhood Commercial (C1) Permitted Uses 26.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
General Commercial (C2) Permitted Uses 27.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Tourist Commercial (C3) Permitted Uses 28.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Light Industrial (M1) Permitted Uses 29.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Medium Industrial (M2) Permitted Uses 30.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Heavy Industrial (M3) Permitted Uses 31.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.

Attachment 'B': Concurrence Table

Mixed Use Industrial (Airport) (M4) Permitted Uses 32.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - buildings and structures accessory to airports including sales of aircraft fuel, aircraft charter business, aircraft sales and repairs and flight training schools - one dwelling unit 	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - buildings and structures accessory to airports including sales of aircraft fuel, aircraft charter business, aircraft sales and repairs and flight training schools - Caretaker Suite 	Update term.
Railway (RW) Permitted Uses 34.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - One dwelling unit - warehousing 	<p>AMEND</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Caretaker Suite - warehousing 	Update term.
Community Services (CS) Permitted Uses 35.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - One dwelling unit 	<p>AMEND</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Caretaker Suite 	Update term.
Park and Recreation (PR) Permitted Uses 36.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - one dwelling unit - concession booth - club house(s) - storage facilities 	<p>AMEND</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Caretaker Suite - concession booth - club house(s) - storage facilities 	Update term.
Quarry (Q) Permitted Uses 38.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - One dwelling unit - business office 	<p>AMEND</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Caretaker Suite - business office 	Update term.
Forest Resource (FR) Permitted Uses 39.1	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - One dwelling unit 	<p>AMEND</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Caretaker Suite 	Update term.

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Environmental Reserve (ER) Permitted Uses 40.1	Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - Caretaker Suite	Update term.
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Attachment 'B': Concurrence Table

Amendments to Electoral Area 'C' Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Interpretation 16.0		NEW BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Clarify for Accessory Tourist Accommodation.
Interpretation 16.0		NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Interpretation 16.0	DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three (3) or more children under six (6) years of age not forming part of the operator's family ;	AMEND DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household ;	Household is a more modern term and will be used throughout the bylaw.
Interpretation 16.0	DENSITY means density means the number of dwellings, visitor or resort accommodation units on a site expressed in units per acre or	AMEND DENSITY means the number of dwelling, visitor or resort accommodation units on a site	Align with how bylaw calculates density.

Attachment 'B': Concurrence Table

	hectare, or alternatively as the site area required per dwelling unit;	expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	
Interpretation 16.0	DWELLING means one or more rooms that are self-contained, intended for domestic use as a residence by one or more persons, and containing kitchen, living, sleeping and sanitary facilities;	DELETE	Refer to Dwelling Unit definition.
Interpretation 16.0	DWELLING, ACCESSORY means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath; common accessory dwellings include, but are not limited to, secondary suites, cottages, carriage houses and garage suites;	AMEND ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	Updated and consistent definition across all bylaws.
Interpretation 16.0	DWELLING, ONE-FAMILY means a detached building used exclusively for occupancy by one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;	Clarify and modernize.
Interpretation 16.0	DWELLING, TWO-FAMILY means a detached building or pair of attached buildings used exclusively for occupancy by two (2) families living independently of each other;	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above,	Clarify and modernize.

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		below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;	
Interpretation 16.0	DWELLING, MULTI-FAMILY means a building or portion thereof containing three (3) or more dwelling units;	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	Modernize definition.
Interpretation 16.0	DWELLING UNIT means one (1) or more rooms with private bath and kitchen facilities comprising an independent self-contained dwelling unit;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Interpretation 16.0	FAMILY means one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying a dwelling unit; or not more than five (5) unrelated persons sharing a dwelling unit; or residents of a group home;	AMEND HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or c) a group of not more than five persons, including boarders, who are not related by blood,	Household is a more modern term and will be used throughout the bylaw.

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		<p>marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
<p>Interpretation 16.0</p>	<p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight (8) persons under care who operate as the functional equivalent of a family; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>AMEND GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>Household is a more modern term and will be used throughout the bylaw.</p>
<p>Interpretation 16.0</p>		<p>NEW KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking</p>	<p>Important definition for enforcement on what constitutes a dwelling unit.</p>

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		appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;	
Interpretation 16.0	PRINCIPAL DWELLING means a principal residential unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not a secondary or accessory dwelling unit, or any vehicle.	AMEND PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;	Keep terminology consistent.
Interpretation 16.0	SHORT TERM RENTAL means the use of a one-family dwelling or two-family dwelling for temporary accommodation (less than 30 days) on a commercial basis;	AMEND SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;	Update terms.
Interpretation 16.0	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	AMEND SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;	Consistently use kitchen definition.
Interpretation 16.0		NEW SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;	New definition to implement accessory dwelling unit regulations.
Site Areas 17.4	The minimum parcel size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the	Use consistent terms when referring to subdivision.

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	which the parcel is located unless otherwise stated.	minimum lot size of the zone in which the parcel is located unless otherwise stated.	
Reduction of Minimum Site Areas -Lot Sizes 17.10	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 17.11	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 17.12	The minimum site area for a lot created under Section 17.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under Section 17.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Use consistent terms when referring to subdivision.
Reduction of Minimum Site Areas -Lot Sizes 17.13	Despite Section 17.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area .	AMEND Despite Section 17.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property	Use consistent terms when referring to subdivision.

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		owners to legitimize the structure as long as no lot is reduced in lot size .	
Off-Street Parking and Loading Space Requirements	Single-family 2 spaces per dwelling unit Two-family 2 spaces per dwelling unit /4 spaces total Multi-family Residential 1.2 spaces per dwelling unit	AMEND Single Detached Housing 2 spaces Duplex Housing 4 spaces Accessory Dwelling Unit 1 space Multi-Unit Housing 1.2 spaces per dwelling unit	Update terms and include requirements for accessory dwelling unit.
Accessory Dwelling Units 17.107		NEW An accessory dwelling unit is subject to the following regulations: <ul style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. c. Notwithstanding section 107(b) secondary suites are permitted an all lots. d. The maximum gross floor area is 90.0 square metres. e. The maximum height is 8.0 metres. f. The maximum number of storeys is 2. g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on 	General regulations to apply to all zones permitting accessory dwelling units.

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		<p>the parcel unless a community sewer system is available in which case connection to the community sewer system is required.</p> <ul style="list-style-type: none"> h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental. i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle. j. A secondary suite shall not be connected to a single detached house by a breezeway or carport. 	
<p>Suburban Residential (R1) Permitted Uses 18.1</p>	<p>Dwellings: - One-family - Two-family</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling</p>	<p>AMEND</p> <p>Dwellings: - Single Detached Housing - Duplex Housing</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce</p>	<p>Update terms.</p>

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<p>Suburban Residential (R1) Development Regulations 18.2</p>	<p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer One-family 700 m2 Two-family 1000 m2</p> <p>Community Water or Sewer One-family 0.2 hectares Two-family 0.4 hectares</p> <p>On Site Only One-family 1 hectare Two-family 1 hectare</p>	<p>AMEND</p> <p>The minimum lot size for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water and Sewer 0.1 ha</p> <p>Community Water or Sewer 0.4 hectares</p> <p>On Site Only 1.0 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.</p>
<p>Suburban Residential (R1) Development Regulations 18.2B</p>		<p>NEW</p> <p>The maximum density is 2 Dwelling Units.</p>	<p>New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.</p>
<p>Suburban Residential (R1) Development Regulations 18.13-16</p>	<p>13. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single family dwelling subject to the following:</p> <p>a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing;</p>	<p>DELETE</p>	<p>See general use regulations 17.107.</p>

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	<ul style="list-style-type: none"> b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>14. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>15. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>16. Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Country Residential (R2) Permitted Uses 19.1</p>	<p>Dwellings:</p> <ul style="list-style-type: none"> - One-family - Two-family Horticulture <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals 	<p>AMEND</p> <p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals 	<p>Update terms.</p> <p>Remove duplicate of horticulture.</p>

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	<p>- Sale of Site Grown Horticultural Produce</p> <p>- Accessory Dwelling</p> <p>- Portable Sawmills (for processing of materials harvested on-site only)</p>	<p>- Sale of Site Grown Horticultural Produce</p> <p>- Portable Sawmills (for processing of materials harvested on-site only)</p>	
Country Residential (R2) Development Regulations 19.2	The minimum site area for each permitted use shall be one (1) hectare.	AMEND The minimum lot size is 1.0 hectare.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 19.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 19.3	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.	Use consistent terms.
Country Residential (R2) Accessory Dwelling 19.11-14	<p>15. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single family dwelling subject to the following:</p> <p>e. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing;</p>	DELETE	See general use regulations 17.107.

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	<p>f. a maximum gross floor area of 90 square meters (m2);</p> <p>g. the accessory dwelling shall not be a vehicle; and/or</p> <p>h. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling.</p> <p>16. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>17. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Rural Residential (R3) Permitted Uses 20.1</p>	<p>Dwellings: - One-family - Two-family</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics</p> <p>Accessory Uses:</p>	<p>AMEND</p> <p>Dwellings: - Single Detached Housing - Duplex Housing</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics</p>	<p>Updated terms.</p>

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	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Daycare facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Accessory Dwelling - Portable Sawmills - Small Scale Wood Product Manufacturing - Temporary Farmworker Housing 	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Daycare facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills - Small Scale Wood Product Manufacturing - Temporary Farmworker Housing 	
Rural Residential (R3) Development Regulations 20.2	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3) Development Regulations 20.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3) Development Regulations 20.5	Despite subsection 20.0 (2), a manufactured home on a non-permanent foundation may be permitted in addition to a one-family dwelling.	DELETE	Replaced by accessory dwelling unit.
Rural Residential (R3) Accessory Dwelling 20.13-16	13. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use to a single	DELETE	See general use regulations 17.107.

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	<p>family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on level of servicing; b. a maximum gross floor area of 90 square meters (m2); c. the accessory dwelling shall not be a vehicle; and/or d. the accessory dwelling shall have a separate entrance and separate living, sleeping, sanitary and kitchen facilities from the single detached dwelling. <p>14. The minimum separation distance between an accessory dwelling, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>15. One (1) additional off-street parking space shall be provided for an accessory dwelling.</p> <p>16. Accessory dwellings shall not be used as tourist accommodation.</p>		
<p>Rural Resource (R4) Permitted Uses 21.1</p>	<p>Dwellings: - One-family - Two-family Horse Riding Stables and Boarding Stables Horticulture Kennels</p>	<p>AMEND Dwellings: - Single Detached Housing - Duplex Housing Horse Riding Stables and Boarding Stables Horticulture</p>	<p>Updated terms and add accessory dwelling unit.</p>

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	<p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Child Care Facility - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills -Temporary Farmworker Housing</p>	<p>Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics</p> <p>Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Child Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills -Temporary Farmworker Housing</p>	
Rural Resource (R4) Development Regulations 21.2	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource (R4) Development Regulations 21.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Multi-Family Unit Residential (R6) Permitted Uses 23.1	<p>Dwellings: - One-family - Two-family - Multiple Family</p> <p>Accessory Uses:</p>	<p>AMEND Dwellings: - Single Detached Housing - Duplex Housing - Multi-Unit Housing</p>	Updated terms and add accessory dwelling unit.

Attachment 'B': Concurrence Table

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business 	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business 	
<p>Multi-Family Unit Residential (R6) Permitted Uses 23.2</p>	<p>The minimum site area (per unit) for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System One-family 700 m² Two-family/Unit 500 m² Multi-Family/Unit 300 m²</p> <p>Community Water Supply Only One-family 0.2 hectare Two-family/Unit 0.4 hectare Multi-Family/Unit 0.1 hectare</p> <p>On Site Only One-family 1.0 hectare Two-family/Unit 0.75 hectare Multi-Family/Unit 0.4 hectare</p>	<p>AMEND</p> <p>The minimum site area for the following uses shall be required as follows:</p> <p>LEVEL OF SERVICES PROVIDED Community Water Supply and Community Water System Single Detached and Duplex Housing 0.1 hectare Multi-Family/ Dwelling Unit 300 square metres</p> <p>Community Water Supply Only Single Detached and Duplex Housing 0.8 hectare Multi-Family/Dwelling Unit 0.1 hectare</p> <p>On Site Only Single Detached and Duplex Housing 1.0 hectare Multi-Family/Dwelling Unit 0.4 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated.</p>
<p>Multi-Family Unit Residential (R6) Permitted Uses 23.5</p>		<p>NEW</p> <p>The minimum lot size for subdivision is 0.1 hectares.</p>	<p>Add clarity.</p>
<p>Agriculture 1 (AG1) Permitted Uses</p>	<p>...</p> <p>Single Family Dwelling</p> <p>...</p>	<p>AMEND</p> <p>...</p> <p>Single Detached Housing</p>	<p>Use consistent language.</p>

Attachment 'B': Concurrence Table

24.1		...	
Agriculture 1 (AG1) Development Regulations 24.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.
Agriculture 1 (AG1) Development Regulations 24.6	The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.	Use consistent language.
Agriculture 2 (AG2) Permitted Uses 25.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 2 (AG2) Development Regulations 25.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.
Agriculture 2 (AG2) Development Regulations 25.6	The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.	Use consistent language.
Agriculture 3 (AG3) Permitted Uses 26.1	... Single Family Dwelling ...	AMEND ... Single Detached Housing ...	Use consistent language.
Agriculture 3 (AG3) Development Regulations 26.2B		NEW The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.	Add clarity.

Attachment 'B': Concurrence Table

Agriculture 3 (AG3) Development Regulations 26.6	The Maximum Gross Floor Area of the Single Family Dwelling is 375.0 square metres.	The Maximum Gross Floor Area of the Single Detached Housing is 375.0 square metres.	Use consistent language.
Neighbourhood Commercial (C1) Permitted Uses 27.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
General Commercial (C2) Permitted Uses 28.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Light Industrial (M1) Permitted Uses 29.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Medium Industrial (M2) Permitted Uses 30.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Heavy Industrial (M3) Permitted Uses 31.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Quarry (Q) Permitted Uses 32.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit - business office	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - business office	Update term.
Railway (RW)	Accessory Uses:	AMEND	Update term.

Attachment 'B': Concurrence Table

Permitted Uses 33.1	- Accessory Buildings or Structures - One dwelling unit - warehousing	Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - warehousing	
Community Services (CS) Permitted Uses 34.1	Accessory Uses: - Accessory Buildings or Structures - one dwelling unit - accessory tourist accommodation - accessory agri-tourism - therapeutic and public horseback riding - small-scale food processing - retail sales and manufacturing of heritage products	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - accessory tourist accommodation - accessory agri-tourism - therapeutic and public horseback riding - small-scale food processing - retail sales and manufacturing of heritage products	Update term.
Park and Recreation (PR) Permitted Uses 35.1	Accessory Uses: - Accessory Buildings or Structures - one dwelling unit - concession booth - club house(s) - storage facilities	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite - concession booth - club house(s) - storage facilities	Update term.
Forest Resource (FR) Permitted Uses 37.1	Accessory Uses: - Accessory Buildings or Structures - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Caretaker Suite	Update term.
Environmental Reserve (ER) Permitted Uses 38.1	Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - One dwelling unit	AMEND Accessory Uses: - Accessory Buildings or Structures - Interpretive facilities - Caretaker Suite	Update term.

Attachment 'B': Concurrence Table

Amendments to Electoral Area 'D' Land Use Bylaw No. 2435, 2016 Schedule B Ainsworth Townsite Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Interpretation 21.0		NEW ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	New definition to facilitate additional forms besides secondary suites.
Interpretation 21.0	BED AND BREAKFAST means an accessory use located wholly within a principal single family dwelling that provides temporary lodging for tourists and visitors;	AMEND BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Updated terms.
Interpretation 21.0		NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Interpretation 21.0	DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven (7) or more children under	AMEND DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven or more children under	Household is a more modern term and will be used throughout the bylaw.

Attachment 'B': Concurrence Table

	six (6) years of age not forming part of the operator's family ;	six years of age not forming part of the operator's household ;	
Interpretation 21.0	DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit ;	AMEND DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	Amend definition to align with how density is calculated within this bylaw.
Interpretation 21.0	DWELLING, MULTI-FAMILY means a detached building, used exclusively for residential purposes, consisting of three (3) or more dwelling units, either with private individual access or common access intended to be used as a residence by three (3) or more families living independently of each other;	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	Modernize definition.
Interpretation 21.0	DWELLING, ONE-FAMILY means a detached building used exclusively for residential purposes, consisting of one (1) dwelling unit used or intended to be used as the residence of one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;	Clarify and modernize.
Interpretation 21.0	DWELLING, TWO-FAMILY means a detached building used exclusively for residential purposes, as a duplex or dwelling separated by a common wall or floor where one unit may be a secondary suite intended to be used	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type	Clarify and modernize.

Attachment 'B': Concurrence Table

	as a residence by two (2) families living independently of each other;	of development is designed and constructed as two dwelling units at initial construction;	
Interpretation 21.0	DWELLING UNIT means one (1) or more rooms in a detached building with self-contained eating, living, sleeping and sanitary facilities and not more than one kitchen, used or intended to be used as a residence for no more than one (1) family;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Interpretation 21.0		NEW HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or	Household is a more modern term and will be used throughout the bylaw.

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		<p>associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
Interpretation 21.0	HOUSEKEEPING UNIT means a room with cooking facilities used for the temporary accommodation of travellers;	<p>AMEND</p> <p>HOUSEKEEPING UNIT means a room with a kitchen used for the temporary accommodation of travellers;</p>	Consistently use kitchen definition.
Interpretation 21.0		<p>NEW</p> <p>PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;</p>	Define term used currently in bylaw.
Interpretation 21.0	SECONDARY SUITE means a dwelling unit contained within a building containing only one other dwelling unit and having a total floor space of not more than 90 square metres in area or 40% of the habitable floor space of the building;	<p>AMEND</p> <p>SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;</p>	Update to align with new accessory dwelling regulations.
Interpretation 21.0	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	<p>AMEND</p> <p>SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the</p>	Consistently use kitchen definition.

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		temporary accommodation of travellers;	
Site Areas 22.4	The minimum parcel size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	AMEND The minimum lot area for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	Use the defined term 'minimum lot area' consistently throughout bylaw.
Reduction of Minimum Site Lot Areas 22.9	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Use the defined term 'minimum lot area' consistently throughout bylaw.
Reduction of Minimum Site Lot Areas 22.10	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	Use the defined term 'minimum lot area' consistently throughout bylaw.
Reduction of Minimum Site Lot Areas 22.11	The minimum site area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Use the defined term 'minimum lot area' consistently throughout bylaw.

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Reduction of Minimum Site Areas-Lot Sizes 18.12	Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area .	AMEND Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area .	Use consistent terms when referring to subdivision.
Off Street Parking Requirements Residential	Dwelling (one family) 2 spaces per dwelling unit Dwelling (two family) 2 spaces per dwelling unit Dwelling (multi-family) 1.5 spaces per dwelling unit	Single Detached Housing 2 spaces Duplex Housing 4 spaces Accessory Dwelling Unit 1 space Multi-Unit Housing 1.5 spaces per dwelling unit	Updated terms and include accessory dwelling units.
Accessory Dwelling Units 22.46		NEW An accessory dwelling unit is subject to the following regulations: <ul style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. c. Notwithstanding section 46(b) secondary suites are permitted on all lots. d. The maximum gross floor area is 90.0 square metres. e. The maximum height is 8.0 metres. f. The maximum number of storeys is 2. g. An accessory dwelling unit must be serviced by an on-site 	New regulations for accessory dwelling units.

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		<p>sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.</p> <ul style="list-style-type: none"> h. An accessory dwelling unit is not permitted to be used as a bed and breakfast or a vacation rental. i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle. j. A secondary suite shall not be connected to a single detached house by a breezeway or carport. 	
<p>Town-Site Residential R1 Permitted Uses Table 23.1</p>	<p>Permitted uses, buildings and structures: Principal Uses Dwelling, One Family Dwelling, Two Family</p> <p>Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21)</p>	<p>AMEND Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46)</p>	<p>Updated terms and include accessory dwelling units.</p>

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	Horticulture Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	
Town-Site Residential R1 Development Regulations Table 23.2	Minimum site area for each Principal Use: Community Water System and Community Wastewater System 0.1 hectares Community Water System and On-site Wastewater Disposal 0.2 hectares Individual Water Source and Community Wastewater System 0.2 hectares Individual Water Source and On-site Wastewater Disposal 1.0 hectares	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Town-Site Residential R1 Development Regulations Table 23.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Country Residential R2 Permitted Uses Table	Permitted uses, buildings and structures: Principal Uses Dwelling, One Family	AMEND Permitted uses, buildings and structures: Principal Uses	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

24.1	<p>Dwelling, Two Family Horticulture</p> <p>Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	<p>Single Detached Housing Duplex Housing Horticulture</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	
Country Residential Development Regulations Table 24.2	Minimum site area for each Principal Use 1.0 hectares	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential Development Regulations Table 24.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Rural Residential R3 Permitted Uses Table 25.1	Permitted uses, buildings and structures: Principal Uses Dwelling, One Family Dwelling, Two Family Horticulture Outdoor Recreational Activities	AMEND Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing Horticulture	Updated terms and include accessory dwelling units.

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	<p>Parks Resource Based Activities</p> <p>Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	<p>Outdoor Recreational Activities Parks Resource Based Activities</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	
Rural Residential R3 Development Regulations Table 25.2	Minimum site area for each Principal Use 2.0 hectares	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential R3 Development Regulations Table 25.8	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Town-Site Commercial C1 Permitted Uses Table 26.1	Accessory Uses Accessory Building or Structures One Dwelling Unit	AMEND Accessory Uses Accessory Building or Structures Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Town-Site Commercial C1	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.

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Development Regulations Table 26.9			
Tourist Commercial C2 Permitted Uses Table 27.1	Accessory Uses Accessory Building or Structures One Dwelling Unit	AMEND Accessory Uses Accessory Building or Structures Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Tourist Commercial C2 Development Regulations Table 27.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Ainsworth Resort Commercial C3 Permitted Uses Table 28.1	Accessory Uses Accessory Building or Structures One Dwelling Unit	AMEND Accessory Uses Accessory Building or Structures Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Ainsworth Resort Commercial C3 Development Regulations Table 28.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Community Service CS Development Regulations Table 29.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Parks and Recreation PR	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.

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Development Regulations Table 30.9			
Parks and Recreation Ainsworth Resort PR1 Development Regulations Table 31.9	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Environmental Reserve ER Development Regulations Table 32.7	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.
Resource Area RA Development Regulations Table 33.7	Minimum site area for Subdivision:	AMEND Minimum lot area for Subdivision:	Correct term.

Attachment 'B': Concurrence Table

Amendments to Electoral Area 'G' Land Use Bylaw No. 2452, 2018 Schedule B Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Interpretation 17.0		NEW BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Updated to add clarity to accessory tourist accommodation.
Interpretation 17.0		NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Interpretation 17.0	DAY CARE FACILITY means a building licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven (7) or more children under six (6) years of age not forming part of the operator's family . Care of less than seven (7) children under six (6) years of age is considered under home based business regulations;	AMEND DAY CARE FACILITY means a building licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven or more children under six years of age not forming part of the operator's household . Care of less than seven children under six years of age is considered under home based business regulations;	Household is a more modern term and will be used throughout the bylaw.
Interpretation		NEW	Add clarity.

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17.0		DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	
Interpretation 17.0	DWELLING, ACCESSORY means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath. Common accessory dwellings include, but are not limited to: secondary suites, cottages, carriage houses and garage suites;	AMEND ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	Updated and consistent definition across all bylaws.
Interpretation 17.0	DWELLING, MULTI-FAMILY means a detached building, used exclusively for residential purposes, consisting of three (3) or more dwelling units, either with private individual access or common access intended to be used as a residence by three (3) or more families living independently of each other;	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	Modernize definition.
Interpretation 17.0	DWELLING, ONE FAMILY means a detached building used exclusively for residential purposes, consisting of one dwelling unit used or intended to be used as the residence of one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite.	Clarify and modernize.

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		This use includes manufactured homes;	
Interpretation 17.0	DWELLING, TWO FAMILY means a detached building used exclusively for residential purposes, as a duplex or dwelling separated by a common wall or floor where one unit may be a secondary suite intended to be used as a residence by two (2) families living independently of each other;	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;	Clarify and modernize.
Interpretation 17.0	DWELLING UNIT means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities; and includes: manufactured homes, mobile homes, tiny homes, shipping containers, suites and any other structures to be used as a dwelling unit;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Interpretation 17.0		NEW HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or c) a group of not more than five persons, including boarders,	Household is a more modern term and will be used throughout the bylaw.

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		<p>who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
Interpretation 17.0		<p>NEW PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;</p>	Define term used currently in bylaw.
Interpretation 17.0		<p>NEW PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used;</p>	Define term used currently in bylaw.

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Interpretation 17.0	SECONDARY SUITE means a dwelling unit having a total floor space of not more than 90 square metres in area or 40% of the habitable floor space of the building, located within a building of residential occupancy and containing only one other dwelling unit located in any part of a building which is a single real estate entity;	AMEND SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;	Clarify and modernize.
Interpretation 17.0	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	AMEND SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;	Consistently use kitchen definition.
Permitted and Prohibited Uses 18.13	The minimum site area for a lot subdivided under Section 514 of the Local Government Act shall be the minimum lot area of the zone in which the lot is located unless otherwise stated.	AMEND The minimum lot area for a lot subdivided under Section 514 of the Local Government Act shall be the minimum lot area of the zone in which the lot is located unless otherwise stated.	Use consistent terms when referring to subdivision.
Density Regulations 18.16	Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum site area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum lot area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.	Use consistent terms when referring to subdivision.
Density Regulations 18.17	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum	AMEND Where it is not possible to create a lot that has the minimum lot area	Use consistent terms when referring to subdivision.

Attachment 'B': Concurrence Table

	<p>site area requirement will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:</p>	<p>required for a zone, the minimum lot area requirement will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:</p>	
<p>Density Regulations 18.18</p>	<p>The minimum site area for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.</p>	<p>AMEND The minimum lot area for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.</p>	<p>Use consistent terms when referring to subdivision.</p>
<p>Density Regulations 18.19</p>	<p>Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area.</p>	<p>AMEND Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area.</p>	<p>Use consistent terms when referring to subdivision.</p>
<p>Accessory Dwelling 18.37-38</p>	<p>37. Subject to approval from the regional health authority for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be the same as for a two family dwelling, depending on the level of servicing, and can be either attached or 	<p>AMEND An accessory dwelling unit is subject to the following regulations:</p> <ul style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. c. Notwithstanding section 37(b) secondary suites are permitted an all lots. 	<p>Update.</p>

Attachment 'B': Concurrence Table

	<p>detached from the principal dwelling;</p> <p>b. the maximum gross floor area is limited to 90 square metres; and</p> <p>c. the accessory dwelling shall not be a recreational vehicle or other vehicle.</p> <p>38. One (1) additional off street parking space must be provided for an accessory dwelling</p>	<p>d. The maximum gross floor area is 90.0 square metres.</p> <p>e. The maximum height is 8.0 metres.</p> <p>f. The maximum number of storeys is 2.</p> <p>g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.</p> <p>h. An accessory dwelling unit is not permitted to be used as a bed and breakfast or a vacation rental.</p> <p>i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.</p> <p>j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.</p>	
<p>Accessory Tourist Accommodation 18.41.a</p>	<p>operations shall be confined to the principal dwelling or to an accessory dwelling;</p>	<p>AMEND operations shall be confined to the principal dwelling;</p>	<p>Clarify the intent of Bed and Breakfasts versus Short Term Rentals.</p>

Attachment 'B': Concurrence Table

<p>Off-Street Parking and Loading Facilities 18.54</p>	<p>Dwelling (one family) 2 spaces per dwelling unit Dwelling (two-family) 2 spaces per dwelling unit Dwelling (multi-family) 1.5 spaces per dwelling unit Dwelling (accessory) 1 space per dwelling unit</p>	<p>AMEND Single Detached Housing 2 spaces Duplex Housing 4 spaces Multi-Unit Housing 1.5 spaces per dwelling unit Accessory Dwelling Unit 1 space</p>	<p>Update terms.</p>
<p>Town-Site Residential (R1) Permitted Uses Table 19.1</p>	<p>Principal Uses Dwelling, One Family Dwelling, Two Family Dwelling, Multi-Family</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Home-based Business Horticulture Keeping of Farm Animals</p>	<p>AMEND Principal Uses Single Detached Housing Duplex Housing Multi-Unit Housing</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home-based Business Horticulture Keeping of Farm Animals</p>	<p>Update terms.</p>
<p>Town-Site Residential (R1) Development Regulations Table 19.2</p>	<p>Minimum site area for each Principal Use: Community Water System and Community Wastewater System 0.1 hectares</p> <p>Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System 0.2 hectares</p>	<p>AMEND Minimum site area for each Principal Use: Community Water System and Community Wastewater System: Single Detached Housing or Duplex Housing 0.1 hectare Multi-Unit Housing 300 square metres per unit</p> <p>Community Water System and On-site Wastewater Disposal or Individual</p>	<p>Adjust site area to reflect permitted densities.</p>

Attachment 'B': Concurrence Table

	Individual Water Source and On-site Wastewater Disposal 1.0 hectares	Water Source and Community Wastewater System: Single Detached Housing or Duplex Housing 0.8 hectare Multi-Unit Housing 0.1 hectare per unit Individual Water Source and On-site Wastewater Disposal: Single Detached Housing or Duplex Housing 1.0 hectare Multi-Unit Housing 0.4 hectare per unit	
Country Residential (R2) Permitted Uses Table 20.1	Principal Uses Dwelling, One Family Dwelling, Two Family Accessory Uses Accessory Building or Structures Accessory Dwellings with the exception of Hall Siding Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals	AMEND Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals	Update terms and permit an accessory dwelling unit everywhere.
Country Residential (R2) Development Regulations Table 20.2	Minimum lot area for each Principal Use 1.0 hectares	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential (R3)	Principal Uses Cabin	AMEND Principal Uses	Update terms.

Attachment 'B': Concurrence Table

<p>Permitted Uses Table 21.1</p>	<p style="color: red;">Dwelling, One Family Dwelling, Two Family</p> <p>Horticulture Portable Sawmill</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing</p>	<p>Cabin Single Detached Housing Duplex Housing Horticulture Portable Sawmill</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum ten dogs over one year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing</p>	
<p>Rural Residential (R3) Development Regulations Table 21.2</p>	<p>Minimum lot area for each Principal Use 2.0 hectares</p>	<p>AMEND The maximum density is 2 Dwelling Units.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Remote Residential (R4) Permitted Uses Table 22.1</p>	<p>Principal Uses Cabin Dwelling, One Family Dwelling, Two Family Horticulture Portable Sawmill</p>	<p>AMEND Principal Uses Cabin Single Detached Housing Duplex Housing Horticulture Portable Sawmill</p>	<p>Update terms.</p>

Attachment 'B': Concurrence Table

	<p>Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing</p>	<p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing</p>	
<p>Remote Residential (R4) Development Regulations Table 22.2</p>	<p>Minimum lot area for each Principal Use 4.0 hectares</p>	<p>AMEND The maximum density is 2 Dwelling Units.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Multi Unit Residential (R5) Permitted Uses Table 23.1</p>	<p>Principal Uses Dwelling, Multi-Family Manufactured Home Park</p> <p>Accessory Uses Accessory Building or Structures Home-based Business Horticulture</p>	<p>AMEND Principal Uses Multi-Unit Residential Manufactured Home Park</p> <p>Accessory Uses Accessory Building or Structures Home-based Business Horticulture</p>	<p>Update terms.</p>
<p>Multi Unit Residential (R5)</p>	<p>Minimum site area for Dwelling, Multi-Family:</p>	<p>AMEND Minimum site area for Multi-Unit Residential (per dwelling unit):</p>	<p>Update terms and adjust site area to reflect permitted densities.</p>

Attachment 'B': Concurrence Table

<p>Development Regulations Table 23.2</p>	<p>Community Water System and Community Wastewater System 0.1 hectares</p> <p>Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System 0.2 hectares</p> <p>Individual Water Source and On-site Wastewater Disposal 1.0 hectares</p> <p>Minimum site area for Manufactured Home Park 0.8 hectares</p> <p>DEVELOPMENT REGULATIONS FOR DWELLING, MULTI-FAMILY</p>	<p>Community Water System and Community Wastewater System 300 square metres</p> <p>Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System 0.1 hectare</p> <p>Individual Water Source and On-site Wastewater Disposal 0.4 hectare</p> <p>Minimum site area for Manufactured Home Park 0.8 hectare</p> <p>DEVELOPMENT REGULATIONS FOR MULTI-UNIT HOUSING</p>	
<p>Tourist Commercial (C2) Permitted Uses Table 25.1</p>	<p>Principal Uses</p> <p>Artisan Craft Production and Sales</p> <p>Breweries and Distilleries</p> <p>Campground</p> <p>Commercial Back Country Recreation</p> <p>Dwellings, Multi-Family</p> <p>Eating and Drinking Establishment</p> <p>Golf Course</p> <p>Tourist Accommodation</p> <p>Interpretive Facilities</p> <p>Mixed Use Development</p> <p>Museum</p> <p>Outdoor Recreational Activities</p> <p>Resort</p> <p>Vacation Rental</p>	<p>AMEND</p> <p>Principal Uses</p> <p>Artisan Craft Production and Sales</p> <p>Breweries and Distilleries</p> <p>Campground</p> <p>Commercial Back Country Recreation</p> <p>Multi-Unit Housing</p> <p>Eating and Drinking Establishment</p> <p>Golf Course</p> <p>Tourist Accommodation</p> <p>Interpretive Facilities</p> <p>Mixed Use Development</p> <p>Museum</p> <p>Outdoor Recreational Activities</p> <p>Resort</p> <p>Vacation Rental</p>	<p>Update terms.</p>

Attachment 'B': Concurrence Table

	<p>Accessory Uses to 'Tourist Accommodation' and 'Campgrounds'</p> <p>Laundromat Liquor Store Personal Service Establishment Retail Store</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling</p>	<p>Accessory Uses to 'Tourist Accommodation' and 'Campgrounds'</p> <p>Laundromat Liquor Store Personal Service Establishment Retail Store</p> <p>Accessory Uses Accessory Building or Structures Caretaker Suite</p>	
<p>Light Industrial (M1) Permitted Uses Table 26.1</p>	<p>Accessory Uses Accessory Building or Structures Accessory Dwelling</p>	<p>AMEND Accessory Uses Accessory Building or Structures Caretaker Suite</p>	Update term.
<p>Medium Industrial (M2) Permitted Uses Table 27.1</p>	<p>Accessory Uses Accessory Building or Structures Accessory Dwelling</p>	<p>AMEND Accessory Uses Accessory Building or Structures Caretaker Suite</p>	Update term.
<p>Heavy Industrial (M3) Permitted Uses Table 28.1</p>	<p>Accessory Uses Accessory Building or Structures Accessory Dwelling</p>	<p>AMEND Accessory Uses Accessory Building or Structures Caretaker Suite</p>	Update term.
<p>Agriculture (AG) Permitted Uses Table 30.1</p>	<p>Principal Uses Agriculture, Farm Buildings and Structures Abattoir Dwelling, One Family Dwelling, Two Family Farm Use (as defined in the Agricultural Land Commission Act and Part 2 Section 2 of the</p>	<p>AMEND Principal Uses Agriculture, Farm Buildings and Structures Abattoir Single Detached Housing Farm Use (as defined in the Agricultural Land Commission Act and Part 2 Section 2 of the Agricultural</p>	Update term and comply with Agricultural Land Commission regulations regarding residential use.

Attachment 'B': Concurrence Table

	<p>Agricultural Land Reserve Use, Subdivision and Procedures Regulation) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Non-Soil Based Cannabis Facilities may be subject to ALC Non-Farm Use approval where applicable</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwellings (as defined in the Agricultural Land Commission Act and the Agricultural Land Reserve Use, Subdivision and Procedures Regulation) Accessory Manufactured Home (for the use of an immediate family member) Accessory Secondary Suites Accessory Tourist Accommodation Accessory Camping Accommodation Home Based Business Secondary Dwellings (subject to a lot being at least 50 hectares) Non-Farm Uses (as defined in the Agricultural Land Commission Act and the Agricultural Land Reserve Use, Subdivision and Procedures Regulation)</p>	<p>Land Reserve Use, Subdivision and Procedures Regulation) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Non-Soil Based Cannabis Facilities may be subject to ALC Non-Farm Use approval where applicable</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Tourist Accommodation Accessory Camping Accommodation Home Based Business Non-Farm Uses (as defined in the Agricultural Land Commission Act and the Agricultural Land Reserve Use, Subdivision and Procedures Regulation)</p>	
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Attachment 'B': Concurrence Table

Agriculture (AG) Development Regulations Table 30.2B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Quarry (Q) Permitted Uses Table 33.1	Accessory Uses Accessory Building or Structures Accessory Dwelling	AMEND Accessory Uses Accessory Building or Structures Caretaker Suite	Update term.

Attachment 'B': Concurrence Table

Amendments to Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

Section Number	Existing Item / Wording	Change	Rationale
Division 5 Interpretation	ACCESSORY DWELLING means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath. Common accessory dwellings include, but are not limited to: secondary suites, cottages, carriage houses and garage suites;	AMEND ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;	Updated and consistent definition across all bylaws.
Division 5 Interpretation	BED AND BREAKFAST means an accessory use located wholly within a principal one-family dwelling that provides temporary lodging for tourists and visitors;	AMEND BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;	Keep consistent with other definitions.
Division 5 Interpretation	-	NEW CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;	Clarify the accessory residential use in industrial and commercial zones.
Division 5 Interpretation	CARRIAGE HOUSE means a secondary and self contained dwelling unit located within a building used or	DELETE	See Accessory Dwelling Unit definition.

Attachment 'B': Concurrence Table

	intended to be used as a residence for one (1) family where the dwelling unit is built over an existing garage or car-port and is either purpose built or a conversion of an existing building;		
Division 5 Interpretation	DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three (3) or more children under six (6) years of age not forming part of the operator's family ;	AMEND DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household ;	Household is a more modern term and will be used throughout the bylaw.
Division 5 Interpretation	DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed in units per acre or hectare, or alternatively as the site area required per dwelling unit;	AMEND DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;	Align with how bylaw calculates density.
Division 5 Interpretation	DWELLING UNIT means one (1) or more rooms in a detached building with self-contained eating, living, sleeping and sanitary facilities and not more than one kitchen, used or intended to be used as a residence for no more than one (1) family;	AMEND DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;	Use a consistent definition.
Division 5 Interpretation	DWELLING, MULTI-FAMILY means a detached building, used exclusively for residential purposes, consisting of	AMEND MULTI-UNIT HOUSING means a detached building, used exclusively for	Modernize definition.

Attachment 'B': Concurrence Table

	three (3) or more dwelling units, either with private individual access or common access intended to be used as a residence by three (3) or more families living independently of each other;	residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;	
Division 5 Interpretation	DWELLING, ONE-FAMILY means a detached building used exclusively for residential purposes, consisting of one (1) dwelling unit used or intended to be used as the residence of one (1) family;	AMEND SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;	Clarify and modernize.
Division 5 Interpretation	DWELLING, TWO-FAMILY means a detached building used exclusively for residential purposes, as a duplex or dwelling separated by a common wall or floor where one unit may be a secondary suite intended to be used as a residence by two (2) families living independently of each other;	AMEND DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;	Clarify and modernize.
Division 5 Interpretation	FAMILY means one (1) or more persons related by blood, marriage, adoption or foster parenthood, occupying a dwelling unit; or not more than five (5) unrelated persons sharing a dwelling unit; or residents of a group home;	AMEND HOUSEHOLD means: a) a person; or b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit	Household is a more modern term and will be used throughout the bylaw.

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		<p>as a single household using a common kitchen; or</p> <p>c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or</p> <p>d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;</p> <p>in addition, a household may also include up to one housekeeper or nanny;</p>	
<p>Division 5 Interpretation</p>	<p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight (8) persons under care who operate as the functional equivalent of a family; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;</p>	<p>Household is a more modern term and will be used throughout the bylaw.</p>

Attachment 'B': Concurrence Table

Division 5 Interpretation	HOUSEKEEPING UNIT means a room with cooking facilities used for the temporary accommodation of travellers;	AMEND HOUSEKEEPING UNIT means a room with a kitchen used for the temporary accommodation of travellers;	Consistently use kitchen definition.
Division 5 Interpretation	IMMEDIATE FAMILY means father, mother, father-in-law, mother-in-law, son, daughter, sister, brother, grandchildren, grandparents, and great-grandparents.	DELETE	Term no longer referenced in bylaw.
Division 5 Interpretation	PRINCIPAL DWELLING means a principal residential unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not a secondary or accessory dwelling unit, or any vehicle.	AMEND PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;	Keep terminology consistent.
Division 5 Interpretation	SECONDARY SUITE means a self-contained, accessory dwelling unit within a one-family dwelling that has its own separate entrance and provides living accommodation. A secondary suite does not include a multi-family dwelling, tourist accommodation, or a recreational vehicle;	AMEND SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;	Clarify and modernize.
Division 5 Interpretation	SHORT TERM RENTAL means the use of a dwelling unit to provide tourist accommodation;	AMEND SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;	Use consistent definition.

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Division 5 Interpretation	SLEEPING UNIT means either a unit in a residential care facility or a room without cooking facilities used for the temporary accommodation of travellers;	AMEND SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;	Consistently use kitchen definition.
Division 5 Interpretation	VACATION RENTAL means the use of a self contained dwelling for the purposes of providing temporary lodging for tourists and visitors;	DELETE	Duplicate definition not referenced in bylaw. Refer to Short Term Rentals.
Site Areas 602.2	The minimum parcel size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	For consistency lot size will be used throughout the bylaw when discussing subdivision.
Reduction of Minimum Site Areas -Lot Sizes 603.1	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum site area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	For consistency lot size will be used throughout the bylaw when discussing subdivision.
Reduction of Minimum Site Areas -Lot Sizes 603.2	Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:	For consistency lot size will be used throughout the bylaw when discussing subdivision.

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Reduction of Minimum Site Areas-Lot Sizes 603.3	The minimum site area for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	For consistency lot size will be used throughout the bylaw when discussing subdivision.
Reduction of Minimum Site Areas-Lot Sizes 603.4	Despite Section 603(3), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area .	AMEND Despite Section 603(3), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size .	For consistency lot size will be used throughout the bylaw when discussing subdivision.
Off Street Parking and Loading Space Requirements Residential	One-Family Dwelling: 2 spaces per dwelling unit Two-Family Dwelling: 2 spaces per dwelling unit / 4 spaces total Multi-Family Dwelling: 1.2 spaces per dwelling unit	AMEND Single Detached Housing: 2 spaces Accessory Dwelling Unit: 1 space Duplex Housing: 4 spaces Multi-Unit Housing: 1.2 spaces per dwelling unit	Updated term and require parking for Accessory Dwelling Units.
Development Permit Variances 622	Pursuant to Section 489 of the Local Government Act, setback and height variances may be approved by the Regional District on a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-family developments can be achieved provided that no siting variances cross a property line.	AMEND Pursuant to Section 489 of the Local Government Act, setback and height variances may be approved by the Regional District on a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-unit housing developments can be achieved provided that no siting variances cross a property line.	Updated term.

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<p>Secondary Suites Accessory Dwelling Units 623</p>	<p>A secondary suite is subject to the following regulations:</p> <ol style="list-style-type: none"> 1. No more than one secondary suite is permitted per one family dwelling. 2. A secondary suite shall not exceed 90 square metres gross floor area. 3. A secondary suite shall not be connected to a single detached house by a breezeway or carport. 4. A secondary suite is not permitted in conjunction with accessory tourist accommodation. 5. One parking space for the secondary suite is required in addition to those required for the principal dwelling. 	<p>AMEND</p> <p>An accessory dwelling unit is subject to the following regulations:</p> <ol style="list-style-type: none"> a. The maximum number of accessory dwelling units per lot is one. b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare. c. Notwithstanding section 623(b) secondary suites are permitted an all lots. d. The maximum gross floor area is 90.0 square metres. e. The maximum height is 8.0 metres. f. The maximum number of storeys is 2. g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required. h. An accessory dwelling unit is not permitted to be used as accessory tourist 	<p>Update to include desired regulations for Accessory Dwelling Units to apply in all zones.</p>
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Attachment 'B': Concurrence Table

		<p>accommodation or a short term rental.</p> <ul style="list-style-type: none"> i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle. j. A secondary suite shall not be connected to a single detached house by a breezeway or carport. 	
<p>Suburban Residential (R1) Permitted Uses 700</p>	<p>Dwellings: One-Family Two-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>Updated terms and include Accessory Dwelling Units.</p>
<p>Suburban Residential (R1) Development Regulations 701.1</p>	<p>The minimum site area for the following uses shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 1,000 square metres</p> <p>Community Water Supply Only:</p>	<p>AMEND The minimum lot size shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: 0.1 hectare</p> <p>Community Water Supply Only: 0.4 hectare</p> <p>On-Site Servicing Only:</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.</p>

Attachment 'B': Concurrence Table

	<p>One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare</p> <p>On-Site Servicing Only: One-Family Dwelling 1.0 hectare Two-Family Dwelling 1.0 hectare</p>	1.0 hectare	
Suburban Residential (R1) Development Regulations 701.1B		<p>NEW</p> <p>The maximum density is 2 Dwelling Units.</p>	New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.
Ootischenia Suburban Residential (R1A) Permitted Uses 800	<p>Dwellings: One-Family Two-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>AMEND</p> <p>Dwellings: Single Detached Housing Duplex Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	Updated terms and include Accessory Dwelling Units.
Ootischenia Suburban Residential (R1A) Development Regulations 801.1	<p>The minimum site area for the following uses shall be required as follows:</p> <p>Community Water Supply Only: One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare</p> <p>On-Site Servicing Only: One-Family Dwelling 1.0 hectare</p>	<p>AMEND</p> <p>The minimum lot size shall be required as follows:</p> <p>Community Water Supply Only: 0.4 hectare</p> <p>On-Site Servicing Only: 1.0 hectare</p>	As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.

Attachment 'B': Concurrence Table

	Two-Family Dwelling 1.0 hectare		
Ootischenia Suburban Residential (R1A) Development Regulations 801.1B		NEW The maximum density is 2 Dwelling Units.	New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.
Suburban Residential F (R1F) Permitted Uses 900	Dwellings: One-Family Two-Family Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	AMEND Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Updated terms and include Accessory Dwelling Units.
Suburban Residential F (R1F) Development Regulations 901.1	The minimum site area for the following uses shall be required as follows: Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 1,000 square metres Community Water Supply Only: One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare	AMEND The minimum lot size shall be required as follows: Community Water Supply and Community Sewer System: 0.1 hectare Community Water Supply Only: 0.4 hectare On-Site Servicing Only: 1.0 hectare	As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.

Attachment 'B': Concurrence Table

	<p>On-Site Servicing Only: One-Family Dwelling 1.0 hectare Two-Family Dwelling 1.0 hectare</p>		
<p>Suburban Residential F (R1F) Development Regulations 901.1B</p>		<p>NEW The maximum density is 2 Dwelling Units.</p>	<p>New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.</p>
<p>Suburban Residential K (R1K) Permitted Uses 1000</p>	<p>Dwellings: One-Family Two-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Secondary Suite or Carriage House as per Section 1002</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>Updated terms and include Accessory Dwelling Units.</p>
<p>Suburban Residential K (R1K) Development Regulations 1001.1</p>	<p>The minimum site area for the following uses shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 1,000 square metres</p>	<p>AMEND The minimum lot size shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: 0.1 hectare</p> <p>Community Water Supply Only: 0.4 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated using minimum lot size.</p>

Attachment 'B': Concurrence Table

	<p>Community Water Supply Only: One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare</p> <p>On-Site Servicing Only: One-Family Dwelling 1.0 hectare Two-Family Dwelling 1.0 hectare</p>	<p>On-Site Servicing Only: 1.0 hectare</p>	
<p>Suburban Residential K (R1K) Development Regulations 1001.1B</p>		<p>NEW The maximum density is 2 Dwelling Units.</p>	<p>New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.</p>
<p>Suburban Residential K (R1K) Secondary Suites and Carriage Houses 1002</p>	<p>1. Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a one-family dwelling subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the suite shall be the same as for two-family dwelling above depending on level of servicing; b. a maximum gross floor area of 90 square metres; c. the secondary suite or carriage house shall not be a vehicle; and 	<p>DELETE</p>	<p>As this use is now permitted in all zones, this has been moved to general use regulations and updated.</p>

Attachment 'B': Concurrence Table

	<p>d. the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the one-family dwelling.</p> <p>2. The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.</p> <p>3. A secondary suite shall not comprise more than 40 percent of the total floor area of the dwelling.</p> <p>4. One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house.</p> <p>5. Recreation vehicles shall not be used as rental accommodation.</p> <p>6. Secondary suites and Carriage Houses shall not be used as tourist accommodation.</p>		
<p>Country Residential (R2) Permitted Uses 1100</p>	<p>Dwellings: One-Family Two-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business</p>	<p>AMEND</p> <p>Dwellings: Single Detached Housing Duplex Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit</p>	<p>Updated terms and include accessory dwelling units.</p>

Attachment 'B': Concurrence Table

	Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	
Country Residential (R2) Development Regulations 1101.1	The minimum site area for each permitted use shall be one (1) hectare.	AMEND The minimum lot size is 1.0 hectare.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential (R2) Development Regulations 1101.2	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.	Use consistent language.
Country Residential (R2) Development Regulations 1101.5	One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of Section 1101(1).	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential I (R2I) Permitted Uses 1200	Dwellings: One-Family Two-Family Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals	AMEND Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	
Country Residential I (R2I) Development Regulations 1201.1	The minimum site area for each permitted use shall be one (1) hectare.	AMEND The minimum lot size is 1.0 hectare.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential I (R2I) Development Regulations 1201.2	Not more than one (1) one-family dwelling or one (1) two-family dwelling shall be located on a lot, except where the lot has a one-family dwelling; a manufactured home may be placed on the lot to provide temporary accommodation for immediate family of the occupant of the principal dwelling.	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential I (R2I) Development Regulations 1201.3	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.	Use consistent language.
Country Residential K (R2K) Permitted Uses 1300	Dwellings: One-Family Two-Family Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Day Care Facility	AMEND Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Secondary Suites and Carriage Houses as per Section 1302 Temporary Guest Accommodation as per Section 1303	Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Temporary Guest Accommodation as per Section 1303	
Country Residential K (R2K) Development Regulations 1301.1	The minimum site area for each permitted use shall be one (1) hectare	AMEND The minimum lot size is 1.0 hectare.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential K (R2K) Development Regulations 1301.2	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act with the approval of the Interior Health Authority shall be 0.8 hectare.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act with the approval of the Interior Health Authority shall be 0.8 hectare.	Use consistent language.
Country Residential K (R2K) Development Regulations 1301.5	One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of Section 1301(1).	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential K (R2K) Secondary Suites and Carriage Houses 1302	1. Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a one-family dwelling subject to the following:	DELETE	As this use is now permitted in all zones, this has been moved to general use regulations and updated.

Attachment 'B': Concurrence Table

	<ul style="list-style-type: none"> a. the minimum site area shall be 1 hectare; b. a maximum gross floor area of 90 square metres; c. the secondary suite or carriage house shall not be a vehicle; and d. the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the one-family dwelling. <ul style="list-style-type: none"> 2. The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres. 3. A secondary suite shall not comprise more than 40 percent of the total floor area of the primary dwelling. 4. One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house. 5. Recreation vehicles shall not be used as rental accommodation. 6. Secondary suites and Carriage Houses shall not be used as tourist accommodation. 		
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Attachment 'B': Concurrence Table

<p>Country Residential K (R2K) Temporary Guest Accommodation 1303.1</p>	<p>Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a one-family or two-family dwelling subject to the following:</p>	<p>AMEND Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to the following:</p>	<p>Updates terms.</p>
<p>Country Residential SA (R2SA – South Arrow) Permitted Uses 1400</p>	<p>Dwellings: One-Family Two-Family</p> <p>Horticulture</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only Temporary Guest Accommodation as per Section 1402</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Horticulture</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only Temporary Guest Accommodation as per Section 1402</p>	<p>Updated terms and include accessory dwelling units.</p>
<p>Country Residential SA (R2SA – South Arrow) Development Regulations 1401.1</p>	<p>The minimum site area for each permitted use shall be one (1) hectare.</p>	<p>AMEND The minimum lot size is 1.0 hectare.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>

Attachment 'B': Concurrence Table

Country Residential SA (R2SA – South Arrow) Development Regulations 1401.2	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare	Use consistent language.
Country Residential SA (R2SA – South Arrow) Development Regulations 1401.5	One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of Section 1401(1).	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Country Residential SA (R2SA – South Arrow) Temporary Guest Accommodation 1402.1	Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a one-family or two-family dwelling subject to the following:	AMEND Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached housing or duplex housing subject to the following:	Updated terms.
Rural Residential (R3) Permitted Uses 1500	Dwellings: One-Family Two-Family Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business	AMEND Dwellings: Single Detached Housing Duplex Housing Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	<p>Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only</p>	<p>Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only</p>	
<p>Rural Residential (R3) Development Regulations 1501.1</p>	<p>The minimum site area for each permitted use shall be two (2) hectares.</p>	<p>AMEND The minimum lot size is 2.0 hectares.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Rural Residential (R3) Development Regulations 1501.4</p>	<p>One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of section 1501(1).</p>	<p>AMEND The maximum density is 2 Dwelling Units.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Rural Residential I (R3I) Permitted Uses 1600</p>	<p>Dwellings: One-Family Two-Family</p> <p>Horticulture Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Horticulture Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis</p>	<p>Updated terms and include accessory dwelling units.</p>

Attachment 'B': Concurrence Table

	Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	
Rural Residential I (R3I) Development Regulations 1601.1	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential I (R3I) Development Regulations 1601.2	One one-family dwelling or two-family dwelling is permitted and one additional one-family dwelling or two-family dwelling shall be permitted per every additional four (4) hectares of lot area.	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential I (R3I) Development Regulations 1601.3	The minimum parcel size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 1.6 hectares.	AMEND The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 1.6 hectares.	Use consistent language.
Rural Residential K (R3K) Permitted Uses 1700	Dwellings: One-Family Two-Family Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis	AMEND Dwellings: Single Detached Housing Duplex Housing Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Small Scale Wood Product Manufacturing subject to Section 1702 Temporary Guest Accommodation subject to Section 1703	Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Small Scale Wood Product Manufacturing subject to Section 1702 Temporary Guest Accommodation subject to Section 1703	
Rural Residential K (R3K) Development Regulations 1701.1	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Residential K (R3K) Development Regulations 1701.5	Despite Section 1701(1), a manufactured home on a non-permanent foundation may be permitted in addition to a one-family dwelling.	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot. Accessory dwelling units are no longer limited by form.
Rural Residential K (R3K) Small Scale Wood Product Manufacturing 1702.1	The minimum parcel size shall be 2.0 hectares.	AMEND The minimum lot size shall be 2.0 hectares.	Use consistent language.
Rural Residential K (R3K) Temporary Guest Accommodation	Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, two (2) cabins per lot for the temporary accommodation of	AMEND Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, two cabins per lot for	Updated terms.

Attachment 'B': Concurrence Table

1703.1	guests is permitted as an accessory use to a one-family or two-family dwelling subject to the following:	the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to the following:	
Rural Resource (R4) Permitted Uses 1800	Dwellings: One-Family Two-Family Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills	AMEND Dwellings: Single Detached Housing Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills	Updated terms and include accessory dwelling units.
Rural Resource (R4) Development Regulations 1801.1	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource (R4)	One-family dwellings and two-family dwellings shall be permitted subject	AMEND	To accommodate accessory dwelling units, staff recommend using minimum

Attachment 'B': Concurrence Table

Development Regulations 1801.4	to conformance with the density provisions of section 1801(1).	The maximum density is 2 Dwelling Units.	lot size and maximum density to control development on a residential lot.
Rural Resource K (R4K) Permitted Uses 1900	<p>Dwellings: One-Family Two-Family</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 1902</p>	<p>AMEND</p> <p>Dwellings: Single Detached Housing Duplex Housing</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 1902</p>	Updated terms and include accessory dwelling units.
Rural Resource K (R4K) Development Regulations 1901.1	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource K (R4K)	One-family dwellings and two-family dwellings shall be permitted subject	AMEND	To accommodate accessory dwelling units, staff recommend using minimum

Attachment 'B': Concurrence Table

Development Regulations 1901.4	to conformance with the density provisions of section 1901(1).	The maximum density is 2 Dwelling Units.	lot size and maximum density to control development on a residential lot.
Rural Resource K (R4K) Temporary Guest Accommodation 1902.1	Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a one-family dwelling or two-family dwelling subject to a maximum gross floor area of 75 square metres.	Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to a maximum gross floor area of 75 square metres.	Use consistent language.
Rural Resource (R4SA – South Arrow) Permitted Uses 2000	<p>Dwellings: One-Family Two-Family</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills</p>	<p>AMEND</p> <p>Dwellings: Single Detached Housing Duplex Housing</p> <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	Temporary Guest Accommodation as per Section 2002	Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 2002	
Rural Resource (R4SA – South Arrow) Development Regulations 2001.1	The minimum site area for each permitted use shall be two (2) hectares.	AMEND The minimum lot size is 2.0 hectares.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource (R4SA – South Arrow) Development Regulations 2001.4	One-family dwellings and two-family dwellings shall be permitted subject to conformance with the density provisions of section 2001(1).	AMEND The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Rural Resource (R4SA – South Arrow) Temporary Guest Accommodation 2002.1	Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a one-family or twofamily dwelling subject to a maximum gross floor area of 75 square metres.	AMEND Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached housing or duplex housing subject to a maximum gross floor area of 75 square metres.	Use consistent language.
Multi-Unit Residential (R6) Permitted Uses 2200	Dwellings: One-Family Two-Family Multi-Family Accessory Uses:	AMEND Dwellings: Single Detached Housing Duplex Housing Multi-Unit Housing Accessory Uses: Accessory Buildings and Structures	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	<p>Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture</p>	<p style="color: red;">Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture</p>	
<p>Multi-Unit Residential (R6) Development Regulations 2201.1</p>	<p>The minimum site area (per unit) for the following uses shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 500 square metres Multi-Family Dwelling 300 square metres</p> <p>Community Water Supply Only: One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare Multi-Family Dwelling 0.1 hectare</p> <p>On-Site Servicing Only: One-Family Dwelling 1.0 hectare Two-Family Dwelling 0.75 hectare Multi-Family Dwelling 0.4 hectare</p>	<p style="color: red;">AMEND</p> <p>The minimum site area for the following uses shall be required as follows:</p> <p>Community Water Supply and Community Sewer System: Single Detached or Duplex Housing 0.1 hectare Multi-Unit Housing (per dwelling unit) 300 square metres</p> <p>Community Water Supply Only: Single Detached or Duplex Housing 0.8 hectare Multi-Unit Housing (per dwelling unit) 0.1 hectare</p> <p>On-Site Servicing Only: Single Detached or Duplex Housing 1.0 hectare Multi-Unit Housing (per dwelling unit) 0.4 hectare</p>	<p>As all lots are now required to permit 2 dwelling units, the site areas have been updated using 2 units as a minimum.</p>
<p>Multi-Unit Residential (R6) Development Regulations 2201.4</p>		<p style="color: red;">NEW</p> <p>The minimum lot size for subdivision shall be as follows: Community Water Supply and Community Sewer System: 0.1 hectare</p>	<p>To add clarity.</p>

Attachment 'B': Concurrence Table

		Community Water Supply Only: 0.8 hectare On-Site Servicing Only: 1.0 hectare	
High Density Residential (R6F) Permitted Uses 2300	Dwellings: One-Family Accessory Uses: Accessory Buildings and Structures	AMEND Dwellings: Single Detached Housing Accessory Uses: Accessory Buildings and Structures Secondary Suite	Updated terms and include accessory dwelling units. Only a secondary suite will be permitted due to small lot sizes.
High Density Residential (R6F) Development Regulations 2301.1	The minimum site area for the following uses shall be required as follows: Community Water Supply and Community Sewer System: One-Family Dwelling 400 square metres Community Water Supply Only: One-Family Dwelling 0.2 hectare On-Site Servicing Only: One-Family Dwelling 0.5 hectare	AMEND The minimum lot size for the following uses shall be required as follows: Community Water Supply and Community Sewer System: 400 square metres Community Water Supply Only: 0.2 hectare On-Site Servicing Only: 1.0 hectare	Use consistent terms. Increase minimum lot size for on-site servicing only to reflect Interior Health best practices.
High Density Residential (R6F) Development Regulations 2301.1B		NEW The maximum density is 2 Dwelling Units.	To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.
Multi-Family Residential – F (MFR-F)	Land, buildings and structures in the Multi-Family Residential – F (MFR-F)	AMEND Land, buildings and structures in the Multi-Unit Residential – F (MUR-F)	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

<p>Multi-Unit Residential F (MUR-F) Permitted Uses 2400</p>	<p>zone shall be used for the following purposes only:</p> <p>Dwellings: One-Family Two-Family Multi-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Product</p>	<p>zone shall be used for the following purposes only:</p> <p>Dwellings: Single Detached Housing Duplex Housing Multi-Unit Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Product</p>	
<p>Multi-Family Residential – F (MFR-F) Multi-Unit Residential F (MUR-F) Development Regulations 2401.1</p>	<p>The minimum lot size for Multi-Family Residential – F (MFR-F) shall be a follows:</p> <p>Community Water Supply and Community Sewer System: First Dwelling 0.25 hectare Each Additional Dwelling Unit 200 square metres</p> <p>Community Water Supply Only: First Dwelling 0.25 hectare Each Additional Dwelling Unit 400 square metres</p> <p>On-Site Servicing Only: First Dwelling 0.5 hectare</p>	<p>AMEND</p> <p>The minimum site area for Multi-Unit Residential – F (MUR-F) shall be a follows:</p> <p>Community Water Supply and Community Sewer System: First Dwelling Unit 0.25 hectare Each Additional Dwelling Unit 200 square metres</p> <p>Community Water Supply Only: First Dwelling Unit 0.25 hectare Each Additional Dwelling Unit 400 square metres</p> <p>On-Site Servicing Only: First Dwelling Unit 1.0 hectare</p>	<p>Updated terms.</p> <p>Increase minimum site area for on-site servicing to reflect Interior Health best practices.</p>

Attachment 'B': Concurrence Table

	Each Additional Dwelling Unit 0.1 hectare	Each Additional Dwelling Unit 0.1 hectare	
Multi-Family Residential – F (MFR-F) Multi-Unit Residential F (MUR-F) Development Regulations 2401.2	One-family dwellings, two-family dwellings, or multi-family dwellings shall be permitted subject to conformance with the above site area requirements.	<b style="color: red;">AMEND The minimum lot size for subdivision shall be as follows: Community Water Supply and Community Sewer System: 0.5 hectare Community Water Supply Only: 0.5 hectare On-Site Servicing Only: 1.0 hectare	Add clarity.
Multi-Family Residential – F (MFR-F) Multi-Unit Residential F (MUR-F) Development Regulations 2401.4	Accessory Tourist Accommodation is permitted in both the principal and accessory dwellings.	<b style="color: red;">DELETE	Staff recommend that Accessory Tourist Accommodation is not permitted in accessory dwellings. They should be utilized for housing. Refer to s. 608.
Seasonal Residential (R7) Permitted Uses 2500	Dwellings: One-Family Two-Family Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals	<b style="color: red;">AMEND Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit	Updated terms and include accessory dwelling units.

Attachment 'B': Concurrence Table

	Sale of Site Grown Farm Products	Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products	
Seasonal Residential (R7) Development Regulations 2501.1	The minimum site area for the following uses shall be required as follows: Community Water Supply and Community Sewer System: One-Family Dwelling 700 square metres Two-Family Dwelling 1,000 square metres Community Water Supply Only: One-Family Dwelling 0.2 hectare Two-Family Dwelling 0.4 hectare On-Site Servicing Only: One-Family Dwelling 1.0 hectare Two-Family Dwelling 1.0 hectare	AMEND The minimum lot size shall be required as follows: Community Water Supply and Community Sewer System: 0.1 hectare Community Water Supply Only: 0.4 hectare On-Site Servicing Only: 1.0 hectare	As all lots are now required to permit 2 dwelling units, the lot sizes have been updated using minimum lot size.
Seasonal Residential (R7) Development Regulations 2501.1B		NEW The maximum density is 2 Dwelling Units.	New density provision. This would allow the property owner to decide the housing form(s) they desire but limit the density.
Seasonal Residential (R7) Development Regulations 2501.12	One-family dwellings may be used for short term rentals.	AMEND Single Detached Housing may be used for short term rentals.	Updated terms.

Attachment 'B': Concurrence Table

<p>Heritage Residential – I (HR-I) Permitted Uses 2600</p>	<p>Dwellings: One-Family Two-Family</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products</p>	<p>Updated terms and include accessory dwelling units.</p>
<p>Heritage Residential – I (HR-I) Development Regulations 2601.1</p>	<p>The minimum site area for each permitted use shall be one (1) hectare.</p>	<p>AMEND The minimum lot size is 1.0 hectare.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Country Heritage Residential – I (HR-I) Development Regulations 2601.1B</p>		<p>NEW The maximum density is 2 Dwelling Units.</p>	<p>To accommodate accessory dwelling units, staff recommend using minimum lot size and maximum density to control development on a residential lot.</p>
<p>Agriculture 1 (AG1) Permitted Uses 2700</p>	<p>Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Dwelling, One Family Kennel</p>	<p>AMEND Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Single Detached Housing</p>	<p>Use consistent language.</p>

Attachment 'B': Concurrence Table

	<p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	<p>Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	
<p>Agriculture 1 (AG1) Development Regulations 2701.1</p>	<p>The minimum lot area shall be 4 hectares in the Agricultural Land Reserve and 2 hectares outside the Agricultural Land Reserve.</p>	<p>The minimum lot size shall be 4.0 hectares in the Agricultural Land Reserve and 2.0 hectares outside the Agricultural Land Reserve.</p>	<p>Use consistent language.</p>
<p>Agriculture 1 (AG1) Development Regulations 2701.1B</p>		<p>NEW The maximum density is 2 Dwelling Units.</p>	<p>New density provision for clarity.</p>

Attachment 'B': Concurrence Table

<p>Agriculture 1 (AG1) Development Regulations 2701.5</p>	<p>The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.</p>	<p>AMEND The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.</p>	<p>Use consistent language.</p>
<p>Agriculture 1 (AG1) Development Regulations 2701.6</p>	<p>Subject to approval from the regional health authority for sewage disposal and water supply, 1 accessory dwelling per lot is permitted as an accessory use subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for the accessory dwelling shall be 1 hectare; b. the maximum gross floor area is limited to 90 square metres; and c. the accessory dwelling shall not be a recreational vehicle or other vehicle. 	<p>DELETE</p>	<p>As accessory dwelling units are permitted in all zones this has been moved to general use regulations.</p>
<p>Agriculture 2 (AG2) Permitted Uses 2800</p>	<p>Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Dwelling, One Family Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis</p>	<p>AMEND Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Single Detached Housing Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>Use consistent language.</p>

Attachment 'B': Concurrence Table

	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	<p>Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	
<p>Agriculture 2 (AG2) Development Regulations 2801.1</p>	<p>The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.</p>	<p>The minimum lot size shall be 8.0 hectares in the Agricultural Land Reserve and 4.0 hectares outside the Agricultural Land Reserve.</p>	<p>Use consistent language.</p>
<p>Agriculture 2 (AG2) Development Regulations 2801.1B</p>		<p>NEW The maximum density is 2 Dwelling Units.</p>	<p>New density provision for clarity.</p>
<p>Agriculture 2 (AG2) Development Regulations</p>	<p>The Maximum Gross Floor Area of the Single Family Dwelling is 300.0 square metres.</p>	<p>AMEND The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.</p>	<p>Use consistent language.</p>

Attachment 'B': Concurrence Table

2801.5	<p>Agriculture 2 (AG2) Development Regulations 2801.6</p> <p>Subject to approval from the regional health authority for sewage disposal and water supply, 1 accessory dwelling per lot is permitted as an accessory use subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for each accessory dwelling shall be 1.0 hectare; b. the maximum gross floor area is limited to 90.0 square metres; c. where two accessory dwellings are present, one of the accessory dwellings shall be a secondary suite; and d. the accessory dwelling shall not be a recreational vehicle or other vehicle. 	DELETE	As accessory dwelling units are permitted in all zones this has been moved to general use regulations.
Agriculture 3 (AG3) Permitted Uses 2900	<p>Agriculture</p> <p>All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Dwelling, One Family</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p>	<p>AMEND</p> <p>Agriculture</p> <p>All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Single Detached Housing</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p>	Use consistent language.

Attachment 'B': Concurrence Table

	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Home Based Business Portable Sawmills for processing of material harvested on site only Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	
Agriculture 3 (AG3) Development Regulations 2901.1	The minimum lot area shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	The minimum lot size shall be 60.0 hectares in the Agricultural Land Reserve and 8.0 hectares outside the Agricultural Land Reserve.	Use consistent language.
Agriculture 3 (AG3) Development Regulations 2901.1B		NEW The maximum density is 2 Dwelling Units.	New density provision for clarity.
Agriculture 3 (AG3) Development Regulations 2901.5	The Maximum Gross Floor Area of the Single Family Dwelling is 375.0 square metres.	AMEND The Maximum Gross Floor Area of Single Detached Housing is 375.0 square metres.	Use consistent language.

Attachment 'B': Concurrence Table

<p>Agriculture 3 (AG3) Development Regulations 2901.6</p>	<p>Subject to approval from the regional health authority for sewage disposal and water supply, 2 accessory dwellings per lot is permitted as an accessory use subject to the following:</p> <ul style="list-style-type: none"> a. the minimum site area for each accessory dwelling shall be 1.0 hectare; b. the maximum gross floor area is limited to 90.0 square metres; c. one of the accessory dwellings shall be a secondary suite; and d. the accessory dwelling shall not be a recreational vehicle or other vehicle. 	<p>DELETE</p>	<p>As accessory dwelling units are permitted in all zones this has been moved to general use regulations.</p>
<p>Neighbourhood Commercial (C1) Permitted Uses 3200</p>	<p>Accessory Uses: Accessory Buildings and Structures One Dwelling Unit</p>	<p>AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite</p>	<p>Clarify the accessory residential use in industrial and commercial zones.</p>
<p>General Commercial (C2) Permitted Uses 3300</p>	<p>Accessory Uses: Accessory Buildings and Structures One Dwelling Unit</p>	<p>AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite</p>	<p>Clarify the accessory residential use in industrial and commercial zones.</p>
<p>Tourist Commercial (C3) Permitted Uses 3400</p>	<p>Accessory Uses: Accessory Buildings and Structures One Dwelling Unit</p>	<p>AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite</p>	<p>Clarify the accessory residential use in industrial and commercial zones.</p>
<p>Small-Scale Tourism Accommodation (C5) Permitted Uses 3600</p>	<p>Dwellings: One-Family Two-Family Rental Cabin for Tourist Accommodation</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p>	<p>Updated terms.</p>

Attachment 'B': Concurrence Table

	<p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Sale of Site Grown Farm Product</p>	<p>Rental Cabin for Tourist Accommodation</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business Horticulture Sale of Site Grown Farm Product</p>	
<p>Small-Scale Tourism Accommodation (C5) Development Regulations 3601.1</p>	<p>The minimum lot size for Small Scale Tourism Accommodation (C5) shall be one (1) hectare:</p> <p>Community Water Supply and Community Sewer System: Cabin or Dwelling First Cabin or Dwelling 0.5 hectare Each Additional Cabin or Unit 200 square metres</p> <p>Community Water Supply Only: Cabin or Dwelling First Cabin or Dwelling 0.5 hectare Each Additional Cabin or Unit 400 square metres</p> <p>On-Site Servicing Only: Cabin or Dwelling First Cabin or Dwelling 1.0 hectare Each Additional Cabin or Unit 0.1 hectare</p>	<p>AMEND The minimum lot size shall be 1.0 hectare.</p>	<p>Clarify regulation for better interpretation.</p>
<p>Small-Scale Tourism</p>	<p>One-family dwellings, two-family dwellings, cabin for tourist accommodation shall be permitted</p>	<p>AMEND The maximum permitted density for single detached housing, duplex</p>	<p>Clarify regulation for better interpretation.</p>

Attachment 'B': Concurrence Table

<p>Accommodation (C5) Development Regulations 3601.2</p>	<p>subject to conformance with the above site area requirements.</p>	<p>housing and rental cabins for tourist accommodation shall be in conformance with the below site area requirements:</p> <p>Community Water Supply and Community Sewer System: First Cabin or Dwelling Unit 0.5 hectare Each Additional Cabin or Dwelling Unit 200 square metres</p> <p>Community Water Supply Only: First Cabin or Dwelling Unit 0.5 hectare Each Additional Cabin or Dwelling Unit 400 square metres</p> <p>On-Site Servicing Only: First Cabin or Dwelling Unit 1.0 hectare Each Additional Cabin or Dwelling Unit 0.1 hectare</p>	
<p>Small Scale Tourism Accommodation K (C5K) Permitted Uses 3700</p>	<p>Dwellings: One-Family Two-Family</p> <p>Rental Cabin for Tourist Accommodation</p> <p>Accessory Uses: Accessory Buildings and Structures Accessory Tourist Accommodation Home Based Business</p>	<p>AMEND Dwellings: Single Detached Housing Duplex Housing</p> <p>Rental Cabin for Tourist Accommodation</p> <p>Accessory Uses: Accessory Buildings and Structures</p>	<p>Updated terms.</p>

Attachment 'B': Concurrence Table

	<p>Horticulture Keeping of Farm Animals Sale of Site Grown Farm Product</p>	<p>Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Product</p>	
<p>Small Scale Tourism Accommodation K (C5K) Development Regulations 3701.1</p>	<p>The minimum lot size for Small Scale Tourism Accommodation K (C5K) shall be one (1) hectare:</p> <p>Community Water Supply and Community Sewer System: Cabin or Dwelling First Cabin or Dwelling 0.5 hectare Each Additional Cabin or Unit 200 square metres</p> <p>Community Water Supply Only: Cabin or Dwelling First Cabin or Dwelling 0.5 hectare Each Additional Cabin or Unit 400 square metres</p> <p>On-Site Servicing Only: Cabin or Dwelling First Cabin or Dwelling 1.0 hectare Each Additional Cabin or Unit 0.1 hectare</p>	<p>AMEND The minimum lot size shall be 1.0 hectare.</p>	<p>Clarify regulation for better interpretation.</p>
<p>Small Scale Tourism Accommodation K (C5K) Development Regulations 3701.2</p>	<p>One-family dwellings, two-family dwellings, cabin for tourist accommodation shall be permitted subject to conformance with the above site area requirements.</p>	<p>AMEND The maximum permitted density for single detached housing, duplex housing and rental cabins for tourist accommodation shall be in conformance with the below site area requirements:</p>	<p>Clarify regulation for better interpretation.</p>

Attachment 'B': Concurrence Table

		<p>Community Water Supply and Community Sewer System: First Cabin or Dwelling Unit 0.5 hectare Each Additional Cabin or Dwelling Unit 200 square metres</p> <p>Community Water Supply Only: First Cabin or Dwelling Unit 0.5 hectare Each Additional Cabin or Dwelling Unit 400 square metres</p> <p>On-Site Servicing Only: First Cabin or Dwelling Unit 1.0 hectare Each Additional Cabin or Dwelling Unit 0.1 hectare</p>	
<p>Resort Commercial (C6) Permitted Uses 3800</p>	<p>Cluster Development One-Family Dwelling Two-Family Dwelling Multi-Family Dwelling Lodges and Seasonal Resorts Hotels Cabins Campgrounds Pubs Restaurants Spa, Health Club and Wellness Facilities Personal Service Establishments Recreation Facilities <i>[including ...]</i></p>	<p>AMEND Cluster Development Single Detached Housing Duplex Housing Multi-Unit Housing Lodges and Seasonal Resorts Hotels Cabins Campgrounds Pubs Restaurants Spa, Health Club and Wellness Facilities Personal Service Establishments Recreation Facilities <i>[including ...]</i></p>	<p>Updated terms.</p>

Attachment 'B': Concurrence Table

	<p>Accessory Uses: Maintenance and Infrastructure Buildings and Facilities Employee Accommodation</p>	<p>Accessory Uses: Maintenance and Infrastructure Buildings and Facilities Employee Accommodation</p>	
<p>Resort Commercial (C6) Development Regulations 3801.5</p>	<p>In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply: One-family dwelling 1.5 parking stalls/unit Two-family dwelling 1.5 parking stalls/unit Multi-family dwelling 1.0 parking stalls/unit Cabins 1.0 parking stalls/cabin Campground 1.0 parking stalls/site</p>	<p>AMEND In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply: Single Detached Housing 1.5 parking stalls/unit Duplex Housing 1.5 parking stalls/unit Multi-Unit Housing 1.0 parking stalls/unit Cabins 1.0 parking stalls/cabin Campground 1.0 parking stalls/site</p>	<p>Updated terms.</p>
<p>Resort Commercial (C6) Development Regulations 3801.6</p>	<p>Cluster development shall be defined as development consisting of a combination of one-family dwellings, two-family dwellings and/or cabins arranged in clusters with a minimum of four dwelling units.</p>	<p>AMEND Cluster development shall be defined as development consisting of a combination of single detached housing, duplex housing and/or cabins arranged in clusters with a minimum of four dwelling units.</p>	<p>Updated terms.</p>
<p>Resort Commercial (C6) Development Regulations 3801.7</p>	<p>All development shall be subject to the following minimum site area requirements: One-family dwellings 400 square metres (4306 square feet) Two-family dwellings 300 square metres (3229 square feet) Cabins (no kitchen facility) 250 square metres (2691 square feet)</p>	<p>AMEND All development shall be subject to the following minimum site area requirements: Single Detached Housing 400 square metres (4306 square feet) Duplex Housing 300 square metres (3229 square feet)</p>	<p>Updated terms.</p>

Attachment 'B': Concurrence Table

	<p>Campgrounds 4000 square metres (1.0 acre) Lodges, Seasonal Resorts and Hotels 60 units/gross ha (24.3 units/gross acre) Multi-family Dwelling 30 units/gross ha (12.15 units/gross acre)</p>	<p>Cabins (no kitchen facility) 250 square metres (2691 square feet) Campgrounds 0.4 hectare (1.0 acre) Lodges, Seasonal Resorts and Hotels 60 units/hectare (24.3 units/acre) Multi-Unit Housing 30 units/hectare (12.2 units/acre)</p>	
<p>Resort Commercial 2 (C7) Permitted Uses 3900</p>	<p>Cluster Development One-Family Dwelling Two-Family Dwelling Multi-Family Dwelling Lodges and Seasonal Resorts Hotels Cabins Campgrounds Pubs Restaurants Spa, Health Club and Wellness Facilities Personal Service Establishments Recreation Facilities [<i>including...</i>]</p> <p>Accessory Uses: Maintenance and Infrastructure Buildings and Facilities Employee Accommodation Small Scale Water Extraction and Sales</p>	<p>AMEND Cluster Development Single Detached Housing Duplex Housing Multi-Unit Housing Lodges and Seasonal Resorts Hotels Cabins Campgrounds Pubs Restaurants Spa, Health Club and Wellness Facilities Personal Service Establishments Recreation Facilities [<i>including...</i>]</p> <p>Accessory Uses: Maintenance and Infrastructure Buildings and Facilities Employee Accommodation Small Scale Water Extraction and Sales</p>	<p>Updated terms.</p>
<p>Resort Commercial 2 (C7) Development Regulations 3901.5</p>	<p>In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply:</p>	<p>AMEND In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply:</p>	<p>Updated terms.</p>

Attachment 'B': Concurrence Table

	<p>One-family dwelling 1.5 parking stalls/unit</p> <p>Two-family dwelling 1.5 parking stalls/unit</p> <p>Multi-family dwelling 1.0 parking stalls/unit</p> <p>Cabins 1.0 parking stalls/cabin</p> <p>Campground 1.0 parking stalls/site</p>	<p>Single Detached Housing 1.5 parking stalls/unit</p> <p>Duplex Housing 1.5 parking stalls/unit</p> <p>Multi-Unit Housing 1.0 parking stalls/unit</p> <p>Cabins 1.0 parking stalls/cabin</p> <p>Campground 1.0 parking stalls/site</p>	
Resort Commercial 2 (C7) Development Regulations 3901.6	Cluster development shall be defined as development consisting of a combination of one-family dwellings , two-family dwellings and/or cabins arranged in clusters with a minimum of four dwelling units.	AMEND Cluster development shall be defined as development consisting of a combination of single detached housing , duplex housing and/or cabins arranged in clusters with a minimum of four dwelling units.	Updated terms.
Resort Commercial (C6) Development Regulations 3901.7	All development shall be subject to the following minimum site area requirements: One-family dwellings 400 square metres (4306 square feet) Two-family dwellings 300 square metres (3229 square feet) Cabins (no kitchen facility) 250 square metres (2691 square feet) Campgrounds 4000 square metres (1.0 acre) Lodges, Seasonal Resorts and Hotels 60 units/gross ha (24.3 units/gross acre) Multi-family Dwelling 30 units/gross ha (12.15 units/gross acre)	AMEND All development shall be subject to the following minimum site area requirements: Single Detached Housing 400 square metres (4306 square feet) Duplex Housing 300 square metres (3229 square feet) Cabins (no kitchen facility) 250 square metres (2691 square feet) Campgrounds 0.4 hectare (1.0 acre) Lodges, Seasonal Resorts and Hotels 60 units/hectare (24.3 units/acre) Multi-Unit Housing 30 units/hectare (12.2 units/acre)	Updated terms.
Light Industrial (M1) Permitted Uses	Accessory Uses: Accessory Buildings and Structures Business Office	AMEND Accessory Uses:	Clarify the accessory residential use in industrial and commercial zones.

Attachment 'B': Concurrence Table

4000	One Dwelling Unit	Accessory Buildings and Structures Business Office Caretaker Suite	
Medium Industrial (M2) Permitted Uses 4100	Accessory Uses: Accessory Buildings and Structures Business Office One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Business Office Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Heavy Industrial (M3) Permitted Uses 4200	Accessory Uses: Accessory Buildings and Structures Business Office One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Business Office Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Industrial – Logging (M4) Permitted Uses 4300	Accessory Uses: Accessory Buildings and Structures Business Office One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Business Office Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Industrial – Railway (M5) Permitted Uses 4400	Accessory Uses: Accessory Buildings and Structures One Dwelling Unit Warehousing	AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite Warehousing	Clarify the accessory residential use in industrial and commercial zones.
Industrial – Airport (M6) Permitted Uses 4500	Accessory Uses: Accessory Buildings and Structures One Dwelling Unit Warehousing	AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite Warehousing	Clarify the accessory residential use in industrial and commercial zones.
Institutional (I) Permitted Uses 4600	Accessory Uses: Accessory Buildings and Structures One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Park and Recreation (PR)	Accessory Uses: Accessory Buildings and Structures	AMEND Accessory Uses:	Clarify the accessory residential use in industrial and commercial zones.

Attachment 'B': Concurrence Table

Permitted Uses 4700	Concession Booth One Dwelling Unit	Accessory Buildings and Structures Caretaker Suite Concession Booth	
Special Recreation 1 (PR1) Permitted Uses 4800	Accessory Uses: Accessory Buildings and Structures Club House(s) Storage Facilities One Dwelling Unit (for a caretaker)	AMEND Accessory Uses: Accessory Buildings and Structures Club House(s) Storage Facilities Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Quarry (Q) Permitted Uses 5000	Accessory Uses: Accessory Buildings and Structures Business Office One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Business Office Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Environmental Reserve (ER) Permitted Uses 5100	Accessory Uses: Accessory Buildings and Structures Interpretive Facilities One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Interpretive Facilities Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Forest Resource (FR) Permitted Uses 5200	Accessory Uses: Accessory Buildings and Structures One Dwelling Unit	AMEND Accessory Uses: Accessory Buildings and Structures Caretaker Suite	Clarify the accessory residential use in industrial and commercial zones.
Comprehensive Development (CD2) Permitted Uses 5400	Accessory Uses to the foregoing including one dwelling unit , office space related to the management of the Permitted Uses, and accessory buildings including utility buildings.	AMEND Accessory Uses to the foregoing including a caretaker suite , office space related to the management of the Permitted Uses, and accessory buildings including utility buildings.	Clarify the accessory residential use in industrial and commercial zones.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2953

A Bylaw to amend Electoral Area 'A' Land Use Bylaw No. 2315, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'A' Land Use Bylaw No. 2315, 2013, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Electoral Area 'A' Land Use Bylaw No. 2315, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

A) That the following definitions be added to Section 17.0 Interpretation:

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

HOUSEHOLD means:

- a) a person; or
- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen

in addition, a household may also include up to one housekeeper or nanny;

KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

- b) That the following definitions be amended in Section 17.0 Interpretation as follows:

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- c) That the following definitions be removed from Section 17.0 Interpretation:

DWELLING

DWELLING, ACCESSORY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

DWELLING, MULTI-FAMILY

FAMILY

- d) That Section 18.4 Site Areas be amended as follows:

The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum lot size of the zone in which the parcel is located unless otherwise stated.

- e) That Section 18.10 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.

- f) That Section 18.11 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:

- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
- b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots;
- c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw except within any agricultural zone; or
- d. a lot divided by a zone boundary.

- g) That Section 18.12 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: The minimum lot size for a lot created under sub-section 11 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- h) That Section 18.13 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Despite sub-section 12, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

- i) That Section 18.68 Off Street Parking Standards be amended as follows:

Required parking and associated maneuvering aisles in all multi-unit housing, commercial and industrial zones shall be surfaced with either asphalt or concrete pavement or a suitable alternative, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one disabled person's parking space for every ten parking spaces required.

- j) That Section 18.72 Off Street Parking Standards be amended as follows:
The maximum slope for the required off-street parking in all multi-unit housing, commercial and industrial zones to accommodate more than three (3) spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.
- k) That Off Street Parking and Loading Space Requirements – Residential Category be amended as follows:

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single Detached Housing	2 spaces	0	
	Duplex Housing	4 spaces	0	
	Accessory Dwelling Unit	1 space		
	Multi-Unit Housing	1.2 spaces per dwelling unit	0	
	Accessory Home Based Business Use	2 spaces	0	Plus required spaces for operator's residence
	Accessory Bed & Breakfast	1 space per guest room	0	Plus required spaces for operator's residence
	Accessory Retail/Farm Retail Sales	1 space per 20 m ² of floor area	0	Plus required spaces for operator's residence
	Group Home	0.75 space per sleeping unit	0	

- l) That Section 18.100 General Regulations for Landscaping be amended as follows:
In a multi-unit residential development including manufactured home parks, any part of a lot not used for structures and associated parking areas should be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.
- m) That Section 18.107 General Regulations for Landscaping be amended as follows:
At least 30 percent of the total area of any lot used for multi-unit residential purposes shall be maintained as open space landscaped area in a permeable state.
- n) That a new section 'Accessory Dwelling Units' be inserted as follows as Section 18.108:
An accessory dwelling unit is subject to the following regulations:
- a. The maximum number of accessory dwelling units per lot is one.

- b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - c. Notwithstanding section 108(b) secondary suites are permitted on all lots.
 - d. The maximum gross floor area is 90.0 square metres.
 - e. The maximum height is 8.0 metres.
 - f. The maximum number of storeys is 2.
 - g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.
 - h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- o) That Section 19.1 Suburban Residential (R1) Permitted Uses be amended as follows:
- Dwellings:
- Single Detached Housing
 - Duplex Housing
- Accessory Uses:
- Accessory Buildings or Structures
 - Accessory Dwelling Unit
 - Accessory Tourist Accommodation
 - Day Care Facility
 - Home Based Business
 - Horticulture
 - Keeping of Farm Animals
 - Sale of Site Grown Horticultural Produce
- p) That Section 19.2 Suburban Residential (R1) Development Regulations be amended as follows:
The minimum lot size for the following uses shall be required as follows:
- LEVEL OF SERVICES PROVIDED
- Community Water and Sewer:
0.1 hectare
- Community Water or Sewer:
0.4 hectares
- On Site Only:
1.0 hectare
- q) That a new Section 19.2B Suburban Residential (R1) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.

- r) That Sections 19.13-19.16 Suburban Residential (R1) Accessory Dwelling be deleted in their entirety.
- s) That Section 20.1 Country Residential (R2) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing

Accessory Uses:
- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Temporary Guest Accommodation
- Portable Sawmills (for processing of materials harvested on-site only)
- t) That Section 20.2 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.
- u) That a new Section 20.2B Country Residential (R2) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- v) That Section 20.3 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.
- w) That Sections 20.11-20.14 Country Residential (R2) Accessory Dwelling be deleted in their entirety.
- x) That Section 21.1 Rural Residential (R3) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing
Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Veterinary Clinics

Accessory Uses:
- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business

- Keeping of Farm Animals
 - Sale of Site Grown Horticultural Produce
 - Small Scale Wood Product Manufacturing
 - Temporary Guest Accommodation
 - Temporary Farmworker Housing
- y) That Section 21.2 Rural Residential (R3) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- z) That a new Section 21.2B Rural Residential (R3) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- aa) That Section 21.6 Rural Residential (R3) Development Regulations be deleted in its entirety.
- bb) That Section 22.1 Rural Resource (R4) Permitted Uses be amended as follows:
Dwellings:
 - Single Detached Housing
 - Duplex HousingHorse Riding Stables and Boarding Stables
Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Veterinary Clinics
Kennels
- Accessory Uses:
 - Accessory Buildings or Structures
 - Accessory Dwelling Unit
 - Accessory Tourist Accommodation
 - Home Based Business
 - Keeping of Farm Animals
 - Sale of Site Grown Agricultural Produce
 - Portable Sawmills
 - Temporary Guest Accommodation
 - Temporary Farmworker Housing
- cc) That Section 22.2 Rural Resource (R4) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- dd) That a new Section 22.2B Rural Resource (R4) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- ee) That Section 24.1 be renamed 'Multi-Unit Residential (R6) Permitted Uses' and be amended as follows:
Dwellings:
 - Single Detached Housing
 - Duplex Housing
 - Multi-Unit Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails)
- Maintenance and Utility Buildings

- ff) That Section 24.2 be renamed 'Multi-Unit Residential (R6) Development Regulations' and be amended as follows:

The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water Supply and Community Water System:

- Single Detached and Duplex Housing 0.1 hectare
- Multi-Unit/ Dwelling Unit 300 square meters

Community Water Supply Only:

- Single Detached and Duplex Housing 0.8 hectare
- Multi-Unit/Dwelling Unit 0.1 hectare

On Site Only:

- Single Detached and Duplex Housing 1.0 hectare
- Multi-Unit/Dwelling Unit 0.4 hectare

- gg) That a new Section 24.2B Multi-Unit Residential (R6) Development Regulations be inserted as follows:

The minimum lot size for subdivision is 0.1 hectares.

- hh) That Section 25.1 Agriculture 1 (AG1) Permitted Uses be amended as follows:

The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.

- ii) That a new Section 25.2B Agriculture 1 (AG1) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

- jj) That Section 25.6 Agriculture 1 (AG1) Development Regulations be amended as follows:

The Maximum Gross Floor Area of the Single Detached Housing is 185.0 square metres.

- kk) That Section 26.1 Agriculture 2 (AG2) Permitted Uses be amended as follows:

The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.

- ll) That a new Section 26.2B Agriculture 2 (AG2) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

- mm) That Section 26.6 Agriculture 2 (AG2) Development Regulations be amended as follows:

The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.

- nn) That Section 27.1 Neighbourhood Commercial (C1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - oo) That Section 28.1 General Commercial (C2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - pp) That Section 29.1 Tourist Commercial (C3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - qq) That Section 30.1 Light Industrial (M1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - rr) That Section 31.1 Medium Industrial (M2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - ss) That Section 32.1 Heavy Industrial (M3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - tt) That Section 33.1 Railway (RW) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - uu) That Section 34.1 Community Services (CS) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - vv) That Section 35.1 Park and Recreation (PR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - ww) That Section 37.1 Quarry (Q) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - xx) That Section 38.1 Forest Resource (FR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - yy) That Section 39.1 Environmental Reserve (ER) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
 - 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as **“Electoral Area ‘A’ Land Use Amendment Bylaw No. 2953, 2024.”**

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this
[Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2954

A Bylaw to amend Electoral Area 'B' Land Use Bylaw No. 2316, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'B' Land Use Bylaw No. 2316, 2013, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Electoral Area 'B' Land Use Bylaw No. 2316, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

A) That the following definitions be added to Section 15.0 Interpretation:

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

HOUSEHOLD means:

- a) a person; or
- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

- b) That the following definitions be amended in Section 15.0 Interpretation as follows:

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- c) That the following definitions be removed from Section 15.0 Interpretation:

CARRIAGE HOUSE OR GARAGE SUITE

DWELLING

DWELLING, ACCESSORY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

DWELLING, MULTI-FAMILY

FAMILY

- d) That Section 16.4 Site Areas be amended as follows:

The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum lot size of the zone in which the parcel is located unless otherwise stated.

- e) That Section 16.10 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.

- f) That Section 16.11 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:

- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
- b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots;
- c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw except within any agricultural zone; or
- d. a lot divided by a zone boundary.

- g) That Section 16.12 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: The minimum lot size for a lot created under Section 16.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- h) That Section 16.13 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Despite Section 16.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

- i) That Off Street Parking and Loading Space Requirements – Residential Category be amended as follows:

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single Detached Housing	2 spaces	0	
	Duplex Housing	4 spaces	0	
	Accessory Dwelling Unit	1 space		
	Multi-Unit Housing	1.2 spaces per dwelling unit	0	
	Accessory Home Based Business Use	2 spaces	0	Plus required spaces for operator's residence
	Accessory Bed & Breakfast	1 space per guest room	0	Plus required spaces for operator's residence
	Accessory Retail/Farm Retail Sales	1 space per 20 m ² of floor area	0	Plus required spaces for operator's residence
	Group Home	0.75 space per sleeping unit	0	

- j) That a new section 'Accessory Dwelling Units' be inserted as follows as Section 16.108:
An accessory dwelling unit is subject to the following regulations:
- The maximum number of accessory dwelling units per lot is one.
 - The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - Notwithstanding section 108(b) secondary suites are permitted on all lots.
 - The maximum gross floor area is 90.0 square metres.
 - The maximum height is 8.0 metres.
 - The maximum number of storeys is 2.
 - An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.
 - An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- k) That Section 19.1 Suburban Residential (R1) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce

- l) That Section 17.2 Suburban Residential (R1) Development Regulations be amended as follows:
The minimum lot size for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer:

0.1 hectare

Community Water or Sewer:

0.4 hectares

On Site Only:

1.0 hectare

- m) That a new Section 17.2B Suburban Residential (R1) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units.

- n) That Sections 17.13-17.16 Suburban Residential (R1) Accessory Dwelling be deleted in their entirety.

- o) That Section 18.1 Country Residential (R2) Permitted Uses be amended as follows:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Portable Sawmills (for processing of materials harvested on-site only)

- p) That Section 18.2 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.

- q) That a new Section 18.2B Country Residential (R2) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- r) That Section 18.3 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.
- s) That Sections 18.11-18.14 Country Residential (R2) Accessory Dwelling be deleted in their entirety.
- t) That Section 19.1 Rural Residential (R3) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing
Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Veterinary Clinics

Accessory Uses:
- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Small Scale Wood Product Manufacturing
- Temporary Guest Accommodation
- Temporary Farmworker Housing
- u) That Section 19.2 Rural Residential (R3) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- v) That a new Section 19.2B Rural Residential (R3) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- w) That Section 19.6 Rural Residential (R3) Development Regulations be deleted in its entirety.
- x) That Sections 19.13-19.16 Rural Residential (R3) Accessory Dwelling be deleted in their entirety.
- y) That Section 20.1 Rural Resource (R4) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture

Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists Veterinary Clinics
Kennels

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Portable Sawmills
- Temporary Farmworker Housing

z) That Section 20.2 Rural Resource (R4) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.

aa) That a new Section 20.2B Rural Resource (R4) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.

bb) That Section 22.1 Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Dwellings:

- Single Detached Housing
- Duplex Housing
- Multi-Unit Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business

cc) That Section 22.2 Multi-Unit Residential (R6) Development Regulations be amended as follows:
The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water Supply and Community Water System:

Single Detached and Duplex Housing 0.1 hectare
Multi-Unit/ Dwelling Unit 300 square meters

Community Water Supply Only:

Single Detached and Duplex Housing 0.8 hectare
Multi-Unit/Dwelling Unit 0.1 hectare

On Site Only:

Single Detached and Duplex Housing 1.0 hectare
Multi-Unit/Dwelling Unit 0.4 hectare

- dd) That a new Section 22.2B Multi-Unit Residential (R6) Development Regulations be inserted as follows:
The minimum lot size for subdivision is 0.1 hectares.
- ee) That Section 23.1 Agriculture 1 (AG1) Permitted Uses be amended as follows:
The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.
- ff) That a new Section 23.2B Agriculture 1 (AG1) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.
- gg) That Section 23.6 Agriculture 1 (AG1) Development Regulations be amended as follows:
The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.
- hh) That Section 24.1 Agriculture 2 (AG2) Permitted Uses be amended as follows:
The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.
- ii) That a new Section 24.2B Agriculture 2 (AG2) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.
- jj) That Section 24.6 Agriculture 2 (AG2) Development Regulations be amended as follows:
The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.
- kk) That Section 25.1 Agriculture 3 (AG3) Permitted Uses be amended as follows:
The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.
- ll) That a new Section 25.2B Agriculture 3 (AG3) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.
- mm) That Section 25.6 Agriculture 3 (AG3) Development Regulations be amended as follows:
The Maximum Gross Floor Area of the Single Detached Housing is 375.0 square metres.
- nn) That Section 26.1 Neighbourhood Commercial (C1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- oo) That Section 27.1 General Commercial (C2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- pp) That Section 28.1 Tourist Commercial (C3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- qq) That Section 29.1 Light Industrial (M1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- rr) That Section 30.1 Medium Industrial (M2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- ss) That Section 31.1 Heavy Industrial (M3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

- tt) That Section 32.1 Mixed Use Industrial (Airport) (M4) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - uu) That Section 34.1 Railway (RW) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - wv) That Section 35.1 Community Services (CS) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - ww) That Section 36.1 Park and Recreation (PR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - xx) That Section 38.1 Quarry (Q) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - yy) That Section 39.1 Forest Resource (FR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - zz) That Section 40.1 Environmental Reserve (ER) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
 - 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as **“Electoral Area ‘B’ Land Use Amendment Bylaw No. 2954, 2024.”**

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this
[Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2955

A Bylaw to amend Electoral Area 'C' Land Use Bylaw No. 2317, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'C' Land Use Bylaw No. 2317, 2013, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Electoral Area 'C' Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

A) That the following definitions be added to Section 16.0 Interpretation:

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

HOUSEHOLD means:

- a) a person; or
- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

- b) That the following definitions be amended in Section 16.0 Interpretation as follows:

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- c) That the following definitions be removed from Section 16.0 Interpretation:

DWELLING

DWELLING, ACCESSORY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

DWELLING, MULTI-FAMILY

FAMILY

- d) That Section 17.4 Site Areas be amended as follows:

The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum lot size of the zone in which the parcel is located unless otherwise stated.

- e) That Section 17.10 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.

- f) That Section 17.11 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:

- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
- b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots;
- c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw except within any agricultural zone; or
- d. a lot divided by a zone boundary.

- g) That Section 17.12 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: The minimum lot size for a lot created under Section 17.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- h) That Section 17.13 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows: Despite Section 17.0(12), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

- i) That Off Street Parking and Loading Space Requirements – Residential Category be amended as follows:

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single Detached Housing	2 spaces	0	
	Duplex Housing	4 spaces	0	
	Accessory Dwelling Unit	1 space		
	Multi-Unit Housing	1.2 spaces per dwelling unit	0	
	Accessory Home Based Business Use	2 spaces	0	Plus required spaces for operator's residence
	Accessory Bed & Breakfast	1 space per guest room	0	Plus required spaces for operator's residence
	Accessory Retail/Farm Retail Sales	1 space per 20 m ² of floor area	0	Plus required spaces for operator's residence
	Group Home	0.75 space per sleeping unit	0	

- j) That a new section 'Accessory Dwelling Units' be inserted as follows as Section 17.107:
An accessory dwelling unit is subject to the following regulations:
- The maximum number of accessory dwelling units per lot is one.
 - The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - Notwithstanding section 107(b) secondary suites are permitted on all lots.
 - The maximum gross floor area is 90.0 square metres.
 - The maximum height is 8.0 metres.
 - The maximum number of storeys is 2.
 - An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.
 - An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- k) That Section 18.1 Suburban Residential (R1) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce

- l) That Section 18.2 Suburban Residential (R1) Development Regulations be amended as follows:
The minimum lot size for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer:

0.1 hectare

Community Water or Sewer:

0.4 hectare

On Site Only:

1.0 hectare

- m) That a new Section 18.2B Suburban Residential (R1) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.

- n) That Sections 18.13-18.16 Suburban Residential (R1) Accessory Dwelling be deleted in their entirety.

- o) That Section 19.1 Country Residential (R2) Permitted Uses be amended as follows:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Portable Sawmills (for processing of materials harvested on-site only)

- p) That Section 19.2 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.

- q) That a new Section 19.2B Country Residential (R2) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- r) That Section 19.3 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.
- s) That Sections 19.11-19.14 Country Residential (R2) Accessory Dwelling be deleted in their entirety.
- t) That Section 20.1 Rural Residential (R3) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing
- Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Veterinary Clinics

Accessory Uses:
- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Daycare facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Portable Sawmills
- Small Scale Wood Product Manufacturing
- Temporary Farmworker Housing
- u) That Section 20.2 Rural Residential (R3) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- v) That a new Section 20.2B Rural Residential (R3) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- w) That Section 20.5 Rural Residential (R3) Development Regulations be deleted in its entirety.
- x) That Sections 20.13-20.16 Rural Residential (R3) Accessory Dwelling be deleted in their entirety.
- y) That Section 21.1 Rural Resource (R4) Permitted Uses be amended as follows:
Dwellings:
- Single Detached Housing

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Child Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Portable Sawmills
- Temporary Farmworker Housing

z) That Section 21.2 Rural Resource (R4) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.

aa) That a new Section 21.2B Rural Resource (R4) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.

bb) That Section 23.1 be renamed 'Multi-Unit Residential (R6) Permitted Uses' and be amended as follows:

Dwellings:

- Single Detached Housing
- Duplex Housing
- Multi-Unit Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business

cc) That Section 23.2 be renamed 'Multi-Unit Residential (R6) Development Regulations' and be amended as follows:

The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water Supply and Community Water System:

Single Detached and Duplex Housing 0.1 hectare

Multi-Unit/ Dwelling Unit 300 square metres

Community Water Supply Only:

Single Detached and Duplex Housing 0.8 hectare
Multi-Unit/Dwelling Unit 0.1 hectare

On Site Only:

Single Detached and Duplex Housing 1.0 hectare
Multi-Unit/Dwelling Unit 0.4 hectare

dd) That a new Section 23.5 Multi-Unit Residential (R6) Development Regulations be inserted as follows:

The minimum lot size for subdivision is 0.1 hectares.

ee) That Section 24.1 Agriculture 1 (AG1) Permitted Uses be amended as follows:

The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.

ff) That a new Section 24.2B Agriculture 1 (AG1) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

gg) That Section 24.6 Agriculture 1 (AG1) Development Regulations be amended as follows:

The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.

hh) That Section 25.1 Agriculture 2 (AG2) Permitted Uses be amended as follows:

The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.

ii) That a new Section 25.2B Agriculture 2 (AG2) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

jj) That Section 25.6 Agriculture 2 (AG2) Development Regulations be amended as follows:

The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.

kk) That Section 26.1 Agriculture 3 (AG3) Permitted Uses be amended as follows:

The term 'Single Family Dwelling' be replaced with 'Single Detached Housing'.

ll) That a new Section 26.2B Agriculture 3 (AG3) Development Regulations be inserted as follows:

The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

mm) That Section 26.6 Agriculture 3 (AG3) Development Regulations be amended as follows:

The Maximum Gross Floor Area of the Single Detached Housing is 375.0 square metres.

nn) That Section 27.1 Neighbourhood Commercial (C1) Permitted Uses be amended as follows:

The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

oo) That Section 28.1 General Commercial (C2) Permitted Uses be amended as follows:

The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

pp) That Section 29.1 Light Industrial (M1) Permitted Uses be amended as follows:

The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

qq) That Section 30.1 Medium Industrial (M2) Permitted Uses be amended as follows:

The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

- rr) That Section 31.1 Heavy Industrial (M3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - ss) That Section 32.1 Quarry (Q) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - tt) That Section 33.1 Railway (RW) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - uu) That Section 34.1 Community Services (CS) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - vv) That Section 35.1 Park and Recreation (PR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - ww) That Section 37.1 Forest Resource (FR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - xx) That Section 38.1 Environmental Reserve (ER) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
 - 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as **“Electoral Area ‘C’ Land Use Amendment Bylaw No. 2955, 2024.”**

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this
[Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2956

A Bylaw to amend Electoral Area 'D' Land Use Bylaw No. 2435, 2016

WHEREAS it is deemed expedient to amend the Electoral Area 'D' Land Use Bylaw No. 2435, 2016, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Electoral Area 'D' Land Use Bylaw No. 2435, 2016 Schedule B Ainsworth Townsite Zoning Bylaw be amended as follows:

A) That the following definitions be added to Section 21.0 Interpretation:

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

HOUSEHOLD means:

a) a person; or

- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

KITCHEN means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including, without limitation, stoves or ovens. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

- b) That the following definitions be amended in Section 21.0 Interpretation as follows:

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

HOUSEKEEPING UNIT means a room with a kitchen used for the temporary accommodation of travellers;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- c) That the following definitions be removed from Section 21.0 Interpretation:

DWELLING, MULTI-FAMILY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

- d) That Section 22.4 Site Areas be amended as follows:
The minimum lot area for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.
- e) That Section 22.9 be renamed 'Reduction of Minimum Lot Areas' and be amended as follows:
Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.
- f) That Section 22.10 be renamed 'Reduction of Minimum Lot Areas' and be amended as follows:
Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:
- a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
 - a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots;
 - a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw except within any agricultural zone.
- g) That Section 22.11 be renamed 'Reduction of Minimum Lot Areas' and be amended as follows:
The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.
- h) That Section 22.12 be renamed 'Reduction of Minimum Lot Areas' and be amended as follows:
Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area.
- i) That Off Street Parking Requirements – Residential Category be amended as follows:
- | Category | Type of Uses | Parking Spaces |
|-------------|---|------------------------------|
| Residential | Single Detached Housing | 2 spaces |
| | Duplex Housing | 4 spaces |
| | Accessory Dwelling Unit | 1 space |
| | Multi-Unit Housing | 1.5 spaces per dwelling unit |
| | Bed and Breakfast and
Vacation Rentals | 1 space per guest room |
| | | |
- j) That a new section 'Accessory Dwelling Units' be inserted as follows as Section 22.46:
An accessory dwelling unit is subject to the following regulations:
- The maximum number of accessory dwelling units per lot is one.

- b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - c. Notwithstanding section 46(b) secondary suites are permitted on all lots.
 - d. The maximum gross floor area is 90.0 square metres.
 - e. The maximum height is 8.0 metres.
 - f. The maximum number of storeys is 2.
 - g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.
 - h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- k) That Section 23.1 Town-Site Residential R1 Permitted Uses Table be amended as follows:
- Permitted uses, buildings and structures:
- Principal Uses
- Single Detached Housing
- Duplex Housing
- Accessory Uses
- Accessory Building or Structures
- Accessory Dwelling Unit see Section 22(46)
- Bed and Breakfast Accommodation see Section 22(22)
- Home-based Business see Section 22(21)
- Horticulture
- Keeping of Farm Animals see Section 22(35)
- Vacation Rentals see Section 22(23)
- l) That Section 23.2 Town-Site Residential R1 Development Regulations Table be amended as follows:
- The maximum density is 2 Dwelling Units.
- m) That Section 23.9 Town-Site Residential R1 Development Regulations Table be amended as follows:
- Minimum lot area for Subdivision:
- | | |
|---|--------------|
| Community Water System and Community Wastewater System | 0.1 hectares |
| Community Water System and On-site Wastewater Disposal | 0.2 hectares |
| Individual Water Source and Community Wastewater System | 0.2 hectares |
| Individual Water Source and On-site Wastewater Disposal | 1.0 hectares |
- n) That Section 24.1 Country Residential R2 Permitted Uses Table be amended as follows:
- Permitted uses, buildings and structures:
- Principal Uses
- Single Detached Housing
- Duplex Housing
- Horticulture

Accessory Uses
Accessory Building or Structures
Accessory Dwelling Unit see Section 22(46)
Bed and Breakfast Accommodation see Section 22(22)
Home-based Business see Section 22(21)
Keeping of Farm Animals see Section 22(35)
Vacation Rentals see Section 22(23)

o) That Section 24.2 Country Residential R2 Development Regulations Table be amended as follows:
The maximum density is 2 Dwelling Units.

p) That Section 24.9 Country Residential R2 Development Regulations Table be amended as follows:
Minimum lot area for Subdivision: 1.0 hectares

q) That Section 25.1 Rural Residential R3 Permitted Uses Table be amended as follows:
Permitted uses, buildings and structures:
Principal Uses
Single Detached Housing
Duplex Housing
Horticulture
Outdoor Recreational Activities
Parks
Resource Based Activities

Accessory Uses
Accessory Building or Structures
Accessory Dwelling Unit see Section 22(46)
Bed and Breakfast Accommodation see Section 22(22)
Home-based Business see Section 22(21)
Keeping of Farm Animals see Section 22(35)
Vacation Rentals see Section 22(23)

r) That Section 25.2 Rural Residential R3 Development Regulations Table be amended as follows:
The maximum density is 2 Dwelling Units.

s) That Section 25.9 Rural Residential R3 Development Regulations Table be amended as follows:
Minimum lot area for Subdivision: 2.0 hectares

t) That Section 26.1 Town-Site Commercial C1 Permitted Uses Table be amended as follows:
The term 'One Dwelling Unit' be replaced with 'Caretaker Suite'.

u) That Section 26.9 Town-Site Commercial C1 Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.

v) That Section 27.1 Tourist Commercial C2 Permitted Uses Table be amended as follows:

The term 'One Dwelling Unit' be replaced with 'Caretaker Suite'.

- w) That Section 27.9 Tourist Commercial C2 Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - x) That Section 28.1 Ainsworth Resort Commercial C3 Permitted Uses Table be amended as follows:
The term 'One Dwelling Unit' be replaced with 'Caretaker Suite'.
 - y) That Section 28.9 Ainsworth Resort Commercial C3 Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - z) That Section 29.9 Community Service CS Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - aa) That Section 30.9 Parks and Recreation PR Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - bb) That Section 31.9 Parks and Recreation Ainsworth Resort PR1 Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - cc) That Section 32.7 Environmental Reserve ER Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
 - dd) That Section 33.7 Resource Area RA Development Regulations Table be amended as follows:
The term 'site area' be replaced with 'lot area'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
 - 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as **“Electoral Area ‘D’ Land Use Amendment Bylaw No. 2956, 2024.”**

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this
[Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2957

A Bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018

WHEREAS it is deemed expedient to amend the Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Electoral Area 'G' Land Use Bylaw No. 2452, 2018 Schedule B Zoning Bylaw be amended as follows:

A) That the following definitions be added to Section 17.0 Interpretation:

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

HOUSEHOLD means:

- a) a person; or
- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used;

- b) That the following definitions be amended in Section 17.0 Interpretation as follows:

DAY CARE FACILITY means a building licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to seven or more children under six years of age not forming part of the operator's household. Care of less than seven children under six years of age is considered under home based business regulations;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- c) That the following definitions be removed from Section 17.0 Interpretation:

DWELLING, ACCESSORY

DWELLING, MULTI-FAMILY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

- d) That Section 18.13 Permitted and Prohibited Uses be amended as follows:
The minimum lot area for a lot subdivided under Section 514 of the Local Government Act shall be the minimum lot area of the zone in which the lot is located unless otherwise stated.
- e) That Section 18.16 Density Regulations be amended as follows:
Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum lot area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.
- f) That Section 18.17 Density Regulations be amended as follows:
Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:
- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
 - b. a lot that, at the time of adoption of this Bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
 - c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this Bylaw and any previous applicable land use bylaw.
- g) That Section 18.18 Density Regulations be amended as follows:
The minimum lot area for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.
- h) That Section 18.19 Density Regulations be amended as follows:
Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area.
- i) That Section 18.37-18.38 Accessory Dwelling be amended as follows:
An accessory dwelling unit is subject to the following regulations:
- a. The maximum number of accessory dwelling units per lot is one.
 - b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - c. Notwithstanding section 46(b) secondary suites are permitted on all lots.
 - d. The maximum gross floor area is 90.0 square metres.
 - e. The maximum height is 8.0 metres.
 - f. The maximum number of storeys is 2.
 - g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.

- h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- j) That Section 18.41.a Accessory Tourist Accommodation be amended as follows:
operations shall be confined to the principal dwelling;
- k) That Section 18.54 Off-Street Parking and Loading Facilities – Residential Category be amended as follows:

Category	Type of Uses	Parking Spaces
Residential	Single Detached Housing	2 spaces
	Duplex Housing	4 spaces
	Accessory Dwelling Unit	1 space
	Multi-Unit Housing	1.5 spaces per dwelling unit
	Accessory Tourist Accommodation	1 space per guest room
	Accessory Camping Accommodation	1 space per campsite
	Home-based Business	2 spaces per home-based business

- l) That Section 19.1 Town-Site Residential (R1) Permitted Uses Table be amended as follows:
- Principal Uses
Single Detached Housing
Duplex Housing
Multi-Unit Housing
- Accessory Uses
Accessory Building or Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation
Home-based Business
Horticulture
Keeping of Farm Animals
- m) That Section 19.2 Town-Site Residential (R1) Development Regulations Table be amended as follows:
- Minimum site area for each Principal Use:
- Community Water System and Community Wastewater System:
Single Detached Housing or Duplex Housing 0.1 hectare
Multi-Unit Housing 300 square metres per unit
- Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System:
Single Detached Housing or Duplex Housing 0.8 hectare
Multi-Unit Housing 0.1 hectare per unit
- Individual Water Source and On-site Wastewater Disposal:

Single Detached Housing or Duplex Housing 1.0 hectare
Multi-Unit Housing 0.4 hectare per unit

- n) That Section 20.1 Country Residential (R2) Permitted Uses Table be amended as follows:

Principal Uses

Single Detached Housing

Duplex Housing

Accessory Uses

Accessory Building or Structures Accessory Dwelling Unit

Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business

Horticulture

Keeping of Farm Animals

- o) That Section 20.2 Country Residential (R2) Development Regulations Table be amended as follows:

The maximum density is 2 Dwelling Units.

- p) That Section 21.1 Rural Residential (R3) Permitted Uses Table be amended as follows:

Principal Uses

Cabin

Single Detached Housing

Duplex Housing

Horticulture

Portable Sawmill

Accessory Uses

Accessory Building or Structures Accessory Dwelling Unit

Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business

Horticulture

Keeping of Farm Animals Kennels (maximum ten dogs over one year of age)

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Small Scale Wood Product Manufacturing

- q) That Section 21.2 Rural Residential (R3) Development Regulations Table be amended as follows:

The maximum density is 2 Dwelling Units.

- r) That Section 22.1 Remote Residential (R4) Permitted Uses Table be amended as follows:

Principal Uses

Cabin

Single Detached Housing

Duplex Housing

Horticulture

Portable Sawmill

Accessory Uses

Accessory Building or Structures Accessory Dwelling Unit

Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business
Horticulture
Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age)
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Small Scale Wood Product Manufacturing

- s) That Section 22.2 Remote Residential (R4) Development Regulations Table be amended as follows:
The maximum density is 2 Dwelling Units.

- t) That Section 23.1 Multi Unit Residential (R5) Permitted Uses Table be amended as follows:
Principal Uses
Multi-Unit Residential
Manufactured Home Park

Accessory Uses
Accessory Building or Structures Home-based Business
Horticulture

- u) That Section 23.2 Multi Unit Residential (R5) Development Regulations Table be amended as follows:

Minimum site area for Multi-Unit Residential (per dwelling unit):

Community Water System and Community Wastewater System 300 square metres

Community Water System and On-site Wastewater Disposal or Individual Water Source and Community Wastewater System 0.1 hectare

Individual Water Source and On-site Wastewater Disposal 0.4 hectare

Minimum site area for Manufactured Home Park 0.8 hectare

- v) That Section 25.1 Tourist Commercial (C2) Permitted Uses Table be amended as follows:

Principal Uses
Artisan Craft Production and Sales Breweries and Distilleries Campground
Commercial Back Country Recreation Multi-Unit Housing
Eating and Drinking Establishment Golf Course
Tourist Accommodation
Interpretive Facilities
Mixed Use Development
Museum
Outdoor Recreational Activities Resort
Vacation Rental

Accessory Uses to 'Tourist Accommodation' and 'Campgrounds' Laundromat
Liquor Store
Personal Service Establishment

Retail Store

Accessory Uses

Accessory Building or Structures

Caretaker Suite

- w) That Section 26.1 Light Industrial (M1) Table be amended as follows:
The term 'Accessory Dwelling' be replaced with 'Caretaker Suite'.
- x) That Section 27.1 Medium Industrial (M2) Permitted Uses Table be amended as follows:
The term 'Accessory Dwelling' be replaced with 'Caretaker Suite'.
- y) That Section 28.1 Heavy Industrial (M3) Permitted Uses Table be amended as follows:
The term 'Accessory Dwelling' be replaced with 'Caretaker Suite'.
- z) That Section 30.1 Agriculture (AG) Permitted Uses Table be amended as follows:
Principal Uses
Agriculture, Farm Buildings and Structures
Abattoir
Single Detached Housing
Farm Use (as defined in the Agricultural Land Commission Act and Part 2 Section 2 of the Agricultural Land Reserve Use, Subdivision and Procedures Regulation)
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Standard Cultivation, Cannabis Standard Processing, Cannabis
Non-Soil Based Cannabis Facilities may be subject to ALC Non-Farm Use approval where applicable
- Accessory Uses
Accessory Building or Structures Accessory Dwelling Unit
Tourist Accommodation
Accessory Camping Accommodation
Home Based Business
Non-Farm Uses (as defined in the Agricultural Land Commission Act and the Agricultural Land Reserve Use, Subdivision and Procedures Regulation)
- aa) That a new Section 30.2B Agriculture (AG) Development Regulations Table be inserted as follows:
The maximum density is 2 Dwelling Units.
- bb) That Section 33.1 Quarry (Q) Permitted Uses Table be amended as follows:
The term 'Accessory Dwelling' be replaced with 'Caretaker Suite'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
- 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as **“Electoral Area ‘G’ Land Use Amendment Bylaw No. 2957, 2024.”**

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this
[Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2958

A Bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended as follows:

1) That the following definitions be added to Division 5 Interpretation:
ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This type of development is designed and constructed as two dwelling units at initial construction;

HOUSEHOLD means:

- a) a person; or
- b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or

- c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or
- d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

- 2) That the following definitions be amended in Division 5 Interpretation as follows:
BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;

HOUSEKEEPING UNIT means a room with a kitchen used for the temporary accommodation of travellers;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

SHORT TERM RENTAL means the use of a dwelling unit for temporary accommodation (periods less than 30 days) on a commercial basis;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

- 3) That the following definitions be removed from Division 5 Interpretation:

ACCESSORY DWELLING

CARRIAGE HOUSE

DWELLING, MULTI-FAMILY

DWELLING, ONE-FAMILY

DWELLING, TWO-FAMILY

FAMILY

IMMEDIATE FAMILY

VACATION RENTAL

- 4) That Section 602.2 Site Areas be amended as follows:
The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.
- 5) That Section 603.1 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows:
Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.
- 6) That Section 603.2 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows:
Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:
 - a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
 - b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
 - c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw except within any agricultural zone.
- 7) That Section 603.3 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows:
The minimum lot size for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- 8) That Section 603.4 be renamed 'Reduction of Minimum Lot Sizes' and be amended as follows:
Despite Section 603(3), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.
- 9) That Off Street Parking and Loading Space Requirements – Residential Category be amended as follows:

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single Detached Housing	2 spaces	0	
	Duplex Housing	4 spaces	0	
	Accessory Dwelling Unit	1 space		
	Multi-Unit Housing	1.2 spaces per dwelling unit	0	
	Accessory Home Based Business Use	2 spaces	0	Plus required spaces for operator's residence
	Accessory Bed & Breakfast, Room & Board	1 space per guest room / rental unit	0	Plus required spaces for operator's residence
	Accessory Produce Sales Use	1 space per 20 m ² of floor area	0	Plus required spaces for operator's residence
	Congregate/Seniors housing	0.75 space per sleeping unit	0	

- 10) That Section 622 Development Permit Variances be amended as follows:
Pursuant to Section 489 of the Local Government Act, setback and height variances may be approved by the Regional District on a Development Permit where community plan objectives for the form and character of commercial, industrial and multi-unit housing developments can be achieved provided that no siting variances cross a property line.
- 11) That a new section 'Accessory Dwelling Units' be inserted as follows as Section 623:
An accessory dwelling unit is subject to the following regulations:
- The maximum number of accessory dwelling units per lot is one.
 - The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
 - Notwithstanding section 623(b) secondary suites are permitted on all lots.
 - The maximum gross floor area is 90.0 square metres.
 - The maximum height is 8.0 metres.
 - The maximum number of storeys is 2.
 - An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a

community sewer system is available in which case connection to the community sewer system is required.

- h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.
 - i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.
 - j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.
- 12) That Section 700 Suburban Residential (R1) Permitted Uses be amended as follows:
- Dwellings:
 - Single Detached Housing
 - Duplex Housing
 - Accessory Uses:
 - Accessory Buildings and Structures
 - Accessory Dwelling Unit
 - Accessory Tourist Accommodation Home Based Business
 - Horticulture
 - Keeping of Farm Animals
 - Sale of Site Grown Farm Products
- 13) That Section 701.1 Suburban Residential (R1) Development Regulations be amended as follows:
- The minimum lot size shall be required as follows:
- Community Water Supply and Community Sewer System: 0.1 hectare
 - Community Water Supply Only: 0.4 hectare
 - On-Site Servicing Only: 1.0 hectare
- 14) That a new Section 701.1B Suburban Residential (R1) Development Regulations be inserted as follows:
- The maximum density is 2 Dwelling Units.
- 15) That Section 800 Ootischenia Suburban Residential (R1A) Permitted Uses be amended as follows:
- Dwellings:
 - Single Detached Housing
 - Duplex Housing
 - Accessory Uses:
 - Accessory Buildings and Structures
 - Accessory Dwelling Unit
 - Accessory Tourist Accommodation Home Based Business
 - Horticulture
 - Keeping of Farm Animals
 - Sale of Site Grown Farm Products
- 16) That Section 801.1 Ootischenia Suburban Residential (R1A) Development Regulations be amended as follows:

The minimum lot size shall be required as follows:

Community Water Supply Only: 0.4 hectare

On-Site Servicing Only: 1.0 hectare

- 17) That a new Section 801.1B Ootischenia Suburban Residential (R1A) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- 18) That Section 900 Suburban Residential F (R1F) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products
- 19) That Section 901.1 Suburban Residential F (R1F)) Development Regulations be amended as follows:
The minimum lot size shall be required as follows:

Community Water Supply and Community Sewer System: 0.1 hectare
Community Water Supply Only: 0.4 hectare
On-Site Servicing Only: 1.0 hectare
- 20) That a new Section 901.1B Suburban Residential F (R1F) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- 21) That Section 1000 Suburban Residential K (R1K) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products
- 22) That Section 1001.1 Suburban Residential K (R1K) Development Regulations be amended as follows:

The minimum lot size shall be required as follows:

Community Water Supply and Community Sewer System: 0.1 hectare

Community Water Supply Only: 0.4 hectare

On-Site Servicing Only: 1.0 hectare

- 23) That a new Section 1001.1B Suburban Residential K (R1K) Development Regulations be inserted as follows:
The maximum density is 2 Dwelling Units.
- 24) That Section 1002 Suburban Residential K (R1K) Secondary Suites and Carriage Houses be deleted in their entirety.
- 25) That Section 1100 Country Residential (R2) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products
- 26) That Section 1101.1 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.
- 27) That Section 1101.2 Country Residential (R2) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 28) That Section 1101.5 Country Residential (R2) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 29) That Section 1200 Country Residential I (R2I) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Horticulture

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit

Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Farm Products
Portable Sawmills for processing of material harvested on site only

- 30) That Section 1201.1 Country Residential I (R2I) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.
- 31) That Section 1201.2 Country Residential I (R2I) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 32) That Section 1201.3 Country Residential I (R2I) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 33) That Section 1300 Country Residential K (R2K) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Horticulture

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Farm Products
Temporary Guest Accommodation as per Section 1303
- 34) That Section 1301.1 Country Residential K (R2K) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.
- 35) That Section 1301.2 Country Residential K (R2K) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 36) That Section 1301.5 Country Residential K (R2K) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.

- 37) That Section 1302 Country Residential K (R2K) Secondary Suites and Carriage Houses be deleted in its entirety.
- 38) That Section 1303.1 Country Residential K (R2K) Temporary Guest Accommodation be amended as follows:
 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to the following:
- a. the minimum site area for the guest cabin shall be 1.4 hectares; and
 - b. a maximum gross floor area for a cabin of 100 square metres.
- 39) That Section 1400 Country Residential SA (R2SA – South Arrow) Permitted Uses be amended as follows:
- Dwellings:
 Single Detached Housing
 Duplex Housing
- Horticulture
- Accessory Uses:
 Accessory Buildings and Structures
 Accessory Dwelling Unit
 Accessory Tourist Accommodation
 Home Based Business
 Keeping of Farm Animals
 Sale of Site Grown Farm Products
 Portable Sawmills for processing of material harvested on site only
 Temporary Guest Accommodation as per Section 1402
- 40) That Section 1401.1 Country Residential SA (R2SA – South Arrow) Development Regulations be amended as follows:
 The minimum lot size is 1.0 hectare.
- 41) That Section 1401.2 Country Residential SA (R2SA – South Arrow) Development Regulations be amended as follows:
 The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 42) That Section 1401.5 Country Residential SA (R2SA – South Arrow) Development Regulations be amended as follows:
 The maximum density is 2 Dwelling Units.
- 43) That Section 1402.1 Country Residential SA (R2SA – South Arrow) Temporary Guest Accommodation be amended as follows:
 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one cabin per lot for the temporary accommodation of guests is

permitted as an accessory use to a single detached housing or duplex housing subject to the following:

- a. the minimum site area for the guest cabin shall be 1.4 hectares; and
- b. a maximum gross floor area per cabin of 75 square metres.

- 44) That Section 1500 Rural Residential (R3) Permitted Uses be amended as follows:

Dwellings:

Single Detached Housing

Duplex Housing

Horticulture

Veterinary Clinics

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit

Accessory Tourist Accommodation Home Based Business

Keeping of Farm Animals

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only

- 45) That Section 1501.1 Rural Residential (R3) Development Regulations be amended as follows:

The minimum lot size is 2.0 hectares.

- 46) That Section 1501.4 Rural Residential (R3) Development Regulations be amended as follows:

The maximum density is 2 Dwelling Units.

- 47) That Section 1600 Rural Residential (R3I) Permitted Uses be amended as follows:

Dwellings:

Single Detached Housing

Duplex Housing

Horticulture

Veterinary Clinics

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit

Accessory Tourist Accommodation Home Based Business

Keeping of Farm Animals

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only

- 48) That Section 1601.1 Rural Residential I (R3I) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- 49) That Section 1601.2 Rural Residential I (R3I) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 50) That Section 1601.3 Rural Residential I (R3I) Development Regulations be amended as follows:
The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority shall be 1.6 hectares.
- 51) That Section 1700 Rural Residential K (R3K) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Horticulture
Veterinary Clinics

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Keeping of Farm Animals
Sale of Site Grown Farm Products Small Scale Wood Product Manufacturing subject to Section 1702
Temporary Guest Accommodation subject to Section 1703
- 52) That Section 1701.1 Rural Residential K (R3K) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- 53) That Section 1701.5 Rural Residential K (R3K) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 54) That Section 1702.1 Rural Residential K (R3K) Small Scale Wood Product Manufacturing be amended as follows:
The minimum lot size shall be 2.0 hectares.

- 55) That Section 1703.1 Rural Residential K (R3K) Temporary Guest Accommodation be amended as follows:
Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, two cabins per lot for the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to the following:
- a. the minimum site area for the guest cabin shall be 1.4 hectares; and
 - b. a maximum gross floor area for a cabin of 100 square metres.
- 56) That Section 1800 Rural Resource (R4) Permitted Uses be amended as follows:
- Dwellings:
Single Detached Housing
Duplex Housing
- Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Veterinary Clinics
- Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Keeping of Farm Animals
Sale of Site Grown Farm Products Portable Sawmills
- 57) That Section 1801.1 Rural Resource (R4) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- 58) That Section 1801.4 Rural Resource (R4) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 59) That Section 1900 Rural Resource K (R4K) Permitted Uses be amended as follows:
- Dwellings:
Single Detached Housing
Duplex Housing
- Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Veterinary Clinics
- Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business

Keeping of Farm Animals
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Sale of Site Grown Farm Products Portable Sawmills
Temporary Guest Accommodation as per Section 1902

- 60) That Section 1901.1 Rural Resource K (R4K) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.
- 61) That Section 1901.4 Rural Resource K (R4K) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 62) That Section 1902.1 Rural Resource K (R4K) Temporary Guest Accommodation be amended as follows:
Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to single detached housing or duplex housing subject to a maximum gross floor area of 75 square metres.
- 63) That Section 2000 Rural Resource (R4SA – South Arrow) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Veterinary Clinics

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Keeping of Farm Animals
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Sale of Site Grown Farm Products Portable Sawmills
Temporary Guest Accommodation as per Section 2002
- 64) That Section 2001.1 Rural Resource (R4SA – South Arrow) Development Regulations be amended as follows:
The minimum lot size is 2.0 hectares.

- 65) That Section 2001.4 Rural Resource (R4SA – South Arrow) Development Regulations be amended as follows:
The maximum density is 2 Dwelling Units.
- 66) That Section 2002.1 Rural Resource (R4SA – South Arrow) Temporary Guest Accommodation be amended as follows:
Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached housing or duplex housing subject to a maximum gross floor area of 75 square metres.
- 67) That Section 2200 Multi-Unit Residential (R6) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing
Multi-Unit Housing

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation
Home Based Business
Horticulture
- 68) That Section 2201.1 Multi-Unit Residential (R6) Development Regulations be amended as follows:
The minimum site area for the following uses shall be required as follows:

Community Water Supply and Community Sewer System:
Single Detached or Duplex Housing 0.1 hectare
Multi-Unit Housing (per dwelling unit) 300 square metres

Community Water Supply Only:
Single Detached or Duplex Housing 0.8 hectare
Multi-Unit Housing (per dwelling unit) 0.1 hectare

On-Site Servicing Only:
Single Detached or Duplex Housing 1.0 hectare
Multi-Unit Housing (per dwelling unit) 0.4 hectare
- 69) That a new section 'Multi-Unit Residential (R6) Development Regulations' be inserted as follows as Section 2201.4:
The minimum lot size for subdivision shall be as follows:
Community Water Supply and Community Sewer System:
0.1 hectare

Community Water Supply Only:
0.8 hectare

On-Site Servicing Only:
1.0 hectare

- 70) That Section 2300 High Density Residential (R6F) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing

Accessory Uses:
Accessory Buildings and Structures
Secondary Suite

- 71) That Section 2301.1 High Density Residential (R6F) Development Regulations be amended as follows:

The minimum lot size for the following uses shall be required as follows:

Community Water Supply and Community Sewer System:
400 square metres

Community Water Supply Only:
0.2 hectare

On-Site Servicing Only:
1.0 hectare

- 72) That a new section 'High Density Residential (R6F) Development Regulations' be inserted as follows as Section 2301.1B:

The maximum density is 2 Dwelling Units.

- 73) That Section 2400 be renamed 'Multi-Unit Residential F (MUR-F) Permitted Uses' and be amended as follows:
Land, buildings and structures in the Multi-Unit Residential – F (MUR-F) zone shall be used for the following purposes only:

Dwellings:
Single Detached Housing
Duplex Housing
Multi-Unit Housing

Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Product

- 74) That Section 2401.1 be renamed 'Multi-Unit Residential F (MUR-F) Development Regulations' and be amended as follows:

The minimum site area for Multi-Unit Residential – F (MUR-F) shall be as follows:

Community Water Supply and Community Sewer System:

First Dwelling Unit 0.25 hectare

Each Additional Dwelling Unit 200 square metres

Community Water Supply Only:

First Dwelling Unit 0.25 hectare

Each Additional Dwelling Unit 400 square metres

On-Site Servicing Only:

First Dwelling Unit 1.0 hectare

Each Additional Dwelling Unit 0.1 hectare

- 75) That Section 2401.2 be renamed 'Multi-Unit Residential F (MUR-F) Development Regulations' and be amended as follows:

The minimum lot size for subdivision shall be as follows:

Community Water Supply and Community Sewer System:

0.5 hectare

Community Water Supply Only:

0.5 hectare

On-Site Servicing Only:

1.0 hectare

- 76) That Section 2401.4 Multi-Family Residential - F (MFR-F) be deleted in its entirety.

- 77) That Section 2500 Seasonal Residential (R7) Permitted Uses be amended as follows:

Dwellings:

Single Detached Housing

Duplex Housing

Horticulture

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit

Accessory Tourist Accommodation Home Based Business

Keeping of Farm Animals

Sale of Site Grown Farm Products

- 78) That Section 2501.1 Seasonal Residential (R7) Development Regulations be amended as follows:

The minimum lot size shall be required as follows:

Community Water Supply and Community Sewer System:

0.1 hectare

Community Water Supply Only:
0.4 hectare

On-Site Servicing Only:
1.0 hectare

- 79) That a new section 'Seasonal Residential (R7) Development Regulations' be inserted as follows as Section 2501.1B:
The maximum density is 2 Dwelling Units.
- 80) That Section 2501.12 Seasonal Residential (R7) Development Regulations be amended as follows:
Single Detached Housing may be used for short term rentals.
- 81) That Section 2600 Heritage Residential – I (HR-I) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing
- Accessory Uses:
Accessory Buildings and Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products
- 82) That Section 2601.1 Heritage Residential – I (HR-I) Development Regulations be amended as follows:
The minimum lot size is 1.0 hectare.
- 83) That a new section 'Heritage Residential – I (HR-I) Development Regulations' be inserted as follows as Section 2601.1B:
The maximum density is 2 Dwelling Units.
- 84) That Section 2700 Agriculture 1 (AG1) Permitted Uses be amended as follows:
Agriculture
All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
Single Detached Housing
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit

Accessory Tourist Accommodation

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Home Based Business

Portable Sawmills for processing of material harvested on site only

Temporary Farm Worker Housing (may require ALC non adhering residential use approval)

- 85) That Section 2701.1 Agriculture 1 (AG1) Development Regulations be amended as follows:
The minimum lot size shall be 4.0 hectares in the Agricultural Land Reserve and 2.0 hectares outside the Agricultural Land Reserve.
- 86) That a new section 'Agriculture 1 (AG1) Development Regulations' be inserted as follows as Section 2701.1B:
The maximum density is 2 Dwelling Units.
- 87) That Section 2701.5 Agriculture 1 (AG1) Development Regulations be amended as follows:
The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.
- 88) That Section 2701.6 Agriculture 1 (AG1) Development Regulations be deleted in its entirety.
- 89) That Section 2800 Agriculture 2 (AG2) Permitted Uses be amended as follows:
Agriculture
All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
Single Detached Housing
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit

Accessory Tourist Accommodation

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Home Based Business

Portable Sawmills for processing of material harvested on site only

Temporary Farm Worker Housing (may require ALC non adhering residential use approval)

- 90) That Section 2801.1 Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size shall be 8.0 hectares in the Agricultural Land Reserve and 4.0 hectares outside the Agricultural Land Reserve.

- 91) That a new section 'Agriculture 2 (AG2) Development Regulations' be inserted as follows as Section 2801.1B:
The maximum density is 2 Dwelling Units.
- 92) That Section 2801.5 Agriculture 1 (AG1) Development Regulations be amended as follows:
The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.
- 93) That Section 2801.6 Agriculture 1 (AG1) Development Regulations be deleted in its entirety.
- 94) That Section 2900 Agriculture 3 (AG3) Permitted Uses be amended as follows:
Agriculture
All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
Single Detached Housing
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)
- Accessory Uses:
Accessory Buildings or Structures
Accessory Dwelling Unit
Accessory Tourist Accommodation
Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
Home Based Business
Portable Sawmills for processing of material harvested on site only
Temporary Farm Worker Housing (may require ALC non adhering residential use approval)
- 95) That Section 2901.1 Agriculture 3 (AG3) Development Regulations be amended as follows:
The minimum lot size shall be 60.0 hectares in the Agricultural Land Reserve and 8.0 hectares outside the Agricultural Land Reserve.
- 96) That a new section 'Agriculture 3 (AG3) Development Regulations' be inserted as follows as Section 2901.1B:
The maximum density is 2 Dwelling Units.
- 97) That Section 2901.5 Agriculture 3 (AG3) Development Regulations be amended as follows:
The Maximum Gross Floor Area of Single Detached Housing is 375.0 square metres.
- 98) That Section 2901.6 Agriculture 1 (AG1) Development Regulations be deleted in its entirety.

- 99) That Section 3200 Neighbourhood Commercial (C1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 100) That Section 3300 General Commercial (C2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 101) That Section 3400 Tourist Commercial (C3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 102) That Section 3600 Small-Scale Tourism Accommodation (C5) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing
Duplex Housing

Rental Cabin for Tourist Accommodation

Accessory Uses:
Accessory Buildings and Structures
Accessory Tourist Accommodation Home Based Business
Horticulture
Sale of Site Grown Farm Product
- 103) That Section 3601.1 Small-Scale Tourism Accommodation (C5) Development Regulations be amended as follows:
The minimum lot size shall be 1.0 hectare.
- 104) That Section 3601.2 Small-Scale Tourism Accommodation (C5) Development Regulations be amended as follows:
The maximum permitted density for single detached housing, duplex housing and rental cabins for tourist accommodation shall be in conformance with the below site area requirements:

Community Water Supply and Community Sewer System:
First Cabin or Dwelling Unit 0.5 hectare
Each Additional Cabin or Dwelling Unit 200 square metres

Community Water Supply Only:
First Cabin or Dwelling Unit 0.5 hectare
Each Additional Cabin or Dwelling Unit 400 square metres

On-Site Servicing Only:
First Cabin or Dwelling Unit 1.0 hectare
Each Additional Cabin or Dwelling Unit 0.1 hectare
- 105) That Section 3700 Small-Scale Tourism Accommodation K (C5K) Permitted Uses be amended as follows:
Dwellings:
Single Detached Housing

Duplex Housing

Rental Cabin for Tourist Accommodation

Accessory Uses:

Accessory Buildings and Structures

Accessory Tourist Accommodation Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Farm Product

- 106) That Section 3701.1 Small-Scale Tourism Accommodation K (C5K) Development Regulations be amended as follows:

The minimum lot size shall be 1.0 hectare.

- 107) That Section 3701.2 Small-Scale Tourism Accommodation K (C5K) Development Regulations be amended as follows:

The maximum permitted density for single detached housing, duplex housing and rental cabins for tourist accommodation shall be in conformance with the below site area requirements:

Community Water Supply and Community Sewer System:

First Cabin or Dwelling Unit 0.5 hectare

Each Additional Cabin or Dwelling Unit 200 square metres

Community Water Supply Only:

First Cabin or Dwelling Unit 0.5 hectare

Each Additional Cabin or Dwelling Unit 400 square metres

On-Site Servicing Only:

First Cabin or Dwelling Unit 1.0 hectare

Each Additional Cabin or Dwelling Unit 0.1 hectare

- 108) That Section 3800 Resort Commercial (C6) Permitted Uses be amended as follows:

Cluster Development

Single Detached Housing

Duplex Housing

Multi-Unit Housing

Lodges and Seasonal Resorts

Hotels

Cabins

Campgrounds

Pubs

Restaurants

Spa, Health Club and Wellness Facilities

Personal Service Establishments

Recreation Facilities *including tennis, basketball, badminton and volley ball courts, bicycle, walking, cross country skiing, and horse riding trails, water craft facilities, playgrounds and other similar facilities but shall not include the following; a casino or*

similar gaming facility, off-road motorized recreation vehicle trails other than snow mobile trails, gun range, skeet shooting range or any activity that disturbs the peaceful enjoyment of the property by residents and tourists

Accessory Uses:

Maintenance and Infrastructure Buildings and Facilities

Employee Accommodation

- 109) That Section 3801.5 Resort Commercial (C6) Development Regulations be amended as follows:
In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply:

Single Detached Housing 1.5 parking stalls/unit

Duplex Housing 1.5 parking stalls/unit

Multi-Unit Housing 1.0 parking stalls/unit

Cabins 1.0 parking stalls/cabin

Campground 1.0 parking stalls/site

- 110) That Section 3801.6 Resort Commercial (C6) Development Regulations be amended as follows:
Cluster development shall be defined as development consisting of a combination of single detached housing, duplex housing and/or cabins arranged in clusters with a minimum of four dwelling units.

- 111) That Section 3801.7 Resort Commercial (C6) Development Regulations be amended as follows:

All development shall be subject to the following minimum site area requirements:

Single Detached Housing 400 square metres (4306 square feet)

Duplex Housing 300 square metres (3229 square feet)

Cabins (no kitchen facility) 250 square metres (2691 square feet)

Campgrounds 0.4 hectare (1.0 acre)

Lodges, Seasonal Resorts and Hotels 60 units/hectare (24.3 units/acre)

Multi-Unit Housing 30 units/hectare (12.2 units/acre)

- 112) That Section 3900 Resort Commercial 2 (C7) Permitted Uses be amended as follows:

Cluster Development

Single Detached Housing

Duplex Housing

Multi-Unit Housing

Lodges and Seasonal Resorts

Hotels

Cabins

Campgrounds

Pubs

Restaurants

Spa, Health Club and Wellness Facilities

Personal Service Establishments Recreation Facilities *including tennis, basketball, badminton and volley ball courts, bicycle, walking, cross country skiing, and horse riding*

trails, water craft facilities, playgrounds and other similar facilities but shall not include the following; a casino or similar gaming facility, off-road motorized recreation vehicle trails other than snow mobile trails, gun range, skeet shooting range or any activity that disturbs the peaceful enjoyment of the property by residents and tourists

Accessory Uses:

Maintenance and Infrastructure Buildings and Facilities

Employee Accommodation

Small Scale Water Extraction and Sales

- 113) That Section 3901.5 Resort Commercial (C6) Development Regulations be amended as follows:
In addition to the parking requirements specified under sections 611 and 612, the following off-street parking requirements shall apply:
- Single Detached Housing 1.5 parking stalls/unit
 - Duplex Housing 1.5 parking stalls/unit
 - Multi-Unit Housing 1.0 parking stalls/unit
 - Cabins 1.0 parking stalls/cabin
 - Campground 1.0 parking stalls/site
- 114) That Section 3901.6 Resort Commercial (C6) Development Regulations be amended as follows:
Cluster development shall be defined as development consisting of a combination of single detached housing, duplex housing and/or cabins arranged in clusters with a minimum of four dwelling units.
- 115) That Section 3901.7 Resort Commercial (C6) Development Regulations be amended as follows:
All development shall be subject to the following minimum site area requirements:
- Single Detached Housing 400 square metres (4306 square feet)
 - Duplex Housing 300 square metres (3229 square feet)
 - Cabins (no kitchen facility) 250 square metres (2691 square feet)
 - Campgrounds 0.4 hectare (1.0 acre)
 - Lodges, Seasonal Resorts and Hotels 60 units/hectare (24.3 units/acre)
 - Multi-Unit Housing 30 units/hectare (12.2 units/acre)
- 116) That Section 4000 Light Industrial (M1) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 117) That Section 4100 Medium Industrial (M2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 118) That Section 4200 Heavy Industrial (M3) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 119) That Section 4300 Industrial – Logging (M4) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.

- 120) That Section 4400 Industrial – Railway (M5) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 121) That Section 4500 Industrial – Airport (M6) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 122) That Section 4600 Institutional (I) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 123) That Section 4700 Park and Recreation (PR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 124) That Section 4800 Special Recreation 1 (PR1) Permitted Uses be amended as follows:
The term 'One dwelling unit (for a caretaker)' be replaced with 'Caretaker Suite'.
 - 125) That Section 5000 Quarry (Q) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 126) That Section 5100 Environmental Reserve (ER) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 127) That Section 5200 Forest Reserve (FR) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
 - 128) That Section 5400 Comprehensive Development (CD2) Permitted Uses be amended as follows:
The term 'One dwelling unit' be replaced with 'Caretaker Suite'.
- 2** By making such consequential changes as are required to reflect the foregoing amendments, including without limitation changes in the numbering and Table of Contents of the bylaw.
 - 3** This Bylaw shall come into force and effect upon its adoption.

CITATION

4 This Bylaw may be cited as “Regional District of Central Kootenay Zoning Amendment Bylaw No. 2958, 2024.”

READ A FIRST TIME this 16th day of May, 2024.

READ A SECOND TIME this 16th day of May, 2024.

WHEREAS A PUBLIC HEARING was not held under sec. 464 (4) of the *Local Government Act*.

READ A THIRD TIME this 16th day of May, 2024.

APPROVED under Section 52 (3)(a) of the Transportation Act this [Date] day of [Month], 2024.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this [Date] day of [Month], 2024.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer



Local Government Housing Initiatives **Frequently Asked Questions for Bill 44 (Small-Scale, Multi- Unit Housing)**

Version: February 28, 2024

The following frequently asked questions have been collated from correspondence received from local governments and questions asked during recent webinars. This document will be updated with new questions and answers as they become available. Check the Version Date to confirm if new questions have been added.

This document contains general information only and should not be construed as legal advice. Local governments should obtain legal advice on the application of their legislative authorities and to ensure that their procedures and policies comply with legislation.

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Bill 44: Small-Scale, Multi-Unit Housing (SSMUH)

1. What is the definition of 'Urban Containment Boundary'?

The term 'urban containment boundary' is not defined in legislation or regulation. The *Housing Statutes (Development) Amendment Act, 2023* relies on the common understanding of the term as an area where growth is intended to be directed. A Growth Containment Boundary is assumed to have the same meaning.

The legislation does include a regulation-making authority to define the term "urban containment boundary" for the purposes of the Act in future, if needed.

2. What if a community is only partially inside an urban containment boundary established in a Regional Growth Strategy?

Only the parcels within the urban containment boundary would have to meet the small-scale, multi-unit zoning requirements for three, four or six units. Areas outside the urban containment boundaries that are restricted to single family use will only have to allow a secondary suite or accessory dwelling unit.

See pages 5-9 (Summary of the SSMUH Requirements) of the [Provincial Policy Manual & Site Standards](#) for more details.

3. Does an RGS-defined urban containment boundary override different boundaries set by municipal OCPs?

Yes, if a local government's land falls within an urban containment boundary established by a regional growth strategy, that urban containment boundary is the determining factor regarding where SSMUH requirements apply.

4. Can a local government change their urban containment boundary to alter where the SSMUH requirements applies?

Urban containment boundaries may change over time, however the legislation prohibits local governments from unreasonably restricting or prohibiting small-scale multi-unit housing.

The development and amendment of a regional growth strategy is a collaborative and interactive process that involves a regional district, member municipalities, provincial agencies, and others. Similarly, amending an official community plan to change an urban containment boundary would require significant consultation.

5. Can local governments use conditional density rules (i.e., density bonusing) to achieve their minimum number of housing units?

Local governments will only be able to use density bonusing to achieve one of the six units in the higher density requirements near frequent bus service, and they may only use it to secure affordable or special needs housing.

See page 10 (Prohibited activities) of the [Provincial Policy Manual & Site Standards](#) for more details.

6. Will this legislation legalize existing secondary suites built without a permit?

No. This legislation will allow secondary suites or accessory dwelling units to be built in all communities across BC. It will not legalize secondary suites which may have been built without a building permit. If a secondary suite is built without a building permit, property owners will have to work with their local government to bring it into compliance with the BC Building Code and other local government requirements.

7. Do existing covenants under section 219 still apply?

The SSMUH legislation does not affect existing covenants made under section 219 of the *Land Title Act*. However, local governments should not pursue new covenants that would prevent the prescribed residential densities required under the SSMUH legislation. Covenants can however still be requested for health, safety, and the protection of the natural environment.

8. Do phased Development Agreements (under Section 516 of the Local Government Act) supersede SSMUH requirements?

A phased development agreement itself does not supersede the SSMUH requirements. Covenants, which are a common features of phased development agreements, could negate a zoning change made by a local government to implement SSMUH requirements. The application of the SSMUH legislation would also depend on whether the current zoning of the phased development meets the definition of a restricted zone under the legislation. Please seek advice from your lawyer where necessary.

See page 24 (Land Title Act) of the [Provincial Policy Manual & Site Standards](#) for more details.

9. Does the legislation apply to all sub areas of Comprehensive Development Zones even though some zones are single detached and others are multi-unit?

Each Comprehensive Development Zone is unique and the application of the SSMUH legislation would depend on whether the comprehensive development zone meets the definition of a restricted zone under the legislation. Local governments should seek legal advice if uncertain.

10. What happens if a property has a split zone?

The property can have a split zone, providing those parts of the property identified as being in a restricted zone are updated as required by SSMUH legislation.

11. Are local governments restricted to what minimum lot sizes can be set for subdivision?

No. Per the Provincial Policy Manual & Site Standards, “In developing policies or regulations governing subdivisions, local governments should consider the relationship between the minimum lot size requirements in the various zones, including minimum lot frontage lengths, with the potential number and viability of units that could be built if the minimum lot sizes were smaller. Smaller sized lots can mean a more efficient use of infrastructure and services.” Please see pages 51-52 (Subdivision, lot sizes, and strata titling) of the Provincial Policy Manual for more information.

12. Can local governments ensure that large lots aren't subdivided into very small parcels (further increasing density)?

Yes, local governments retain the ability to determine the minimum lot size for subdivision. In determining those sizes, the Province encourages local governments to consider the relationship between minimum lot size requirements in the various zones with the potential number and viability of units that could be built if the minimum lot sizes were smaller. Please see pages 51-52 (Subdivision, lot sizes, and strata titling) of the Provincial Policy Manual for more information.

New subdivision proposals would still need to be reviewed by an approving officer, who could ask for infrastructure upgrades as a condition of any approval (Land Title Act, sections 86 and 87, and LGA, section 506). New subdivision proposals can be denied by an approving officer based on concerns of lack of infrastructure and servicing capacity, or can require actions to be taken before an approval is granted.

13. Can local governments set form and character requirements through Development Permit Areas in areas where SSMUH requirements apply?

Yes, though they must not unreasonably restrict the ability to use land at the use or density prescribed by SSMUH legislation.

See page 46 (Development Permit Areas) of the [Provincial Policy Manual and Site Standards](#) for more information.

14. Will single-family and duplex areas be required to accommodate increased density if they aren't prepared for it?

The legislation focuses on increasing density in areas already serviced by municipal infrastructure, that are within urban containment boundaries, and that are well served by transit. For example, the community of Metchosin in the Capital Regional District (CRD) is subject to the CRD's Regional Growth Strategy (RGS) but does not fall within the urban containment boundary as set out in the RGS and does not have sewers. Accordingly, the SSMUH zoning requirements for three, four or six units do not apply there.

Results from other jurisdictions indicate a gradual uptake of multi-unit housing, allowing time for areas with predominantly single-detached and duplex homes to adapt to anticipated density.

Bill 44 also establishes the ability for local governments to apply for an extension to the SSMUH compliance deadline of June 30, 2024, for the following reasons:

- The local government is in the process of upgrading infrastructure that services an area where the SSMUH requirements would apply;
- The infrastructure that services an area is such that compliance by June 30, 2024, is likely to increase a risk to health, public safety or the environment in the area;
- There exist extraordinary circumstances that otherwise prevent compliance in relation to the applicable area.

15. Can local governments exempt areas due to geotechnical hazards, flood zones, etc.?

Yes. The *Local Government Act* and *Community Charter* have existing authorities, like development permits for municipalities to manage growth in and near hazardous and environmentally sensitive areas.

As well, regulations which came into force on December 7 (Local Government Zoning Bylaw Regulation) establish further exemptions for areas from SSMUH:

- Areas captured within a Transit Oriented Area, as noted by Housing Statutes (Transit-Oriented Areas) Amendment Act, 2023, S.B.C. 2023, c. 48, are exempted from the three-, four- or six-unit requirements as the TOA regulation will allow higher densities of housing.
- Land which is subject to:
 - a) hazardous conditions,
 - b) the threat or risk from the hazardous conditions would increase if the density permitted under this legislation is achieved, and
 - c) the hazardous condition cannot be practically mitigated,

is exempt from the SSMUH legislative requirements. Local governments must have a report prepared by a qualified professional which certifies a) and b) above.

A local government is required to provide a written notice to the Province of an exemption.

See page 11 (Exemptions) of the [Provincial Policy Manual and Site Standards](#) for more information.

16. Does MOTI still have to approve zoning bylaws for parcels within 800 metres of an intersection of a controlled access highway?

Yes. MOTI is working on a streamlined process specifically for SSMUH-related bylaws, more information will be shared on that in the coming weeks.

Please reach out to the appropriate MOTI regional and district contact for more information: [Regional & District Contacts for the Ministry of Transportation and Infrastructure - Province of British Columbia \(gov.bc.ca\)](#)

17. Where SSMUH compliance requires a companion OCP amendment is a public hearing required for the OCP amendment?

Yes. Public hearing requirements for OCP amendments remain unchanged. However, zoning bylaw updates required to align with the SSMUH legislation are explicitly excluded from the requirement to be consistent with official community plans until December 31, 2025, so OCPs need not be updated immediately to comply with SSMUH requirements.

See page 16 (Implementing SSMUH requirements) of the [Provincial Policy Manual and Site Standards](#) for more details.

18. If our zoning bylaw amendments go beyond the legislated requirements, are we still exempt from having a public hearing?

Local governments must not hold a public hearing for zoning bylaw updates that are for the sole purpose of complying with SSMUH legislation. The possible administrative process and procedure should be discussed with legal counsel if a local government's intent is to combine SSMUH updates with other zoning bylaw amendments.

See page 16 (Implementing SSMUH requirements) of the [Provincial Policy Manual and Site Standards](#) for more details.

19. What mechanisms are available to exempt properties with higher density designation in an OCP but with zoning which meets the restricted zone definition?

Local governments may rezone properties within restricted zones to permit higher density than what is required to meet the SSMUH requirements to match the OCP.

20. How can local governments protect urban forests while adding density?

Many communities across BC have tree protection bylaws to protect urban tree canopy, and many of these bylaws include policies to replace trees when removed for new development. These bylaws can remain in place as long as they do not unreasonably restrict the development of small-scale multi-unit housing and the property being developed to the density allowed by the applicable zoning bylaw (*Community Charter* section 50 and *Local Government Act* section 457.1)

As well, local governments implementing SSMUH zoning bylaw updates should be flexible in terms of permitting the full range of combinations and configurations for SSMUH buildings, up to at least the specified density or unit limit on a given lot. For example, rather than creating a zone that permits a duplex, triplex, or fourplex, a zone could permit up to four housing units, without limiting the form those buildings should take. This approach will allow those who are designing and developing the housing to select a form that better aligns with the needs of the community or future residents, such as taking into account important site considerations such as tree canopy and urban forest retention.

21. Is the 2-metre front yard setback in the site standards required if it poses issues for accommodating adequate soil volumes for trees?

Local governments are required to *consider* the Provincial Policy Manual & Site Standards. The packages of site standards are a resource to support local governments, serving as recommendations for technical specifications for zoning bylaws that local governments may adopt for different lots and areas to which the SSMUH requirements will apply.

See page 65 (Purpose of these resources) in the [Provincial Policy Manual and Site Standards](#) for more details.

22. What if a property is partially in the Agricultural Land Reserve?

The portion of the property in the ALR continues to be subject to the *Agricultural Land Commission Act*.

See page 20 (Agricultural Land Commission Act) in the [Provincial Policy Manual and Site Standards](#) for more details.

23. If a strata has their own on-site servicing for water and wastewater, which is not connected to the local government system, are they exempt from SSMUH legislation?

Land that is not connected to a water and sewer system provided as a service by a municipality or regional district is exempt from SSMUH requirements to permit, in zones which meet the definition of a restricted zone, a minimum of three to six units.

See pages 11-12 (Exemptions) of the [Provincial Policy Manual and Site Standards](#) for more details.

24. What if a property is in a service area for water and sewer but not connected to both services? What happens if a property later connects to both services?

Land must be connected to both water and sewer systems that are operated by a local government for the three to six unit density to be applied. Even if a property is within a service area, it must also be connected to both a water and a sewer system operated by a local government. If a property does later connect to both services, the zoning of the property may need to be updated to allow for three to six units.

25. How do heritage protections (sections 610, 611 and 614 of the LGA) intersect with SSMUH legislation?

The following lands are exempted from SSMUH requirements to permit a minimum of three to six units on a lot:

- Land that is protected under s. 12.1 (2) of the Heritage Conservation Act;
- Land that is, on the date the SSMUH legislation came into force, designated as protected under section 611 [heritage designation protection];
- Lands subject to a heritage revitalization agreement, as defined in section 586 of the LGA, entered into before the date this section comes into force.

Going forward, local governments will still be able to designate heritage properties, but they will have to allow the minimum density under the small scale, multi-unit housing (SSMUH) requirements on those lots, and they cannot unreasonably restrict SSMUH development. Many homes which are currently designated as heritage do accommodate multiple dwellings within one, large residential building, and heritage infill is a common practice in many communities across B.C. already.

See page 11 (Exemptions) and implementation sections of the [Provincial Policy Manual and Site Standards](#) for more information.

26. Will BC Transit provide further information for determining prescribed bus stops?

As described in the [Provincial Policy Manual and Site Standards](#) (Bus Stops, page 80), BC Transit has data regarding transit frequencies for all routes in their jurisdiction, while comparable data is available for routes serviced by Coast Mountain Bus Company and West Vancouver Transit in the lower mainland. The Province recommends liaising directly with the appropriate transit operator to identify the bus stops that will determine density requirements under the SSMUH legislation.

27. If transit service changes in the future (i.e. bus stop is moved or service level adjusted) are municipalities required to update their zoning bylaw for which six units are permitted?

Yes, municipalities are expected to ensure their zoning bylaws are up to date and account for changes in transit routes and frequency.

Transit service is not static and changes over time and throughout the year. For seasonal changes to bus service, local governments should determine prescribed bus stops based on the lowest service level available throughout the year. Local governments are to use the transit service which is published at the time they are updating their zoning bylaws to meet the compliance deadline of June 30, 2024. As transit levels change in the future, local governments should ensure their zoning bylaws continue to align with provincial legislation.

28. How can local governments implement small-scale multi-unit housing while protecting biodiversity and ecosystem health?

New housing legislation will ensure many of the opportunities for new growth occur within Urban Containment Boundaries and close to frequent transit, and mostly as infill and not greenfield development. Focusing increased housing supply within existing urban areas is critical to making the most efficient use of land and preserving the intact natural ecosystems (forests, wetlands, rivers, etc.) that surround our communities. Urban containment boundaries help us build more complete communities, reduce climate impacts, and prevent urban sprawl.

The *Local Government Act* and *Community Charter* have existing authorities, like development permits, for municipalities to manage growth in and near hazardous and environmentally sensitive areas. Existing legislation also protects environmentally sensitive areas from development including: the *Drinking Water Protection Act*, the *Environmental Management Act*, the *Riparian Areas Protection Act*, and the *Agricultural Land Commission Act*. Minimum density requirements do not override development permit areas for environmentally sensitive areas and other Provincial regulations related to riparian areas and setbacks from watercourses.

The [BC Environmental Mitigation Policy and Procedures](#) can be used by local governments to guide consistent decisions on mitigation of environmental impacts from development projects (such as housing). The EMP applies the mitigation hierarchy (avoid, minimize, restore on-site, offset) which is recognized as a global standard for environmental assessments.

As local governments implement the suite of housing initiatives, they should be planning for parks, greenspace, and other amenities in their communities, which they will be able to review regularly through newly mandated regular official community plan updates.



Committee Report

Date of Report: April 22, 2024
Date & Type of Meeting: May 15, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – KITCHENER VALLEY RECREATION & FIRE PROTECTION SOCIETY “COMMUNITY HALL ELECTRICAL UPDATE”
File: 1850-20-CW-299
Electoral Area/Municipality B

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the RDCK Community Works Fund application submitted by the **Kitchener Valley Recreation & Fire Protection Society** for the project titled “**Community Hall Electrical Update**” in the total amount of \$12,000, and that funds be disbursed from Community Works Funds allocated to Electoral Area B. The project aims to modernize the electrical services to the commercial kitchen and to install a generac generator.

SECTION 2: BACKGROUND/ANALYSIS

In January 2024 the Columbia Basin Trust approved funding to the Kitchener Valley Recreation & Fire Protection Society to fund their Commercial Kitchen equipment upgrades. The Trust awarded the Kitchener Valley Recreation & Fire Protection Society \$65,000 for this work. In addition to, and part of this CBT project is the requirement to upgrade the hall electrical and to install a generator.

As referenced in the Application (Attachment A), electrical modernization involves much-needed energy upgrades to the hall to ensure compliance with current code requirements. This generator installation and the commercial kitchen electrical upgrades will ensure the hall can continue to operate as a gathering place for the communities’ events and programs.

Eligible Community Works Projects include investments in infrastructure for construction, renewal, or material enhancements. This project falls under the grant stream of Recreation Infrastructure – Recreational facilities or networks.

Project Timeline:
April 15, 2024 to completion on or before August 30, 2024

The Society will be working closely with Arrow Mountain Electric, who will be overseeing the project.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No **Financial Plan Amendment:** Yes No

Debt Bylaw Required: Yes No **Public/Gov't Approvals Required:** Yes No

This application is the responsibility of Area B and no other areas are being asked to contribute to the project. The Director for the area is supportive of the application and has sufficient 2024 funds to allocate to the project. Should this project be funded, Area B will have \$737,825.18 in Community Works funds remaining.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the program category of 'Recreation Infrastructure'.

3.3 Environmental Considerations

This electrical upgrade and installation work will ensure the feeding and housing of community members and the general public for any event. The improvement will have an effect on the usability of the facilities including more even heating and cooling and improved kitchen facilities.

3.4 Social Considerations:

In their entirety, these upgrades will play a pivotal role in enhancing this community recreational asset which will result in an increase in user visits and community programming offered. Upon completion of this project a safe space for recreation and cultural activities will be available to all users. The installation of the generator particularly will ensure a safe environment to gather community members as well as members of the general public in the event of an emergency.

3.5 Economic Considerations:

The balance of funds required for this project will be funded through the Columbia Basin Trust.

3.6 Communication Considerations:

None at this time.

3.7 Staffing/Departmental Workplace Considerations:

RDCK staff resources will need to be allocated to track, process and ensure reporting requirements are fulfilled on an annual basis for a five-year period.

3.8 Board Strategic Plan/Priorities Considerations:

None at this time.

SECTION 4: OPTIONS & PROS / CONS

N/A

SECTION 5: RECOMMENDATIONS

THAT the Community Works Fund application submitted by **the Kitchener Valley Recreation & Fire Protection Society** for the project titled "**Community Hall Electrical Update**" in the amount of \$12,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area B.

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVED**

Uli Wolf – General Manager of Environmental Services **APPROVED**

Stuart Horn – Chief Administrative Officer **APPROVED**

ATTACHMENTS:

Attachment A – Community Works Fund Application: Kitchener Valley Recreation & Fire Protection Society
“Community Hall Electrical Update”

Attachment B – Arrow Mountain Electric quote



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
 250-352-6665 1-800-939-9300 Email info@rdck.bc.ca

ATTACH A

Community Works Fund Application (Appendix-A) Gas Tax Program Services – CWF Funding (UBCM)			
"The Project"	Community Hall Electrical Update		
Date of Application	2024/02/04		
Applicant Information			
Name of Organization	Kitchener Valley Recreation & Fire Protection Society		
Address	104 Leadville Road		
City, Prov. Postal	Kitchener, BC V0B 1K0		
Phone No.	250-428-1314	Fax No.	
Organization's Email	kitchenervalleysociety@gmail.com		
Name of Contact	Michelle Gerlinsky	Contact's Email	kmdrilling@hotmail.com
Director in Support of Project			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
Roger Tierney	B	\$ 12,000.00	
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2024/04/01		2024/12/31	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	Parcel B, Block 12, PlanNEP688, District Lot 2546, Kootenay Land District		
Registered Owners of Land(s)	Kitchener Valley Recreation & Fire Protection Society		
Crown Land Tenure/License No./Permit No.(s)			
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?	<input checked="" type="checkbox"/>	Yes	
	<input type="checkbox"/>	No	
Have you applied and received a building permit?	<input type="checkbox"/>	Yes, Permit No. _____	
	<input checked="" type="checkbox"/>	No	
If No, please explain: not necessary as it is not a structural change			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

In the summer of 2020 the Society purchased the Home Style Cafe to convert it to a Community Hall. Renovations began which included retrofitting the cafe kitchen to convert it to operate as a Commercial Kitchen. The Kitchener Valley Recreation and Fire Protection Society opened the Hall in 2021. The society aims to promote healthy living and community spirit while building a network of community resources as a base for recreational events and community development.

The Electrical Modernization project entails the upgrade of electrical services to the commercial kitchen and the new installation of a generator. Arrow Mountain Electrical has submitted a quote to install much needed energy upgrades to our hall to ensure compliance with current code requirements. Work involves the installation of a generac generator with an automatic transfer switch, re-and-re of electrical panels and junction boxes and feed connections as required.

The kitchener hall is currently being used as a community gathering place for monthly program events, recreational programs, craft sales, markets, painting parties, seasonal parties, children's movie nights, yoga sessions and meet & greets. It is also being used as an education facility on a monthly basis (ie. Gun safety course and exams). Other events such as pottery classes are planned for the near future. In addition to the hall space, there is a basketball court, horseshoes play area and playground nearby.

The kitchener hall is also used as a cooling station, warming station and evacuation muster point in any needed event. The Hall is able to provide a safe and accessible space for community members and the public. This week, Kitchener Hall opened to accommodate stranded motorists due to road closures because of the MVI with fatalities. The highway was closed for hours and the Kitchener community residents generously came at once with food and beverages to care for those in need.

Project Timeline:
 April 15, 2025 to completion on or before August 30, 2024

Project Budget:
 Total budget is \$46,037.00 as per ARROW MOUNTAIN Electric, see attached

Accountability Framework Financial Statements that adhere to Project Accountability;
 To follow on completion

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

see attached quote from ARROW MOUNTAIN Electric.

In accordance with Energy Upgrade Solutions, Kitchener Hall is committed to the installation of the Generac Generator. The installation of the generator will ensure a safe environment for community members to gather as well as members of the general public in the event of an emergency. A building to use as both a warming and cooling station is a well-documented need in the community.

The project is to commence as soon as possible and to be completed, ready for use on or prior to August 30, 2024,

(If needed, please provide additional information on separate page)

1.2 Project Impact

The Kitchener hall is a meeting point for the community and is currently used for festive social gatherings (such as the annual Easter egg hunt), birthday parties, weddings, funerals, family reunions, and private functions. The Hall facility is an extremely important and widely used resource for the community and having the project completed will provide increased utilization opportunities for the community.

The Kitchener hall has been targeted as an ideal location for both a heating and cooling station and as a muster point in the event of an emergency. Recent MVIs in the area have created traffic stoppages (for many hours in some cases) which has shown the need for people to be cared for in a safe environment. There is no other building equipped to house and either warm or cool people in the area. The installation of a generator allows a fully ready emergency response which will assist any and all in need in the event of any disaster or emergency event. The generator can fully operate the commercial equipment being installed, thus people can be fed and housed safely.

This project demonstrates a commitment to the community and the general public to provide a gathering space for daily activities as well as provide a safe space in the event of an emergency or natural disaster.

The Kitchener Valley Recreation & Fire Protection Society considers this project to be vital in the success of our community readiness by:

- providing all community members with a safe place to gather during power outages where they will be able to stay warm and have access to facilities for cooking a warm meal.
- providing all community members with a safe place to gather during extreme heat events where they will be able to stay cool in a nicely air conditioned environment should they not have these facilities in their homes.
- providing a safe space to gather during times of evacuation due to encroaching wild fire or other disastrous environmental circumstances that come as result of climate change.
- providing a safe space for accommodation of stranded motorists due to unexpected road closures.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

Outcome expected will be the safe care, feeding and housing of community members and the general public in any event. The improvement will have an effect on the usability of the facilities including more even heating and cooling and improved kitchen facilities. Once completed, more events can be planned, scheduled and implemented. Revenue via Hall rental fees can assist the Hall in meeting it's goal of self-sustainability.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

ARROW MOUNTAIN Electric will be the main lead as qualified electricians. Electrical Permits will be their responsibility.

(If needed, please provide additional information on separate page)

2.0 Project Budget

List anticipated and confirmed Project revenue and expenses that have been deemed necessary for the implementation of the Project. Schedule B outlines eligible costs for eligible recipients (see attached).

Project Revenue
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Revenue	Value (\$)
CBT		\$ 65,000.00
RDCK Community Works	Energy Upgrades Solutions	\$ 12,000.00
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 77,000.00

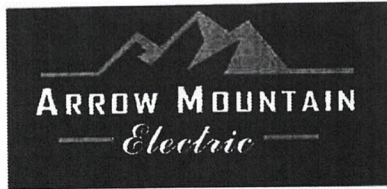
Project Expenses
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
Generator		\$ 46,037.00
Kitchen upgrade	commercial standard	\$ 30,963.00
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 77,000.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Revenue	\$ 77,000.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Expenses	\$ 77,000.00

2.1 Additional Budget Information		
Quote rationale to be reviewed by RDCK Chief Administrative Officer		
(If needed, please provide additional information on separate page)		
3.0 Accountability Framework		
<p>The eligible recipient will ensure the following:</p> <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - 		
4.0 Schedule of Payments		
<p>The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:</p> <ol style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. 		
5.0 Acknowledgement of Requirements		
<p>Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.</p> <p>By signing below, the recipient agrees to prepare and submit a Project completion report outlining Project outcomes that were achieved and information on the degree to which the Project has contributed to the above mentioned objectives. The Project completion report must include details of project revenue s and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 5 years) is to be submitted to the RDCK prior to October 31st of each year detailing the beneficial impacts on the community as a result of the completed Project.</p>		
Authorized Signature for Proponent	Name	Date
Michelle Gerlinsky	Michelle Gerlinsky	2024/04/08

ATTACHMENT "B"



Arrow Mountain Electric
GST#740477930
4609 Lachat Rd
Wynndel British Columbia V0B 2N1
Canada

ESTIMATE

EST-000180


Bill To
Kitchener Community
6253 Kitchener Rd
Kitchener
BC
Canada

Estimate Date : 2023/10/23
Expiry Date : 2023/11/24
Reference# : Kitchener Hall

Subject :

Generac Generator system with an automatic transfer switch. Service changes due to code infractions. Attached will be a document with "Quote Notes" detailing the work to be completed.

#	Item & Description	Qty	Rate	Amount
1	48 kW 120/240V 1 PH Generac Generator - LP	1.00	28,790.38	28,790.38
2	200A Generac Automatic Transfer Switch	1.00	1,193.56	1,193.56
3	Generac Block Heater	1.00	595.95	595.95
4	12V Sealed Battery	1.00	285.85	285.85
5	Generator Delivery	1.00	268.56	268.56
6	200A Meterbase O/H & U/G Comes with Neutral Standoff	1.00 pcs	248.45	248.45
7	Meterbase Hub - 2"	1.00 pcs	30.31	30.31
8	Mast Adapter - Male	1.00 pcs	45.76	45.76
9	Mast - 12 Ft	1.00 pcs	220.98	220.98
10	Mast Clamp	3.00 pcs	51.89	155.67
11	Insulater - Mast	1.00 pcs	55.53	55.53

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Visit zoho.com/invoice to create truly professional invoices

#	Item & Description	Qty	Rate	Amount
12	Weather Head	1.00 pcs	94.28	94.28
13	Roof Jack - Tin	1.00 pcs	57.48	57.48
14	2" EMT	10.00 ft	11.42	114.20
15	2" EMT Wet Connector	5.00 pcs	9.86	49.30
16	2" EMT Wet Coupling	1.00 pcs	9.67	9.67
17	2" EMT 90	1.00 pcs	31.80	31.80
18	2" EMT LB	1.00 pcs	77.81	77.81
19	2" EMT Dry Connector	1.00 pcs	4.98	4.98
20	2" Grounding Bushing	4.00 pcs	26.06	104.24
21	Ground Plate & Clamp	1.00 pcs	46.29	46.29
22	200A Panel 32 cct Square D	1.00 pcs	343.21	343.21
23	125A Panel 32 cct Square D	1.00	255.96	255.96
24	125A Panel 32 cct Square D	1.00	255.96	255.96
25	125A 2P Square D Breaker	1.00	342.51	342.51
26	60A 2P Square D Breaker	1.00 pcs	92.53	92.53
27	15A Square D Breaker	26.00 pcs	22.82	593.32
28	15A 2P Square D Breaker	6.00 pcs	38.21	229.26
29	20A Square D Breaker	6.00 pcs	22.82	136.92
30	20A 2P Square D Breaker	4.00 pcs	38.21	152.84

#	Item & Description	Qty	Rate	Amount
31	40A 2P Square D Breaker	1.00 pcs	42.86	42.86
32	8x8x4 Metal Box	2.00 pcs	28.98	57.96
33	11/10 Box	4.00 pcs	4.37	17.48
34	11/10 Decora Cover	4.00 pcs	4.66	18.64
35	20A Decora Receptacle Panel receptacle	1.00 pcs	2.78	2.78
36	15A 3-Way Decora Switch Mechanical Room Light	2.00 pcs	2.69	5.38
37	8 ft LED Strip Light Light in new mechanical room	1.00 pcs	166.85	166.85
38	1/2" EMT Offset	1.00 pcs	9.91	9.91
39	1/2" Lock Ring	2.00 pcs	0.26	0.52
40	#14 2C AC-90	11.00 m	3.99	43.89
41	BX Strap	12.00 pcs	0.61	7.32
42	BX Connector	3.00 pcs	0.68	2.04
43	BX DBL Connector	1.00 pcs	2.31	2.31
44	#12 20C Multi Conductor Cable Junction box circuits after removing Panel B	3.00	47.97	143.91
45	1" Dry Teck Connector	2.00 pcs	26.75	53.50
46	Ground Bar	1.00 pcs	4.68	4.68
47	#4 3C NMD-90 AL Re-feed Panel A	24.00	12.64	303.36
48	1" 2-Screw Connector	1.00 pcs	3.86	3.86
49	1" Flex 90 Connector	1.00 pcs	14.94	14.94

#	Item & Description	Qty	Rate	Amount
50	1" EMT Strap	27.00 pcs	0.27	7.29
51	Panel Filler	12.00 pcs	1.68	20.16
52	1/2" Knockout Filler	5.00 pcs	0.45	2.25
53	2/0 3C ACWU Cable Re-feed new panel that replaces panels AA & AAA	18.00	26.37	474.66
54	1 1/2" Dry Teck Connector	1.00 pcs	34.69	34.69
55	1 1/2" Flex 90 Connector	1.00 pcs	42.24	42.24
56	1 1/2" 2-Hole Strap	15.00 pcs	0.84	12.60
57	1 1/2" Grounding Bushing	2.00 pcs	17.93	35.86
58	470 Teck Connector	2.00 pcs	91.92	183.84
59	250 MCM AL RW-90	9.00 m	9.78	88.02
60	250 MCM 3C ACWU Cable Generator Feeder Cable	3.00	44.54	133.62
61	1/2" Liquid Tight	8.00 ft	1.57	12.56
62	1/2" LT Connector	2.00 pcs	5.01	10.02
63	#18 5C LVT	3.00 m	1.97	5.91
64	1/2" PVC	10.00 ft	1.22	12.20
65	1/2" PVC TA	2.00 pcs	1.37	2.74
66	1/2" PVC LB	1.00 pcs	6.70	6.70
67	1/2" PVC Strap	4.00 pcs	0.59	2.36
68	40/40 Connector	46.00 pcs	0.55	25.30

#	Item & Description	Qty	Rate	Amount
69	3/4" 2-Screw Connector	8.00 pcs	1.97	15.76
70	Single Lug #6	3.00 pcs	5.38	16.14
71	Staples - Nailing 1000	0.10 Pail	143.56	14.36
72	Concrete Anchors	14.00 pcs	0.76	10.64
73	Duct Seal	1.00 pcs	8.77	8.77
74	#14 2C NMD-90	28.00 m	2.47	69.16
75	#12 2C NMD-90	10.00 m	3.77	37.70
76	#8 3C NMD-90	2.00 m	13.68	27.36
77	4x4 Box Deep	2.00 pcs	7.97	15.94
78	4x4 Blank Cover	1.00 pcs	2.71	2.71
79	2 Ft Splitter - Junction Box	1.00	123.56	123.56
80	4 11/16 Box Deep	2.00 pcs	11.94	23.88
81	4 11/16 Blank Cover	2.00 pcs	6.89	13.78
82	Concrete Pad for the Generator - Subcontractor to Insall	1.00	645.00	645.00
83	Consumables Marrette's, screw's, straps, penatrox etc.	1.00 pcs	20.00	20.00
84	Permit Fee	1.00	701.00	701.00
85	Labour 16 Hrs - Install new overhead service with Automatic Transfer Switch, mast through the roof, meterbase, and panel. 6 Hrs - Remove Panel A Service, Save Panel and Re-feed existng panel from the new service. 7 Hrs - Remove Panel B Service and Panel, junction box existing circuits and re-feed from new service 4 Hrs - Label Wires and remove from Panels AA & AAA 12 Hrs - Remove Panels AA & AAA, junction box existing wires, install 125A Panel, and refeed from new service, terminate circuits in the new panel 6 Hrs - Trace unlabelled circuits in each panel, identify the circuits	65.00 Hr	80.00	5,200.00

#	Item & Description	Qty	Rate	Amount
	and Label the panels			
	8 Hrs - Deliver Generator to site, set on concrete pad, run feeder cable and controls wires, connect in transfer switch			
	2 Hrs - Install Block Heater and Battery			
	2 Hrs - Commission Generator, set up exercising, and test system			
	2 Hrs - Set up and Clean up			
			Sub Total	43,844.53
			GST (5%)	2,192.23
			Total	\$46,036.76

Notes

If you have any questions do not hesitate to call. Looking forward for your business.



Committee Report

Date of Report: April 23, 2024
Date & Type of Meeting: May 15, 2024, Rural Affairs Committee
Author: Lisa Rein, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – ROBSON RASPBERRY IMPROVEMENT DISTRICT “RRID ASSET MANAGEMENT STUDY”
File: 1850-20-CW-302
Electoral Area/Municipality J

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the RDCK Community Works Fund application submitted by the **Robson Raspberry Improvement District (RRID)**, for the project titled “**RRID Asset Management Study**” in the total amount of \$51,000.00, and that funds be disbursed from Community Works Funds allocated to Electoral Area J. The project is to conduct an Asset Management Study on its existing equipment and infrastructure of its 500 connections.

SECTION 2: BACKGROUND/ANALYSIS

The Robson-Raspberry Improvement District provides safe, reliable, sustainable water services to their community while responsibly managing and protecting their water resources for future generations. They are committed to promoting water conservation, environmental stewardship, and equitable access to clean water for all.

As referenced in the Application (Attachment A), the Asset Management Study is a 4 Phase project consisting of the following:

- Phase 1: Condition Assessment
- Phase 2: Operation & Maintenance Plan
- Phase 3: Life-Cycle Costs
- Phase 4: Watershed Risk Assessment

Eligible Community Works Projects include investments in infrastructure for construction, renewal, or material enhancements. This application falls under the project category of Capacity Building Projects and the stream of Asset Management – Increase local government capacity to undertake asset management planning practices.

Project Timeline:

This project is expected to commence in June 2024 for Phases 1 and 4, Phase 2 in the fall of 2024, and Phase 3 in early 2025, with an estimated conclusion of March 2025. The RRID will issue a Request for Proposals (RFP) to solicit engineering quotations from 3 firms competent in this area of practice.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

This application is the responsibility of Area J and no other areas are being asked to contribute to the project. The Director for the area is supportive of the application and has sufficient 2024 funds to allocate to the project. Should this project be funded, Area J will have \$213,215.25 in Community Works funds remaining.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the program category of 'Asset Management – Increase local government capacity to undertake asset management planning practices'.

3.3 Environmental Considerations

A decrease in boil water notices and the long-term forecasting on seasonal water availability from Norns Creek and notable high level risks to quantity and quality from watershed activities.

3.4 Social Considerations:

This Asset Management Study will free up the resources of the RRID Board and staff to focus on strategic planning. The hope is to improve the reputation of Robson-Raspberry as a safe and livable location for immigration and economic development.

3.5 Economic Considerations:

N/A

3.6 Communication Considerations:

None at this time.

3.7 Staffing/Departmental Workplace Considerations:

RDCK staff resources will need to be allocated to track, process and ensure reporting requirements are fulfilled on an annual basis for a five-year period.

3.8 Board Strategic Plan/Priorities Considerations:

N/A

SECTION 4: OPTIONS & PROS / CONS

N/A

SECTION 5: RECOMMENDATIONS

THAT the Community Works Fund application submitted by the **Robson Raspberry Improvement District** for the project titled "**RRID Asset Management Study**" in the amount of \$51,000 be approved and that funds be disbursed from Community Works Funds allocated to Electoral Area J.

Respectfully submitted,

Lisa Rein, Grants Coordinator

CONCURRENCE

Mike Morrison – Manager of Corporate Administration/Corporate Officer **APPROVED**

Uli Wolf – General Manager of Environmental Services **APPROVED**

Stuart Horn – Chief Administrative Officer **APPROVED**

ATTACHMENTS:

Attachment A – Community Works Fund Application Robson Raspberry Improvement District “RRID Asset Management Study”



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
 250-352-6665 1-800-939-9300 Email info@rdck.bc.ca

ATTACH A

Community Works Fund Application (Appendix-A)			
Gas Tax Program Services – CWF Funding (UBCM)			
"The Project"	RRID Asset Management Study		
Date of Application	2024/03/14		
Applicant Information			
Name of Organization	Robson Raspberry Improvement District		
Address	2619 Broadwater Road		
City, Prov. Postal	Robson, BC, V0G 1X0		
Phone No.	(250) 365-3404	Fax No.	
Organization's Email	rrid@telus.net		
Name of Contact	Paul Markin	Contact's Email	fpmarkin@gmail.com
Director in Support of Project			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
Henny Hanegraaf	Area J	\$ 51,000.00	
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2024/06/01		2025/06/01	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	Lot 12, Plan 795, District Lot 4598, Kootenay Land District		
Registered Owners of Land(s)	Robson Raspberry Improvement District		
Crown Land Tenure/License No./Permit No.(s)	N/A		
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Have you applied and received a building permit?	<input type="checkbox"/> Yes, Permit No. _____	<input checked="" type="checkbox"/> No	
If No, please explain: No building permit required for asset management study.			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

The Union of British Columbia Municipalities (UBCM) provides a Community Works Fund Program Guide available at <https://www.ubcm.ca/media/2451> to assist grant application drafting and review. The Community Works Fund (CWF) is divided into two project categories:

- 1) Capital Infrastructure; and
- 2) Capacity Building.

Although Category 1 lists activities such as planning and designing of Capital Infrastructure as eligible costs, Page 8 of the Guide clearly states that life-cycle cost assessments and asset management plans are eligible costs under the Capacity Building category. With this understanding, the Robson Raspberry Improvement District (RRID) wishes to submit to the Regional District of Central Kootenay (RDCK) Board of Directors this application for an Asset Management Study on it's existing equipment and infrastructure, which is considerable for an unincorporated community of 500 connections.

The RRID owns and operates a Level 3 ultrafiltration water treatment plant (WTP) located at the end of Marshall Road which provides high quality drinking water for roughly 500 households. The WTP was constructed in 2014 for \$3M and is approaching 10 years of age. Retaining qualified operators with sufficient expertise and available time to dedicate to facility operation and maintenance has proven to be a challenge over the years, whereby only critical path maintenance tasks were performed. Equipment service life is dependent on the level of care and attention paid to routine and major maintenance milestones. Ten years represents the lower end of typical electro-mechanical equipment lifespans and includes items such as pumps, valve actuators, air compressors, industrial logic controllers/computers, UV reactor ballasts and ultrafiltration membrane modules. Some of the aforementioned pieces of WTP equipment may be approaching end of life in the near future, whereby the timing and magnitude of expenditures are unknown. Without a firm understanding of equipment condition and replacement expenditure time-lines, a utility exposes itself to an unacceptable level of service risk given that gathering facility upgrade funds takes years of careful planning and cannot be done in an emergency. In absence of strategic planning, the 'run to failure' model becomes the status quo which results in sudden, challenging and costly disruptions to potable water services which are of lower quality than a planned execution.

The majority of the RRID's distribution system mains are composed of 9 kilometers of 6" to 12" diameter asbestos cement (AC) pipe originally installed into the late 1970's. The expected service life for AC pipe is roughly 50 years. Similar to the WTP, the distribution system has approached its the minimum service life milestone. Condition assessment and asset management studies are required to estimate the timing and magnitude of expenditures required to maintain water distribution to the community, which includes the Robson Fire Hall as well as 16 fire hydrants. Appendix B lists the RRID's intake, process and distribution equipment in more detail.

In June 2024, the existing moratorium on improvement district conversion may be lifted. The RRID is preparing its expression of interest (EOI). In order for conversion to be considered by the RDCK Board of Directors, a substantial amount of information is required, for which the asset study provides the appropriate level of detail. If referenda are held to gauge public interest in conversion, an estimate on water service rates post-conversion represents one of the most important items of discussion. An accurate estimate on water rates is only possible with asset management work. Regardless of whether conversion actually occurs, future managers of the water system need to know the cost curves and time-lines associated with maintaining service using the RRID's assets.

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

Study Phase 1: Condition Assessment. This phase would require about one week of site inspection by an engineer to cover both the process plant and the distribution network. The equipment inventory would be tagged and tabulated along with location and condition. The RRID operator would need to assist the inspector and would provide commentary on performance and history. Criticality of equipment would be reviewed and major threats to potable water production and distribution prioritized for attention. The estimate for this study is \$15,000 which only includes high level equipment review (i.e. equipment worth over \$5,000) and limited inspections on below ground assets.

Study Phase 2: Operation & Maintenance Plan. This phase entails developing an O&M plan to help the RRID ensure it gets the most out of its assets by providing routine maintenance checklists which the current and future RRID Board and employees can use to plan for, and keep tabs on, upcoming maintenance milestones on a monthly and annual basis. The plan will also provide anticipated end of service life dates for major repairs and upgrades. Without a sound O&M plan, the level of oversight for critical maintenance is left up to the expertise of the Board and its staff, which waxes and wanes over time according to the available individuals at hand and the amount of time they have. Equipment details from Phase 1 would be used to generate a process and distribution O&M plan by the engineer providing the study. The estimated cost for Phase 2 is \$10,000 as it requires review of equipment manuals and discussion with equipment manufacturers to provide useful maintenance checklists. A spreadsheet deliverable is proposed, as a digital asset tracking system would be too complex for a utility of our size. A long term plan for removal of multiple specific illegal structures built inside the utility right-of-way should also be included in this phase at an additional cost option of \$3,000. These plans would assist the RRID Board and ensure that due care is administered to its assets over the long term.

Study Phase 3: Life-Cycle Costs. This phase requires the engineer to use information gathered in Phases 1 and 2 for creating a long range expense model for the RRID which includes forecasted expenditures for routine operation and maintenance as well as major equipment refurbishment and replacement. Based on the numerical cash flow model, the annual water services rates would be calculated which would instruct the RRID and its tax base on the appropriate rates for taxes and tolls to ensure successful funding of the RRID's assets over the long term. Similarly, this phase would provide recommendations for new connection (subdivision) expense charges as well as the maximum number of connections which the system could serve at full build-out. The study time horizon would be for 40 years. The approximate cost of the Life-Cycle Cost analysis would be \$15,000 and would utilize information generated within the prior two phases.

Study Phase 4: Watershed Risk Assessment. It is often locally speculated that the source water for the RRID (Norns Creek) experiences more pronounced drought periods at greater frequency in recent years compared to historical baseline. This phase would serve as a desktop study for review of available public data to substantiate anecdotal observations in order to frame the level of risk facing Norns Creek within the next 40 years due to changing climate and to provide recommendation whether a more detailed hydrometric field study is warranted. If watershed supply issues are critical within the next 40 years, the RRID will need to investigate construction of larger reservoirs or other means of seasonally procuring water. If increasing restrictions on seasonal water use are expected, the case for water meters may need to be revisited and new connections limited. The Watershed Risk Assessment desktop study would be valued at \$8,000.

Phase 1 would start in June 2024 so that operation during summer high demand period could be captured by the condition assessment work when the equipment is near maximum demand. Phase 2 would start in autumn 2024 once the engineer has observed a full season of dry weather demands. Phase 3 would start early 2025 at the conclusion of Phases 1 and 2 so that the life-cycle cost curve could bring the full knowledge of the previous phases to bear. Phase 4 would begin during Phase 1 as they are not co-dependent. Conclusion of all four phases would be March 2025.

To ensure the RRID electorate is getting a fair price on engineering services, the RRID would issue Request for Proposals (RFP) to solicit engineering proposals from at least local three firms competent in this area of practice. A total of two complete proposals would need to be received before a proponent could be selected to conduct the study.

(If needed, please provide additional information on separate page)

1.2 Project Impact

Upon receiving the asset management study, the RRID and its electorate will have a sound estimate for setting its water services tolls and tax rates to ensure long-term high quality service. Upon review and implementation, the RRID and its electorate will benefit from reduced frequency of emergencies both in the process WTP and the distribution network, as items nearing end of life will be pro-actively repaired or replaced instead of reactively remediated, the latter often resulting in only temporary ad-hoc repairs at a premium price. Less emergencies would lead to less boil water notices. Similarly, aging asbestos cement water mains are a significant problem which will directly challenge the community whether or not its members are ready for the task. As the asbestos cement material ages, it becomes more challenging and dangerous to remove, and so it is important this task is not mothballed until sections of pipe begin to catastrophically fail.

Cumulatively, the components of the Asset Management Study will serve to free up resources for the RRID Board and its staff to focus on enforcement of its bylaws in areas such as unauthorized connections, illicit water use, subdivisions, and of course strategic planning. Over the longer term a decrease in boil water notices and other emergencies will help to improve the reputation of Robson-Raspberry as a safe and livable locale for immigration and economic development. The result would be a stronger community with a sound strategy for navigating the significant challenges of aging water infrastructure and climate change.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

Deliverables from the Asset Management Study would be as follows:

- 1) An inventory of all infrastructure and equipment showing present condition along with timelines for major repairs or replacement. Class-B cost estimates would be provided for major repair items and Class D estimates for lesser ones. The list would be tabulated for use in excel whereby items could be organized based on overall priority, service risk, dollar value, department and season. The list would help the RRID Board plan and execute major equipment expenditures.
- 2) A subsection of Item 1 above would notably include a replacement plan (timeline, cost and high level approach) for replacing the outdated asbestos cement distribution mains. Given the hazardous nature of asbestos, this work requires careful planning.
- 3) Operation and maintenance plans in the form of tables for each major piece or group of equipment showing key routine maintenance tasks, frequency of tasks, and brief descriptors about task execution including crew size required and specialized tools or subcontractors.
- 4) Professional comment on whether water metering is a good fit for the community in terms of construction and financial feasibility.
- 5) Long term forecasting on seasonal water availability from Norns Creek and notable high level risks to quantity and quality from watershed activities.
- 6) A funding curve for major expenditures which includes necessary tax rate, toll adjustments, and subdivision connection charges together with monetary accumulation over time in order to align RRID finances with key replacement and repair milestones. The recommended total number of connections for the existing system capacity will also be provided.
- 7) Robust overview of RRID assets together with financial funding model to aid RDCK appraisal should the moratorium on water system conversion be lifted.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

A request for proposals would be issued to no less than 3 consulting engineer firms with a local presence that are knowledgeable and competent in water resources, treatment, and distribution. A single firm would perform all phases of the Asset Management Study. The RRID Board would select the appropriate consultant based on experience, reputation and price using a scoring template agreed upon together with the RDCK in advance. The selected firm would likely serve as a key advisor for critical RRID decisions as the strategic plans are implemented moving forward. The RRID Board Trustee Paul Markin would participate in consultant proposal review but would recuse himself from participating in development of final scores given that he works for a local consultancy.

The RRID Board and its staff would aid the consultant by providing information and facilitating field inspections. The RRID staff under the direction of the Board would handle payment of engineering fees and would provide quarterly updates to the RDCK on progress of the Study in the form of email correspondence. Key meetings with consultant personnel would be performed in the presence of the RDCK Area J Director so the regional government could ensure the proper outcomes are being met.

(If needed, please provide additional information on separate page)

2.0 Project Budget
List anticipated and confirmed Project revenue and expenses that have been deemed necessary for the implementation of the Project. Schedule B outlines eligible costs for eligible recipients (see attached).

Project Revenue
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Revenue	Value (\$)
RDCK - Community Works Grant		\$ 51,000.00
		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 51,000.00

Project Expenses
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
Ph. 1: Condition Assessment	Engineering report	\$ 15,000.00
Ph. 2.1: O&M Plan	Engineering report	\$ 10,000.00
Ph. 2.2: Right of Way Structures	Engineering report	\$ 3,000.00
Ph. 3: Lifecycle Costs	Engineering report	\$ 15,000.00
Ph. 4: Watershed Risk	Engineering report	\$ 8,000.00
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 51,000.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Revenue	\$ 51,000.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
		\$
		\$
		\$
		\$
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		\$
		\$
		\$
		\$
	Total Project Expenses	\$ 51,000.00

2.1 Additional Budget Information
Quote rationale to be reviewed by RDCK Chief Administrative Officer

Budgetary items were created by RRID Board staff knowledgeable in the practice of consulting engineering firms.

(If needed, please provide additional information on separate page)

3.0 Accountability Framework

The eligible recipient will ensure the following:

- Net incremental capital spending is on infrastructure or capacity building
- Funding is used for eligible Project and eligible costs
- Project is implemented in diligent and timely manner
- Where recipient is a Local Government, undertake Integrated Community Sustainability Planning
- Provide access to all records
- Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures
- Provide a Project Completion Report including copies of all invoices
-

4.0 Schedule of Payments

The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:

- a) 75% upon signing of the Contract Agreement
- b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures.

5.0 Acknowledgement of Requirements

Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.

By signing below, the recipient agrees to prepare and submit a Project completion report outlining Project outcomes that were achieved and information on the degree to which the Project has contributed to the above mentioned objectives. The Project completion report must include details of project revenue s and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 5 years) is to be submitted to the RDCK prior to October 31st of each year detailing the beneficial impacts on the community as a result of the completed Project.

Authorized Signature for Proponent	Name	Date
	Paul Markin	2024-03-14

APPENDIX B

RRID PROCESS & DISTRIBUTION DETAILS

B1: Raw Water Intake

The RRID holds several water licenses on Norns (Pass) Creek. Raw water is abstracted from above the namesake waterfalls through an automatic 16" butterfly valve, which is capable of remote actuation and closure using the water treatment plant (WTP) supervisory control and data acquisition (SCADA) system. This allows remote closure during high turbidity or emergency water quality events for protection of downstream equipment and users. Raw water is impounded within an open air membrane lined raw water reservoir of 1,510 m³ volume. The reservoir was installed in 2008.

B2: Water Treatment Plant

The RRID WTP core components are comprised of the following:

- three variable speed raw water pumps,
- three 130 micron self cleaning steel screens,
- three 0.03 micron ultrafiltration membrane skids (18 vertical hollow fiber membrane modules each),
- clean-in-place and backwash systems for the membranes,
- three ultraviolet disinfection reactors,
- a chlorination system,
- ancillary support equipment
- a bolted steel treated water reservoir of 2,096 m³ capacity, and
- treated water production capacity of roughly 190 m³/h.

The WTP was commissioned in 2014.

B3: Distribution System

The core of the distribution system is a Class 100 asbestos cement pipe that runs from Marshall Road through the central service area to the western boundary demarcated by Jones Road. The main is fitted with 16 fire hydrants and steps down from 12-10-8-6 inch pipes as it progresses to the west. Smaller diameter lateral pipes constructed from a variety of materials provide water service to adjacent areas. To the east of Marshall Road, two 6 inch diameter mains from the original Raspberry systems form the basis of the distribution system there. Although located within the RRID boundary, no water is distributed to the east side of Pass Creek. The distribution system has become increasingly vulnerable in recent decades as piping, valves and fittings reach the end of their useful life. The existing asbestos cement distribution mains total roughly 9,040 m above 6" diameter (3,900 m 12", 409 m 10", 530 m 8", and 4210 m 6" diameter piping). The AC distribution mains would have been installed before the end of the 1970s.