



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**AREA I ADVISORY PLANNING AND HERITAGE
COMMISSION
OPEN MEETING AGENDA**

6:30PM

Monday, 27 11, 2026

Hybrid Meeting

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://rdck-bc-ca.zoom.us/j/98440624910?pwd=9JQyXil1Zannf7mif5hF90fAswn5qj.1>

Join by Phone:

1 778 907 2071 Canada

Meeting ID: 984 4062 4910

Passcode: 640628

Meeting Location:

Brilliant Cultural Centre – Youth Room

1875 Brilliant Road

Castlegar, BC

1. CALL TO ORDER

Chair Bebelman called the meeting to order at ____ 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 May 27, 2026 Electoral Area I Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried/Defeated

4. RECEIPT OF MINUTES

The April 15, 2026 Electoral Area I Advisory Planning and Heritage Commission minutes, were received.

5. STAFF REPORTS

5.1 DEVELOPMENT VARIANCE PERMIT APPLICATION (V2609I) – Allie & Jarred Batchelor

The Development Variance Permit Application dated May 07, 2026, from Zachari Giacomazzo, Planner, was received.

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Development Variance Permit Application to Allie Batchelor and Jarred Batchelor for the property located at 1993 Highway 3A, Tarrys Lot 2 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN 857.

Carried/Defeated

5.2 DEVELOPMENT VARIANCE PERMIT APPLICATION (V2606I) – Brandon Loukianoff

The Development Variance Permit Application dated May 05, 2026, from Sadie Chezenko, Planner 1, was received.

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Development Variance Permit Application to Brandon Loukianoff for the property located at 2295 Highway 3A, Block 8 DISTRICT LOT 302A KOOTENAY DISTRICT PLAN 781.

Carried/Defeated

5.3 BYLAW AMENDMENT APPLICATION (Z2602I) – Stacey Posnikoff

The Bylaw Amendment Application dated April 27, 2026, from Sadie Chezenko, Planner 1, was received.

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Bylaw Amendment Application to Stacey Posnikoff for the property located at 1625 Highway 3A, Thrums, LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN 4105.

Carried/Defeated

5.4 ZONING BYLAW AMENDMENT APPLICATION (Z2405I) – Glade General Store LTD

The Zoning Bylaw Amendment Application dated April 20, 2026, from Sadie Chezenko, Planner 1, was received.

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Zoning Bylaw Amendment Application to Glade General Store LTD c/o Michelle Kooznetsoff for the property located at 2347 Highway 3A, Glade, LOT 3 DISTRICT LOT 302A KOOTENAY DISTRICT PLAN 781.

Carried/Defeated

5.5 BYLAW AMENDMENT REFERRAL FORM – RDCK Planning Department

The Zoning Bylaw Amendment Application dated May 4, 2026, from Sadie Chezenko, Planner 1, was received.

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Amendment Bylaw No. 3076.

Carried/Defeated

6. PUBLIC TIME

The Chair will call for questions from the public at ____ p.m.

7. NEXT MEETING

The next Electoral Area I Advisory Planning and Heritage Commission Meeting is scheduled for June 1, 2026.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area I Advisory Planning and Heritage Commission meeting be adjourned at ____ p.m.

Carried/Defeated



REGIONAL DISTRICT OF CENTRAL KOOTENAY

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

6:30PM

Wednesday, April 15, 2026

Hybrid Meeting

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://rdck-bc-ca.zoom.us/j/98440624910?pwd=9JQyXil1Zannf7mif5hF90fAswn5qj.1>

Join by Phone:

1 778 907 2071 Canada

Meeting ID: 984 4062 4910

Passcode: 640628

Meeting Location:

Brilliant Cultural Centre – Youth Room
1875 Brilliant Road
Castlegar, BC

COMMISSIONERS

Commissioner Brian Bebelman

Electoral Area I, Chair

Commissioner Kelly Poznikoff

Electoral Area I

Commissioner Andy Ozeroff

Electoral Area I

DIRECTORS

Andy Davidoff

Electoral Area I, Director

STAFF

Sadie Chezenko

Planner

Shelly Kindred

Administrative Assistant

Shane Aker

Applicant

1. CALL TO ORDER

Director Davidoff called the meeting to order at 6:31p.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 15, 2026 Electoral Area I Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The February 9, 2026 Electoral Area I Advisory Planning and Heritage Commission minutes, were received.

5. STAFF REPORTS

5.1 DEVELOPMENT VARIANCE PERMIT APPLICATION (V2605I) – Shane Aker

The Development Variance Application dated March 16, 2026, from Sadie Chezenko, Planner 1, was received.

- Planning staff introduced the application and gave a summary of the proposal.
- The applicant spoke to his application and answered the Commission's questions.
- Director Davidoff explained the application process and procedures to the applicant

Moved and seconded,
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT** the Development Variance Permit Application to Shane Aker for the property located at 2250 Glade Road, Glade, LOT B DISTRICT LOT 302A KOOTENAY DISTRICT PLAN EPP81680. *The APHC would like to note that the recommendation is based on the referral package which does not include public feedback.*

Carried

6. PUBLIC TIME

The Chair will call for questions from the public at 7:28 p.m.

7. NEXT MEETING

The next Electoral Area I Advisory Planning and Heritage Commission Meeting is scheduled for May 4, 2026.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area I Advisory Planning and Heritage Commission meeting be adjourned at 7:37 p.m.

Carried



Development Variance Permit Application

Referral Form – RDCK File V26091

Date: May 7, 2026

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency’s interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO June 8, 2026). If no response is received within that time, it will be assumed that your agency’s interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

1993 Highway 3A, Tarrys, Electoral Area ‘I’
LOT 2 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN 857, EXCEPT PART OUTLINED RED ON EXPLANATORY PLAN 354761
PID: 016-022-181

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is located in Tarrys between Highway 3A and Loff Road. It is 3 hectares in size, zoned Agriculture 1 (AG1) and is entirely within the Agricultural Land Reserve (ALR). There is a right of way for a hydro corridor that runs through the middle of the lot, effectively dividing it into two portions: the east side of the property fronts onto Highway 3A and the west side of the property fronts onto Loff Road.

The property has been partially cleared and is primarily used for residential purposes. It has been improved with a residence, shop, two sheds, barn, garage, and on-site services (well and septic system). All of these improvements are located on the “east portion” of the lot that is accessed from Highway 3A. The existing development on the property occupies an approximate area of 4,000 square metres.

The owners are proposing to build an accessory dwelling unit on the undeveloped “west portion” property near Loff Road and are requesting a variance to the maximum permitted size of a Farm Residential Footprint to do so. The map and site plan included in this package show the area of existing development (where there are no changes proposed) and the area of proposed development, where the new residence is proposed to be sited. The accessory dwelling unit would be serviced by its own well and septic system and would occupy an approximate area of 2,000 square metres.

This Development Variance Permit (DVP) seeks to vary Zoning Bylaw No. 1675 as follows:

Section 2701(3) – to authorize the total farm residential footprint area for two separate areas.

- **From:** The maximum Farm Residential Footprint shall be a maximum of 2000 square meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.
- **To:** The maximum Farm Residential Footprint shall be a maximum of 6,000 square meters for this property only.

Section 2701 (4) – to recognize the existing farm residential footprint at the Highway 3A frontage.

- **From:** The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
- **To:** The maximum depth of the Farm Residential Footprint shall not exceed 150.0 metres measured from the Front Lot Line adjacent to Highway 3A (in order to recognize the existing farm residential footprint at the Highway 3A frontage).

AREA OF PROPERTY	ALR STATUS	ZONING	OCP
3 ha (7.57 acres)	Yes	Agriculture 1 (AG1) in RDCK Zoning Bylaw no. 1675, 2004	Agriculture (AG) in Electoral Area I Official Community Plan Bylaw No. 2821, 2024

APPLICANT:

Allie Batchelor and Jarred Batchelor

Please provide your response via email.

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.

If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

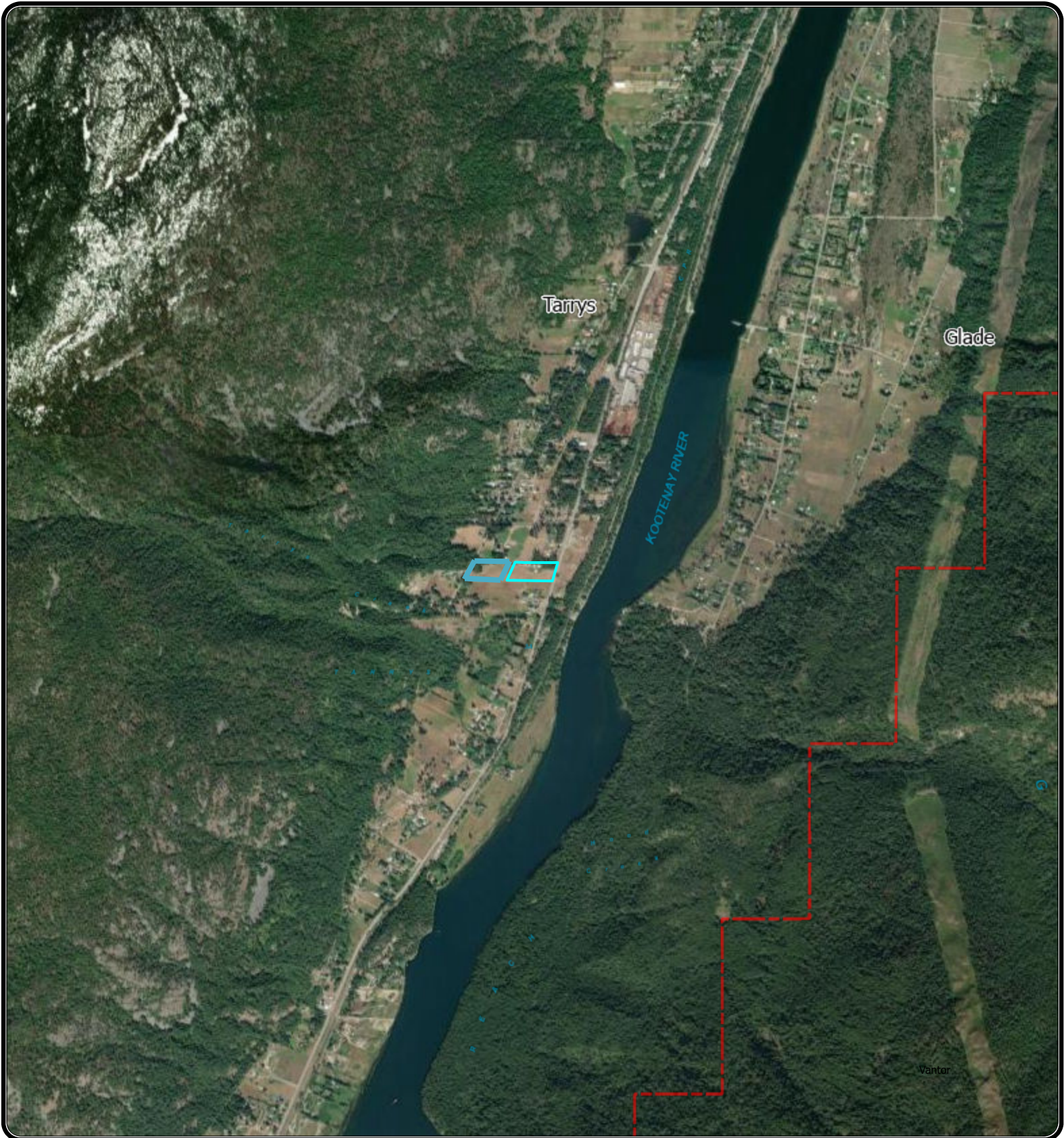
ZACHARI GIACOMAZZO, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input checked="" type="checkbox"/> AGRICULTURAL LAND COMMISSION <input checked="" type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input type="checkbox"/> KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS) <input type="checkbox"/> SCHOOL DISTRICT NO. <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K ALTERNATIVE DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA I <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK RESOURCE RECOVERY <input type="checkbox"/> RDCK REGIONAL PARKS INSERT COMMENTS ON REVERSE . . .
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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.


RETURN TO: ZACHARI GIACOMAZZO, PLANNER
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-8190
Email: plandept@rdck.bc.ca

RDCK Map



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

Legend

- Place Names
-  Electoral Areas

Map Scale:

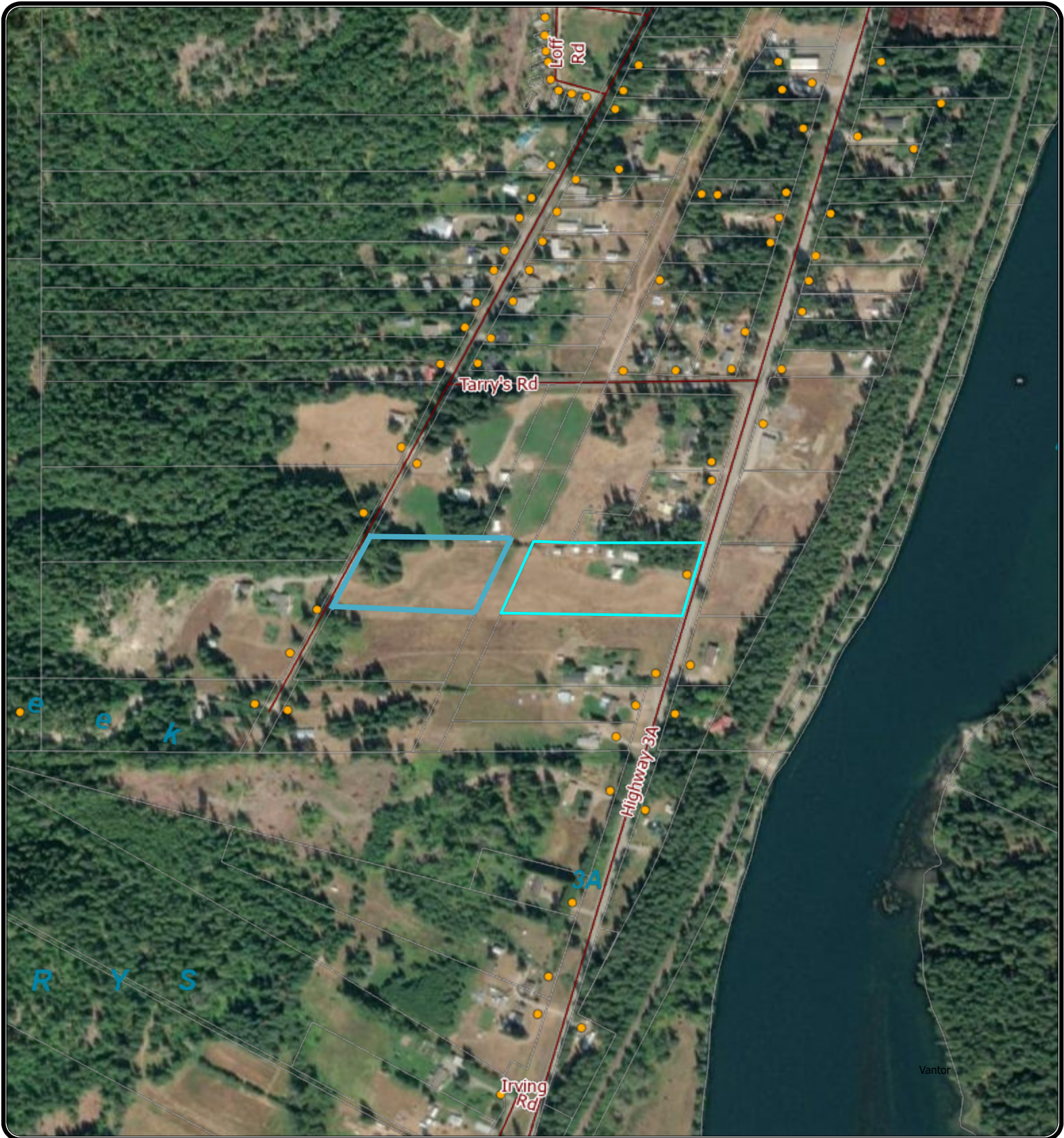
1:36,112

Date: April 30, 2026







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.

RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
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maps@rdck.bc.ca

Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

1:9,028

Date: April 30, 2026



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RDCK Map



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Legend

- Electoral Areas
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Map Scale:

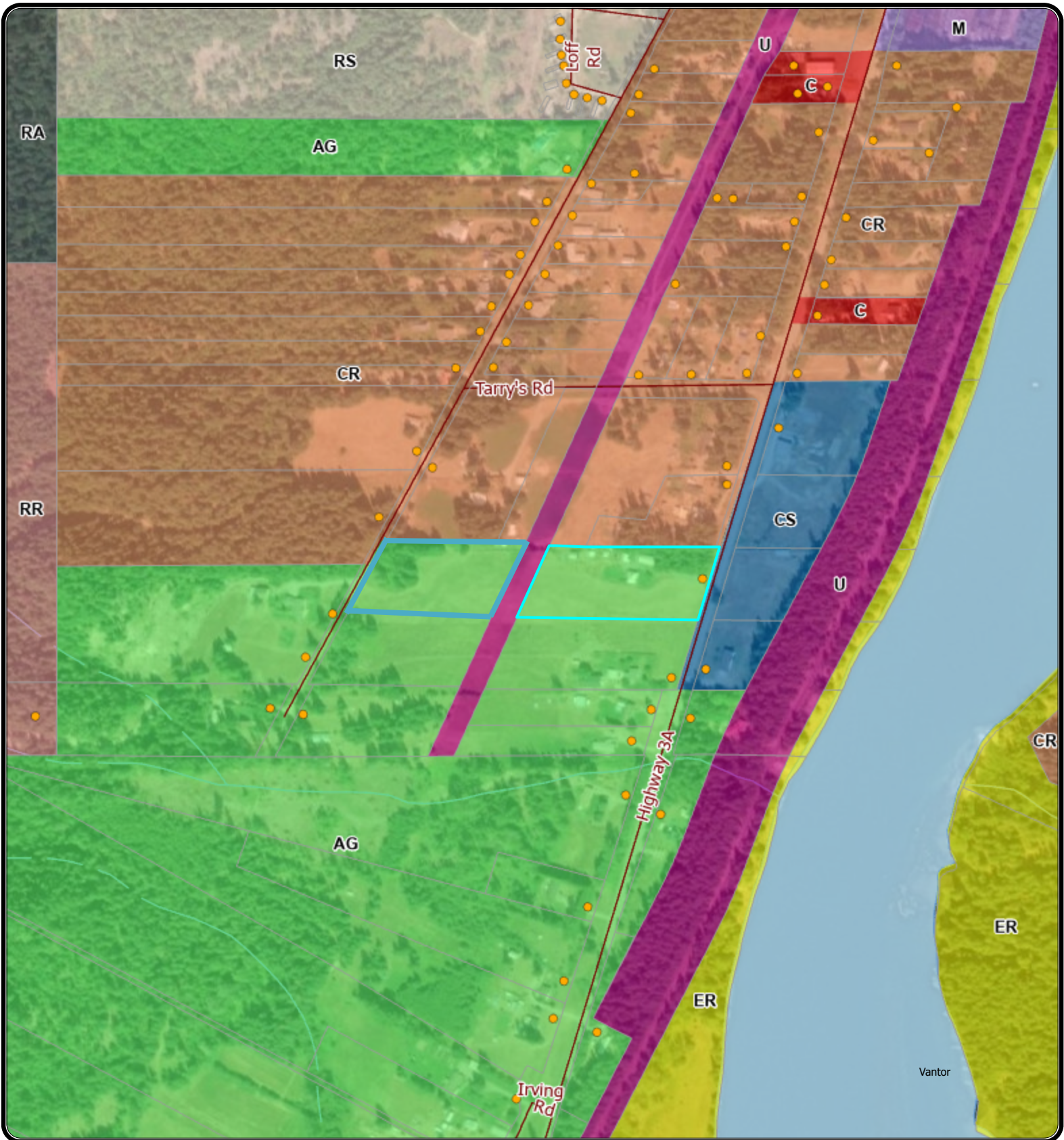
1:4,514

Date: April 30, 2026



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RDCK Map



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Legend

Official Community Plan

- Agriculture
- Commercial
- Community Services
- Country Residential
- Environmental Reserve
- Industrial
- Resource Area
- Rural Residential

- Suburban Residential
- Utility, Railway and Transportation
- Streams and Shorelines
- Lakes and Rivers
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

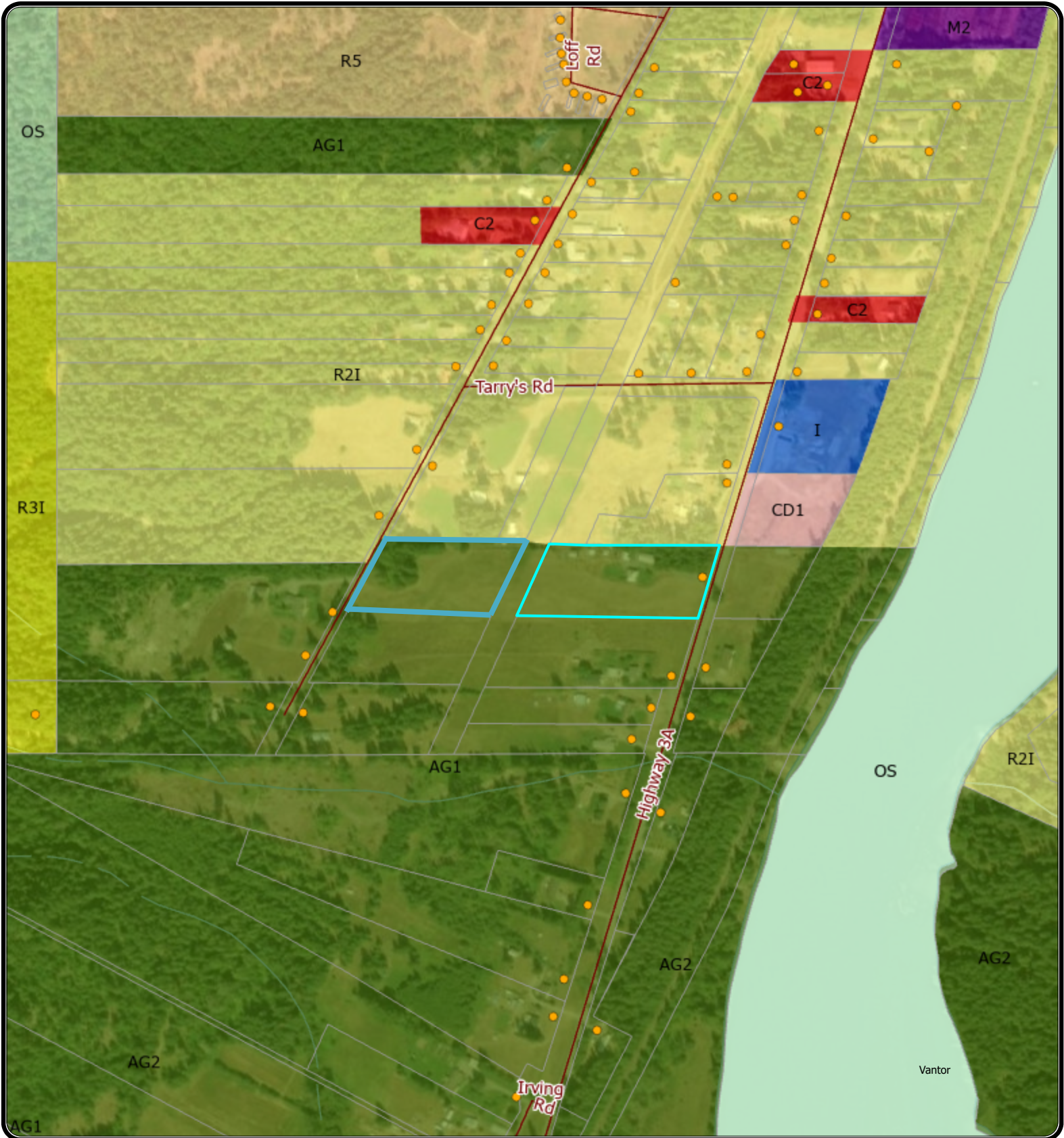
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RDCK Map



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Zoning Class

- Agriculture
- Commercial
- Comprehensive Development
- Industrial
- Institutional
- Open Space
- Residential 2

Legend

- Residential 3
- Residential 5
- Streams and Shorelines
- Lakes and Rivers
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

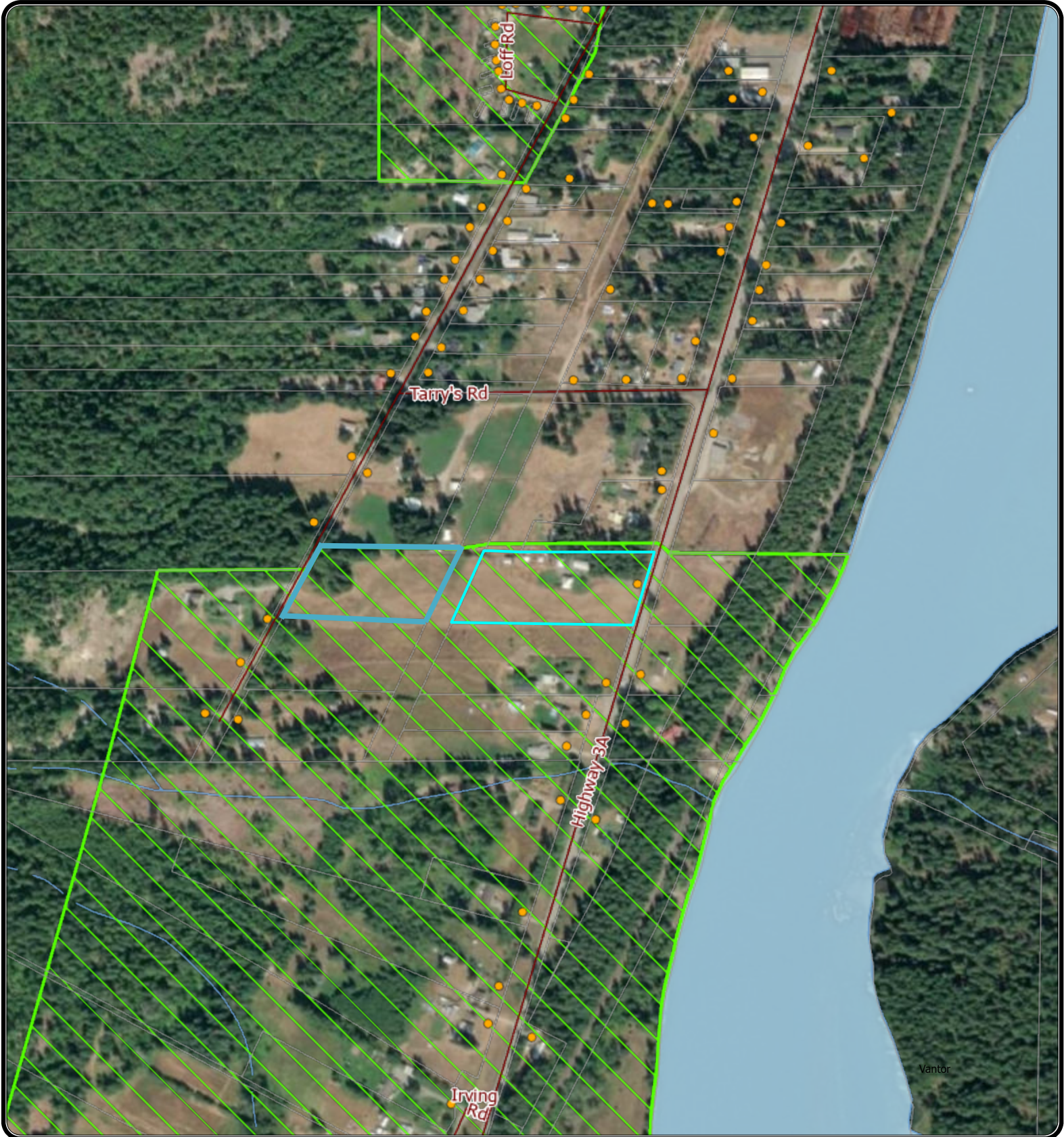
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Date: April 30, 2026



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RDCK Map



Vantor



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

Legend

- Agriculture Land Reserve
- Streams and Shorelines
- Lakes and Rivers
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:9,028

Date: April 30, 2026



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1993 Hwy 3A, Castlegar BC, V1N 4N8
LOT 2, PLAN NEP857, DISTRICT LOT 1239, KOOTENAY LAND DISTRICT, EXC EXP PL 354761
PID: 016-022-181
7.57 Acres zoned ALR AG 1
Allie and Jarred Batchelor

Bylaw we are seeking a variance for: “Zoning Bylaw 1675 - 2701(4) - The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.”

We would like to amend this Bylaw to allow the Farm Residential Footprint to include 50 meters measured from the Rear Lot Line and 40 meters from the Interior Side Lot Line.

We are applying for a Development Variance Permit in hopes to obtain a variance for the setback limits of the Farm Residential Footprint and location for an Accessory Dwelling Unit on our ALR zoned property. We are a young family with two small children that purchased this property in Tarrys in September of 2025. My husband, Jarred, works full time and I (Allie) am a stay at home Mom to our kids. We both grew up in this area, and purchased this 7 acre parcel and home with the intentions of living here for the rest of our lives, and passing it down to our children.

Our property is a rectangle shape with primary access from Highway 3A to the house and out buildings, and secondary access to the back of the property from Loff Road. Our land is separated into two portions with a powerline right-of-way dividing it in half. There is a small treed area at the front of the property, and a small treed area at the back of the property along Loff Road. Historically, the land has been used for hay production, with approximately 5.3 acres devoted to growing hay.

We seek a variance to allow us to put a modular home onto the property that will be accessed via Loff Road. The modular home will be lived in by Allie’s mom, and it will have it’s own septic system and well. There is currently a power line along Loff Road, as well as a natural gas line, making electricity and natural gas easily accessed. The location is flat and easily accessed. Our research on the RDCK Bylaws tells us that a second dwelling is permitted within 90m², and that our current Farm Residential Footprint size is within the allowable amount (Less than 2000m², with an available 500 m² for a second dwelling). The variance we seek will need to adjust the setback locations to include a distance from the Rear Lot Line. This will allow for the second dwelling to be located on the opposite side of the property than the primary residence. **The area we have reserved for the second unit will have less of an impact on the farm land than it being near the primary residence would, and will have positive benefits to both farming and agriculture.**

Owning land that is zoned ALR provides restrictions from both the Agriculture Land Commission as well as our local RDCK Government. In our case, the ALC permits what we are seeking for our property: our land only has one current residence, the new dwelling will be detached from the primary residence, and the size of the dwelling will be no more than 90m². I spoke with the ALC about our situation and the location we want for the second dwelling, and they stated that this matter **is permitted** on our ALR land. Beyond obtaining a Notice of Intent for the site prep for the modular home, **I was reassured that this matter does not concern the ALC and they support our siting location.**

Our goals and dreams for this property expand over decades to come; we have a vision for what we want for this land as we continue to develop the farm to support local farming, food production, livestock, and hay (see future farm map on the last page). The layout of the property as we purchased it has the primary house and outbuildings very clustered together to allow for the hay field to be prioritized. Due to this, we believe that there is not a practical spot near the primary home for an Accessory Dwelling Unit to be placed that doesn't negatively impact the productive areas of the farm field.

We believe our property is unique, and that there should be nuance when it comes to choosing the best location for a second dwelling that will benefit farming and agriculture.

Here are the benefits we see this location providing:

- A second dwelling will require the drilling of a new well on our property. With the new dwelling accessed from Loff Road, this will provide irrigation with increased water access that currently doesn't exist at the back of the property. This will benefit farming, as well as increase our wildfire preparedness.
- The second dwelling will be lived in by Allie's mom, who will be available to help with both childcare and farm duties. This will increase and benefit farming production as there will be more adults available to devote time to the farm.
- The second dwelling being accessed from Loff Road allows for better security and safety on the property. Multiple times now we have encountered people on our land, suggesting they want to hunt here or are trespassing to access the main highway.
- We plan to have large animals grazing in the field. Having the dwelling in this location provides a secondary vantage point; we deem having two vantage points of the animals extremely valuable for their protection, safety, and overall well-being.
- When we had the hay field cut in September 2025, we got 100 small square bales. The location for the second dwelling will be on the most shaded, least productive corner of the property. The space taken away for the second dwelling will only remove approximately 300m² of farming area, which equates to 2 bales of hay a year.

Having a second dwelling on our property has positive impacts that go beyond farming. The creation of a new home will benefit the housing crisis in our area. Allie's mom will be able to sell her home in Castlegar, and she won't be moving into a home that already exists. This second dwelling will also increase the value of our property, allowing for more property taxes to go to the RDCK. This second dwelling will not negatively impact our neighbours. With our property being the size that it is, the neighbouring houses are a fair distance away and there are privacy barriers in place for the houses that would be the closest to the new dwelling.

As we've dug into research on this topic, we have found there are multiple examples of people with ALR zoned land in the RDCK that have achieved variances for both Farm Residential Footprint size increases and setback limits in the last two years. We have read Area I's Official Community Plan, and adding this second dwelling in the location we seek will align with the OCP:

Regarding housing: "Homes for all. Encourage housing options in existing residential areas that are consistent with the rural character of the area." "Encourages increased housing diversity and choice for all of Sentinel Mountain by allowing for accessory dwellings..."

Regarding Agriculture: “Support the area’s existing and future agricultural activity and farmers by supporting agricultural systems and protecting agricultural lands that contribute to the area’s economic base, character and sense of place.” “Supports the use of maximum setback distances for residential development and the clustering of built structures on agricultural lands to reduce the impact to agricultural potential and operations.” The location we seek will not cluster homes but **will have less impact** on the farm land.

Regarding Wildfire Preparedness: “Supports the development of an inventory of accessible water sources that could be enhanced to support water extraction by firefighting equipment...” Area I’s Wildfire Development Permit site design emphasizes that “Auxiliary buildings should be located as far away from buildings as possible. A distance of 15 meters or more is ideal...”

Our proposal might have you thinking that we seek this variance just to benefit our property for future subdivision. We want to emphasize that there is **no future goal** to subdivide our land. The minimum lot size for subdividing ALR land is 4.0 hectares (9.8 acres), making it impossible to subdivide this property. We have no desire to own less land than we already do, and our dream is to farm our land, grow food, have livestock, and then pass our 7.57 acres down to our children. The reason we seek this variance is solely due to the layout of this property as we purchased it, the location of our septic system restricting clustering options, the location of treed areas, and the location of the power line right-of-way. Any siting location that is close to the primary residence that the bylaws permit will in turn have a greater impact on agriculture than the Loff Road access. Having this road available to our land makes the impact of the second dwelling minimal due to a very short driveway being required, and in turn maintains connectivity within the agriculture area.

When I contacted the ALC I received their full support on this matter, and was assured they are available for questions at any point. They agree there is nuance to siting location of secondary dwellings, and the current layout of the farm needs to be considered when choosing a second dwelling location.

Thank you,

Allie and Jarred Batchelor



Legend



Map Scale:
1:3,100



Date:
April 15, 2026

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

The mapping information
shown are approximate
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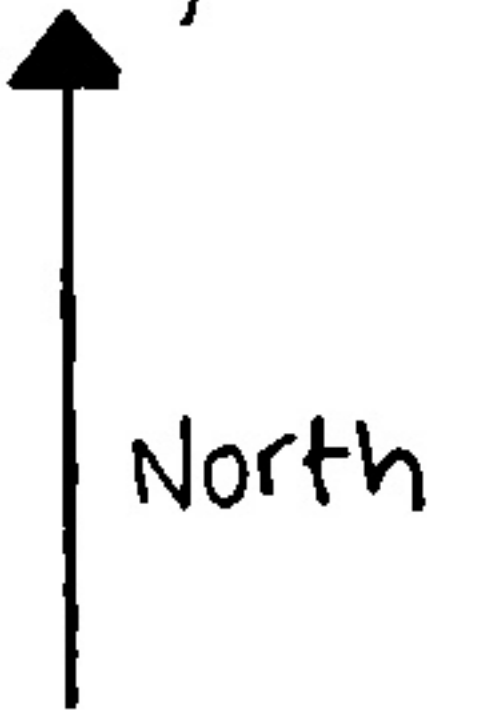
The Regional District of
Central Kootenay is not
responsible for any errors or
omissions on this map.

1993 Hwy 3A Castlegar BC V1N 4N8
LOT 2 PLAN NEP857, DISTRICT LOT 1239
KOOTENAY LAND DISTRICT, EXC EXP
PL 354761

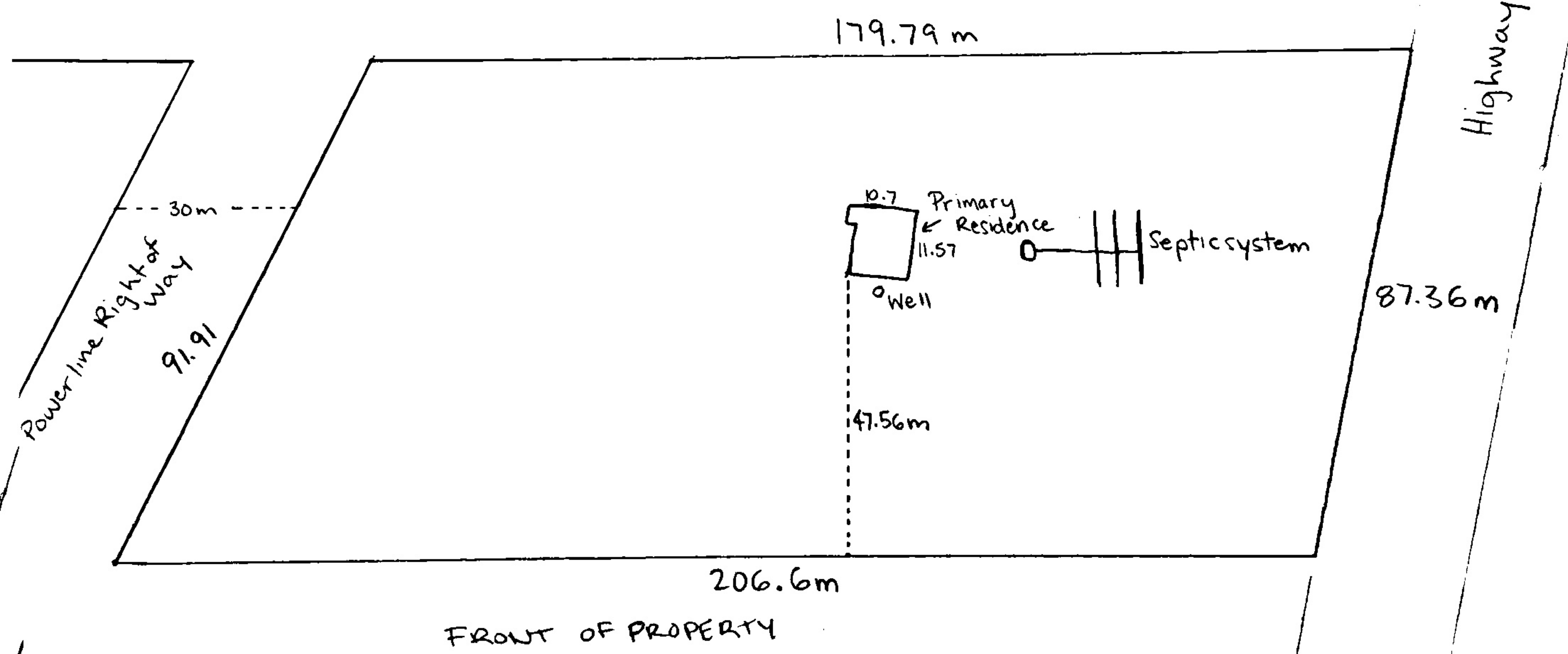
PID: 016-022-181

7.57 Acres

Zoning: ALR AG-1

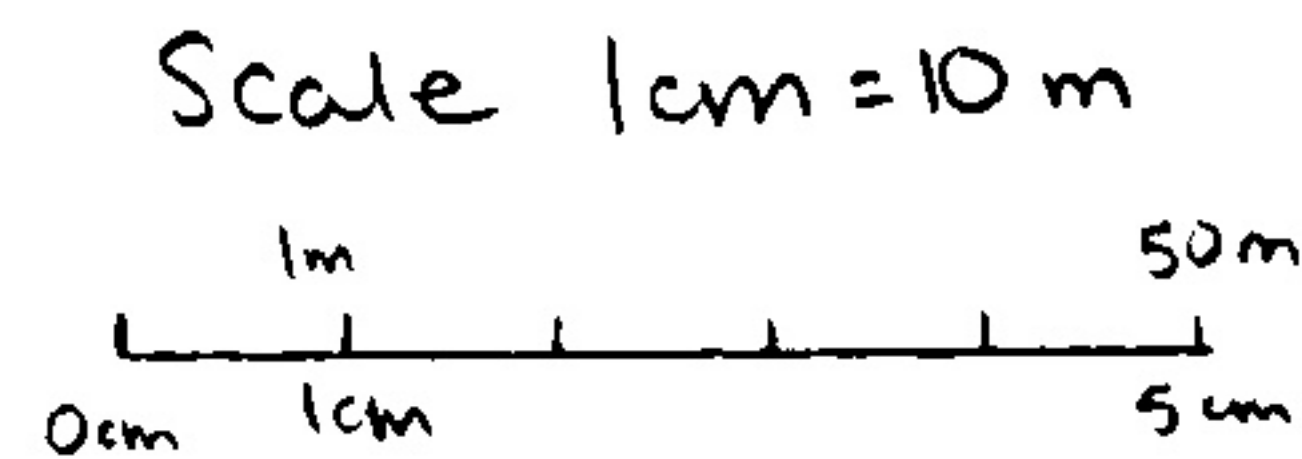
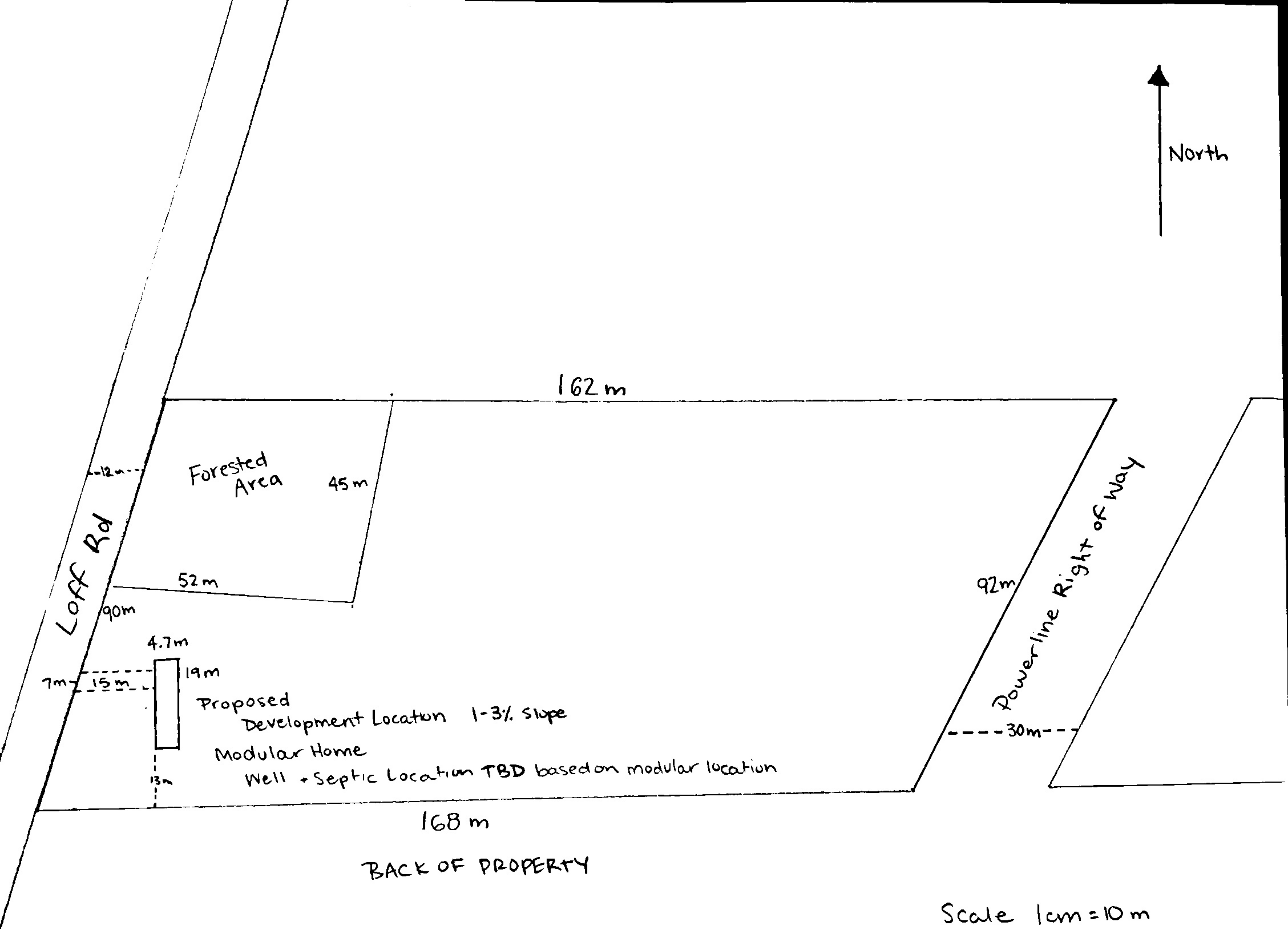
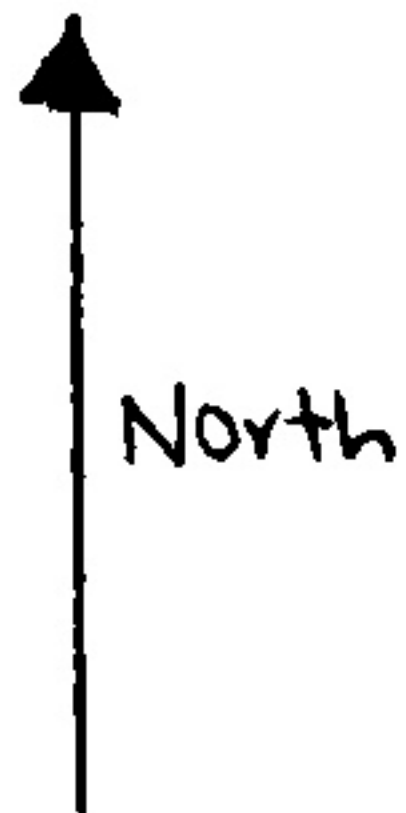


Highway 3A



Scale 1cm = 10m





ParcelMap BC Print Report



February 13, 2026

 Interest  Road

Parcel Boundaries

 Ownership

Map prepared by applicant showing proposed Farm Residential Footprint Area (yellow outline) for new dwelling

WARNING: MAP IS NOT PRINTED TO SCALE

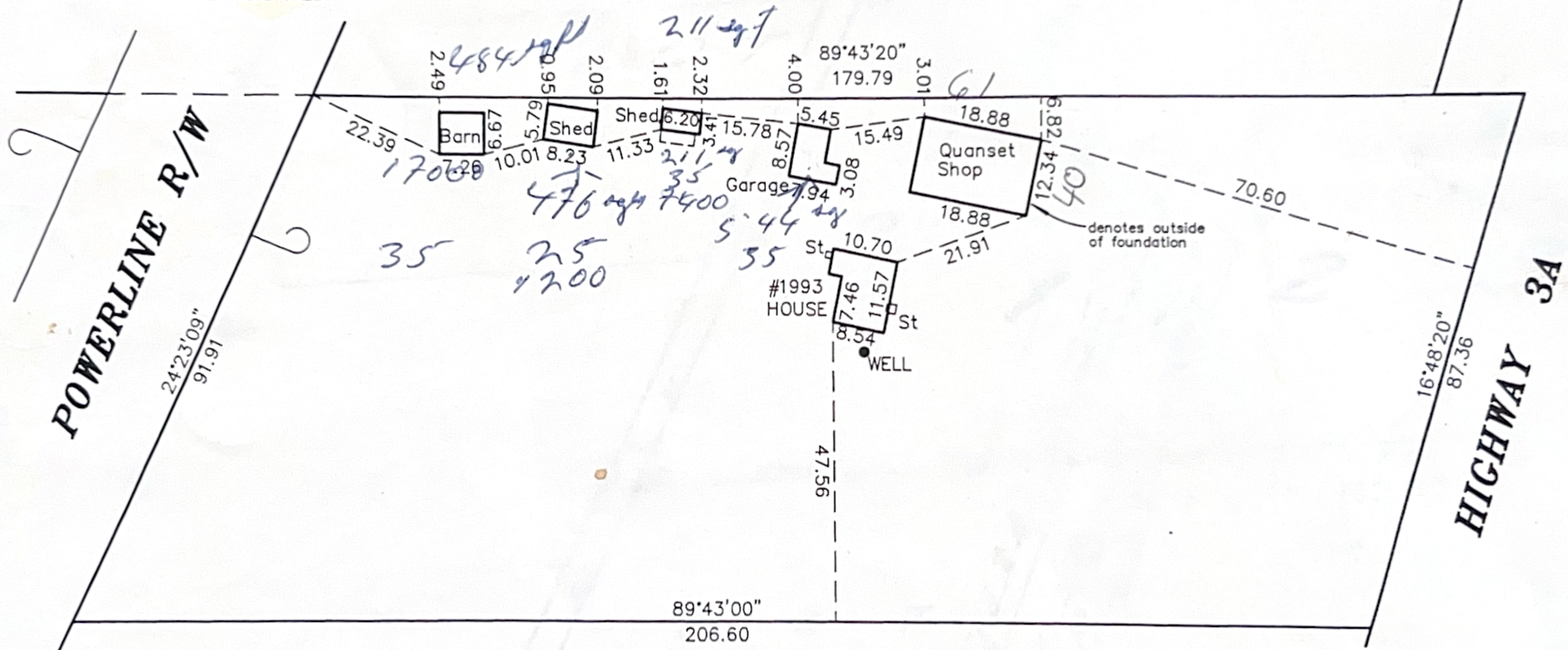
Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community

PLAN SHOWING BUILDINGS ON LOT 2, PLAN 857,
EXCEPT PART OUTLINED IN RED ON
EXPLANATORY PLAN 35476-I,
DISTRICT LOT 1239, KOOTENAY DISTRICT.



SCALE 1:1000

ALL DISTANCES ARE IN METRES AND DECIMALS THEREOF
UNLESS OTHERWISE INDICATED.



PREPARED BY
GORDON STEIN
B.C.L.S. and P. ENG.,

BOX 10, NELSON, B.C. V1L 5P7
OFFICE AT 908 FRONT ST
PHONE OR FAX 250-352-7312

NOTE:
See Certificate of Title for current
Charges and Legal Notations.

PRISKE - OWNER

CERTIFIED CORRECT THIS 12th
DAY OF APRIL, 2006

Gordon Stein BCLS

THIS DOCUMENT IS NOT VALID UNLESS
ORIGINALLY SIGNED AND SEALED.

DIVISION 27 AGRICULTURE 1 (AG1)

Permitted Uses

2700 Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 1 (AG1) zone shall be used for the following purposes only:

Principal Uses:

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

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (*may require ALC non-farm use approval*)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to Section 623
- 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*)

Development Regulations

2701

1. The minimum lot size shall be 4.0 hectares in the Agricultural Land Reserve and 2.0 hectares outside the Agricultural Land Reserve.

1B. The maximum density is 2 Dwelling Units.

- 1C. Only one Single Detached Housing is permitted per lot.
2. The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
3. The maximum Farm Residential Footprint shall be a maximum of 2000 square meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.
4. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
5. The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.
6. *Deleted by Bylaw 2958.*
7. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
 - a. the lot is classified as a farm under the Assessment Act;
 - b. the lot is larger than 1.2 hectares;
 - c. the minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
 - d. the minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
8. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within 5 metres of a lot line.
9. Section 2701(8) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
10. Farm Product processing that involves processing livestock:
 - a. must be located on a minimum 2 hectare site outside the Agricultural Land Reserve;

- b. must be setback at least 7.5 metres from any lot line; and
- c. must be located at least 30 metres from the nearest business or residence on another parcel.

11. The minimum setback for a kennel building shall be 7.5 metres from any lot line.

Cannabis Regulations

- 12. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
- 13. Any building or structure for the purposes of cannabis standard cultivation or cannabis standard processing shall be a minimum of 30 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
- 14. The maximum height of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be 15 metres.
- 15. The maximum footprint of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 250 square metres.
- 16. The maximum gross floor area of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 600 square metres.

Cannabis Facilities may require the submission of a Notice of Intent to the ALC for the removal of soil or placement of fill.



Development Variance Permit Application

Referral Form – RDCK File V26061

Date: May 05, 2026

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO JUNE 05, 2026)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

2295 Highway 3A, RDCK Region, Electoral Area 'I'
 PARCEL A (SEE 7559I) BLOCK 8 DISTRICT LOT 302A KOOTENAY DISTRICT PLAN 781 EXCEPT THAT PART OUTLINED IN RED ON REFERENCE PLAN 69327I AND PLAN 6580
 PID: 011-939-893

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is partially within the Agricultural Land Reserve (ALR) and has been developed with a single detached dwelling, driveway, multiple accessory buildings.

The applicant has submitted a Development Variance Permit application in order to permit an oversized accessory dwelling unit (ADU) on the property and to site a residence near the rear of the lot. To achieve this, the applicant is requesting to vary the zoning bylaw as follows:

- Section 623(4) to allow a 155m² ADU – an increase of 65m²
- Section 2701(3) to allow a 12,000m² farm residential footprint area – an increase of 9500m²
- Section 2701(4) to allow a 646m farm residential footprint depth – an increase of 586m

The proposed oversized ADU is to be sited on the portion of the property not within the ALR.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCF
2.67 ha	Partial	Agriculture 1 (AG1) in RDCK Zoning Bylaw no. 1675, 2004	Agriculture (AG) in Electoral Area I OCP Bylaw no. 2821, 2024

APPLICANT: Brandon Loukianoff

Please provide your response via email.

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.

If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

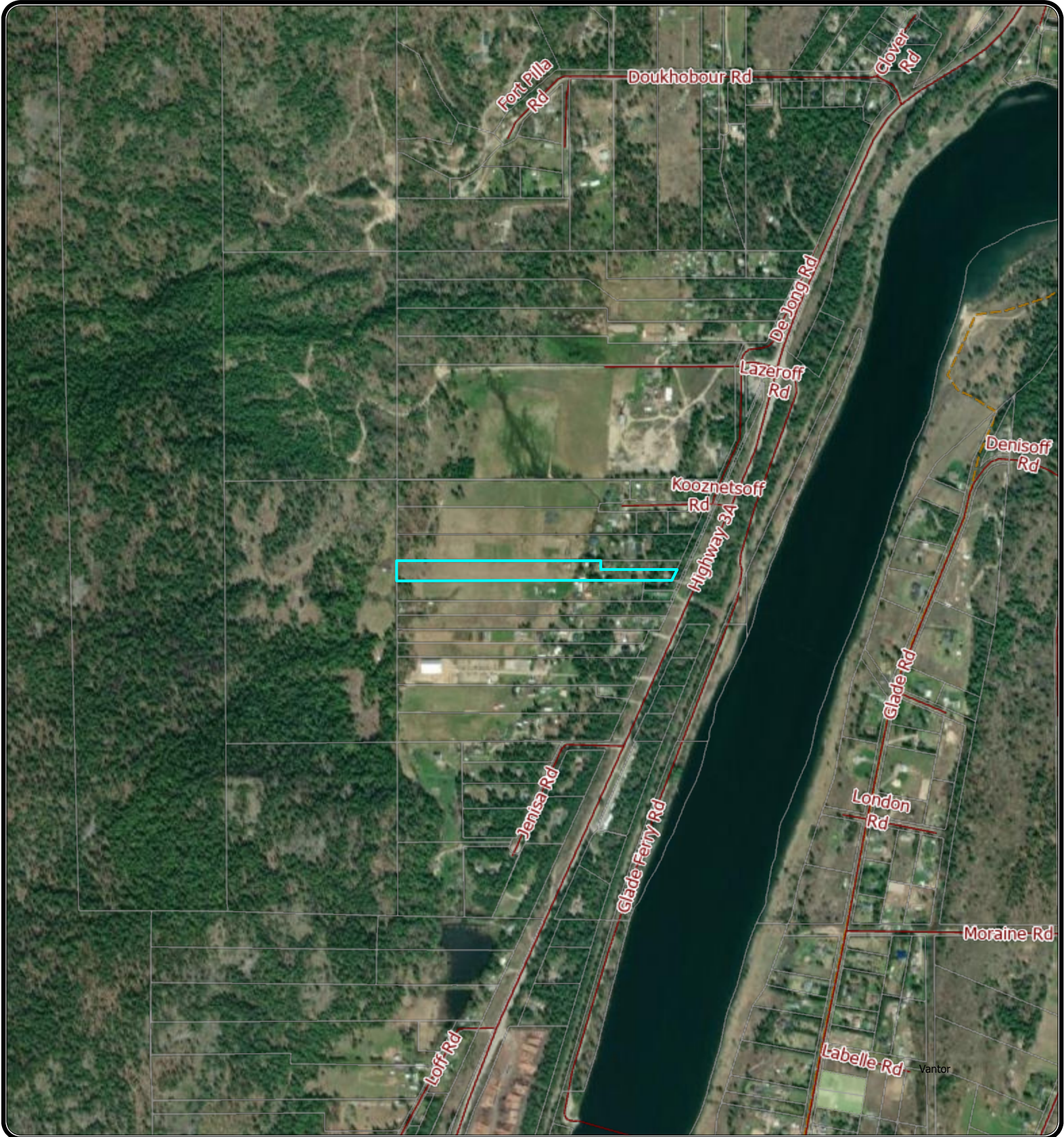
<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input checked="" type="checkbox"/> AGRICULTURAL LAND COMMISSION <input checked="" type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input type="checkbox"/> SCHOOL DISTRICT NO.	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K ALTERNATIVE DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA I <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT	<input type="checkbox"/> RDCK RESOURCE RECOVERY
<input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input type="checkbox"/> RDCK REGIONAL PARKS

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.






RETURN TO: SADIE CHEZENKO, PLANNER
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-1585
Email: plandept@rdck.bc.ca

RDCK Map



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

Legend

-  Parks and Rec
-  Trails
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

Map Scale:

1:18,056

Date: April 9, 2026







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.

RDCK Map



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

Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

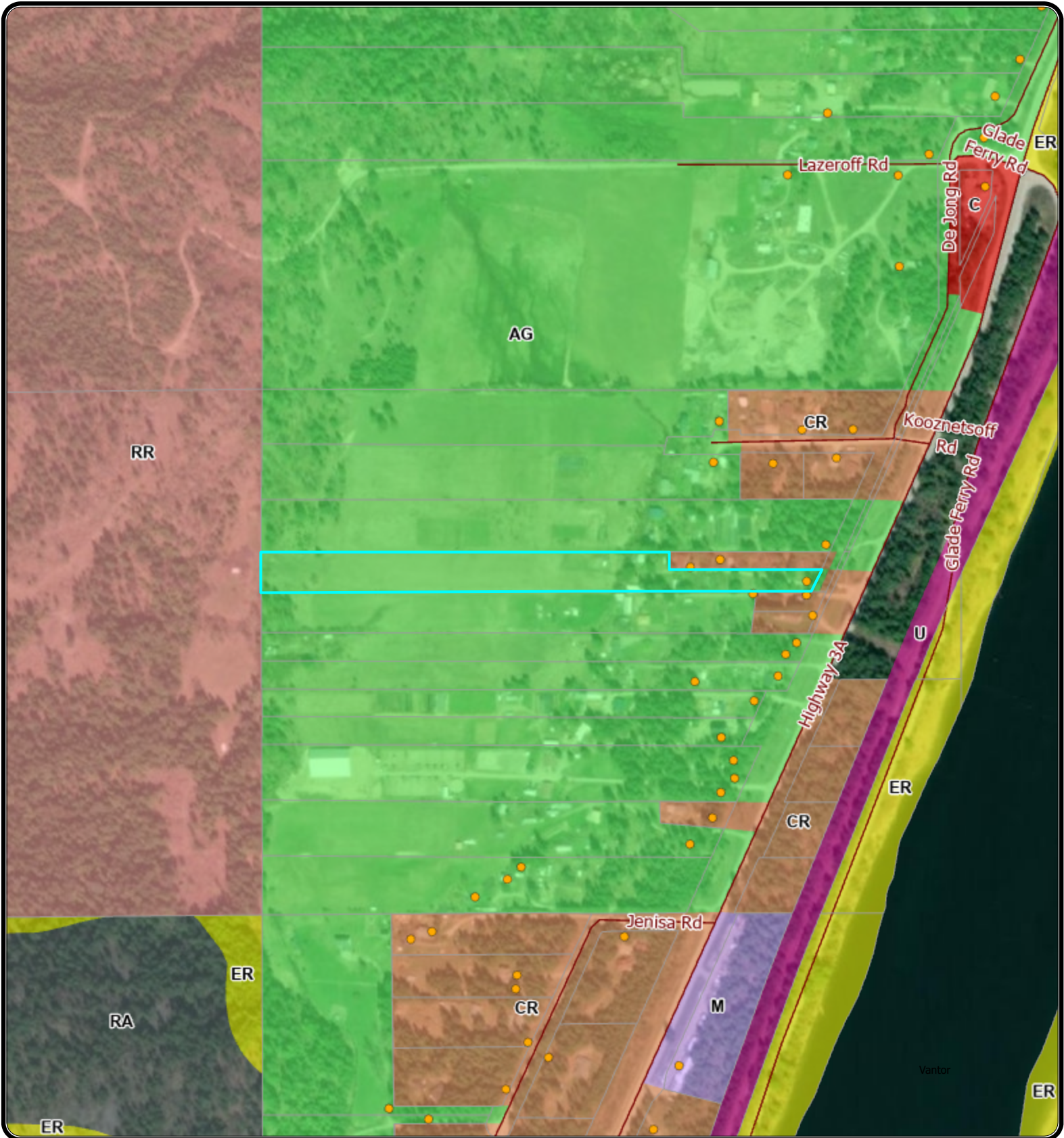
1:9,028

Date: April 9, 2026



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RDCK Map



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

Official Community Plan

- Agriculture
- Commercial
- Country Residential
- Environmental Reserve
- Industrial
- Resource Area

Legend

- Rural Residential
- Utility, Railway and Transportation
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:9,028

Date: April 9, 2026



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RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
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 maps@rdck.bc.ca

Zoning Class

- Agriculture
- Commercial
- Open Space
- Residential 2

Legend

- Residential 3
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

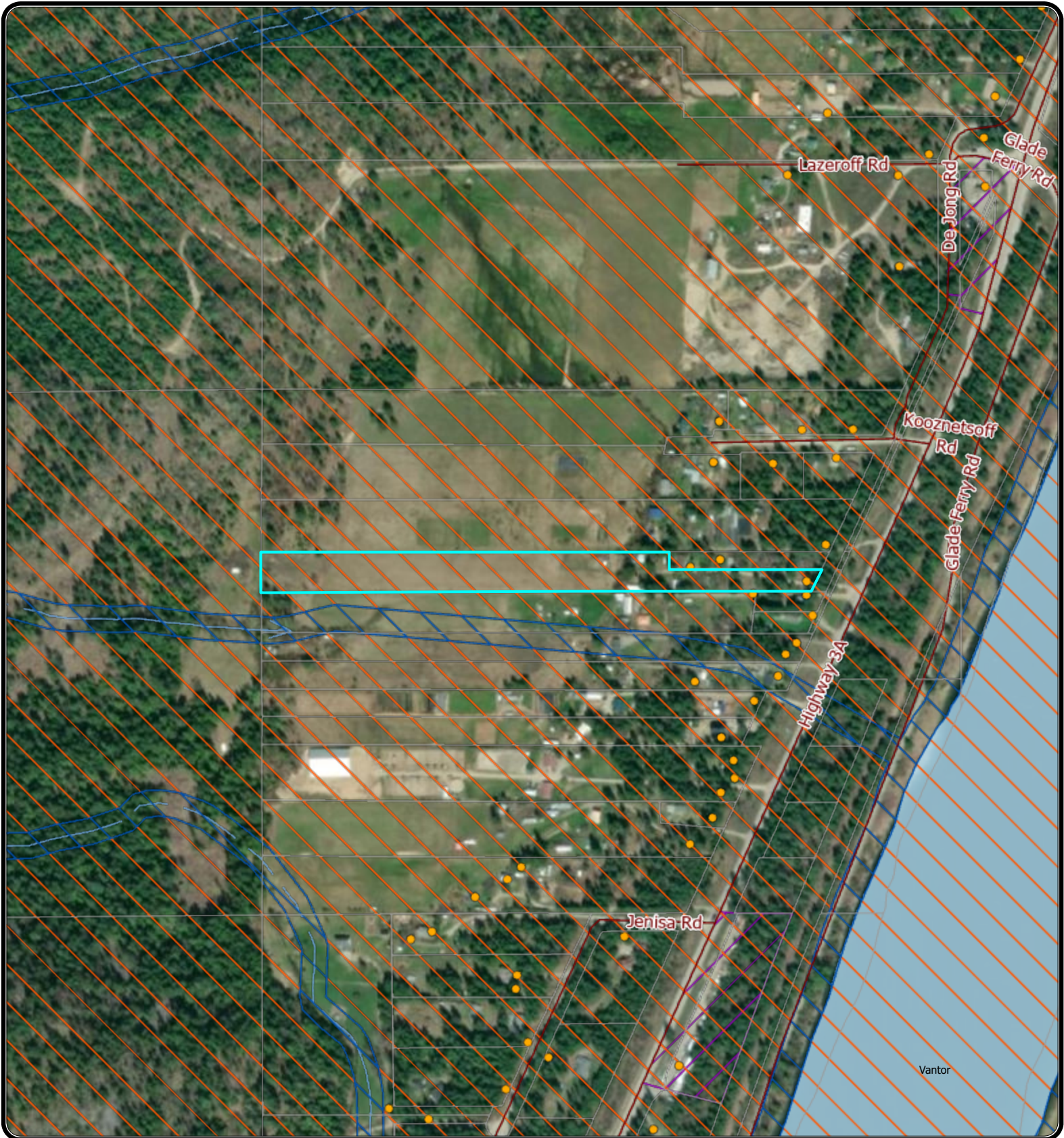
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RDCK Map



Vantor









REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
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Development Permit Areas

-  Industrial and Commercial
-  Watercourse
-  Wildfire

Legend

-  Lakes and Rivers
-  Streams and Shorelines
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

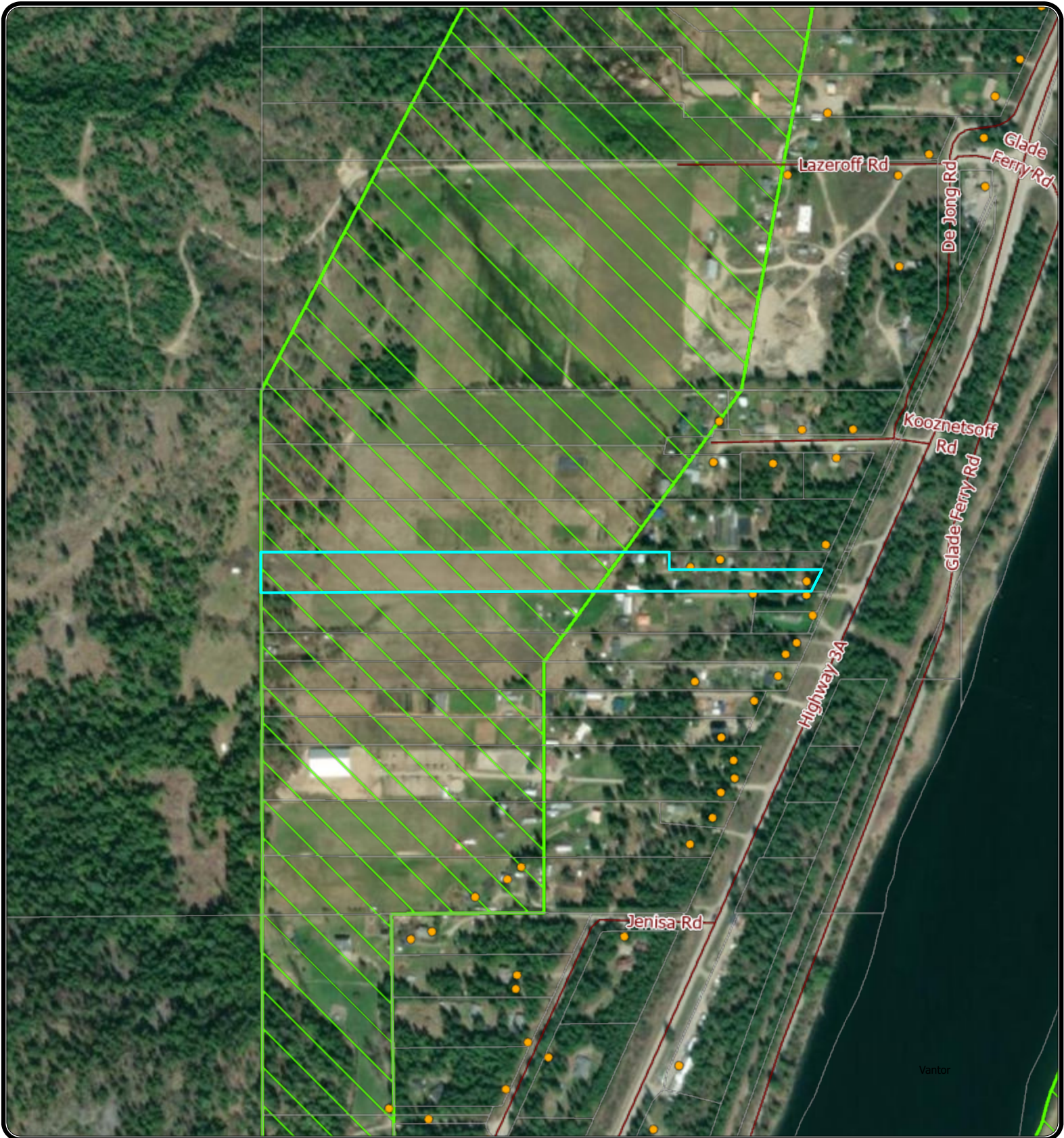
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Box 590, 202 Lakeside Drive,
Nelson, BC V1L 5R4
Phone: 1-800-268-7325 www.rdck.bc.ca
maps@rdck.bc.ca

Legend

-  Agriculture Land Reserve
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

1:9,028

Date: April 9, 2026









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RDCK Map



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Phone: 1-800-268-7325 www.rdck.bc.ca
maps@rdck.bc.ca

Legend

-  Lakes and Rivers
-  Streams and Shorelines
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

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Variance Application Proposal

Regional District of Central Kootenay (RDCK)

Re: Application for Variance – Agricultural (AG1) Zoning Bylaw, Sections 623, 2701

Applicants: Brandon Loukianoff, Len Loukianoff

Property Address: 2295 HWY 3A, Castlegar BC

Legal Description: PID: 011-939-893 NEP781

Zoning: Agricultural (AG1)

We are respectfully requesting a variance to Section 623(4), sections 2701(1), 2701(3) and 2701(4) of the Ag 1 zoning bylaw to permit a Farm Residential Footprint and/or placement that exceeds the prescribed maximums.

The intent of the existing bylaw is understood to concentrate residential development, minimize impacts on agricultural land, and maintain the rural character of the area. Our proposal aligns with this intent while requiring minor flexibility due to the unique characteristics of the property.

Due to Section 2701(4) There is no suitable or practical location to construct a dwelling within the permitted 60-metre depth from the front lot line. The area in front of the existing home is already developed and does not provide a viable building site. Adjacent to this area, the land slopes downward into a marshy section, making it unsuitable for construction due to drainage and stability concerns.

Referring to Section 2701(3) The proposed building location has been carefully selected as the only functional and appropriate site on the property to preserve all usable farmland.. We have intentionally chosen to locate the proposed dwelling on the steeply sloped portion of the property, as this area is not suitable for agricultural use. Due to its topography, the land cannot be effectively cultivated, grazed, or otherwise utilized for productive farming activities. By siting the home in this location, we are minimizing the impact on viable farmland and preserving the more level, usable areas of the property for agricultural purposes. This approach aligns with the intent of agricultural zoning by prioritizing the protection and continued use of productive land. Additionally, we intend to assess and, if feasible, restore and utilize the existing septic system on the property. Reusing this infrastructure would reduce the need for new ground disturbance, further limiting environmental impact and supporting a more efficient and sustainable development approach.

A FortisBC power line runs through a portion of the property, creating a required setback area where construction is not permitted, further limiting the available buildable area. Placing the dwelling in the middle of the property would significantly interfere with the usability of the land for agricultural purposes, fragmenting the parcel and making it difficult to effectively farm. Taken together, these constraints eliminate all other practical building locations on the property and therefore are unable to conform with the farm residential footprint of 2500m² with the original residential dwelling.

As per Section 623(4) the proposed secondary dwelling is requested to exceed 90 m² in order to adequately accommodate a family of five as the current dwelling may exceed 90m² depending if the RDCK classifies unfinished basements as living space. A smaller dwelling would not provide sufficient living space to meet basic functional needs, including bedrooms, common living areas, and storage

~~Section 2701(1) We are also requesting relief from the minimum lot size requirement, which stipulates a minimum of 4.0 hectares within the Agricultural Land Reserve (ALR) and 2.0 hectares outside of the ALR. While the total parcel size is approximately 6.43 acres, approximately only 4.94 acres fall within the ALR designation.~~

~~Due to this split designation, the property does not neatly conform to the standard minimum lot size requirements as applied to wholly ALR or non-ALR parcels. Despite this, the property functions as a single, cohesive parcel and continues to support agricultural use. The proposed development does not involve subdivision and will not further fragment the land base.~~

Importantly, approval has already been obtained from the Agricultural Land Commission to permit a dwelling on the portion of the property that falls within the ALR. This demonstrates that the proposed residential use has been reviewed and supported at the provincial level with respect to agricultural land protection.

The proposed siting therefore avoids environmentally sensitive and unstable areas (marshy ground), responds appropriately to the natural topography of the land, preserves contiguous, usable agricultural space, prevents unnecessary disruption to farming operations and maintains appropriate separation from the existing dwelling.

The requested variances will not negatively impact adjacent properties or the surrounding agricultural character of the area. Instead, it will allow for a more practical and environmentally responsible site layout that reflects the physical limitations of the land. We believe this request is reasonable, site-specific, and consistent with both the spirit and intent of the bylaws. Approval of these variances will enable a well-planned development that respects the natural features of the property while supporting its long-term agricultural viability.

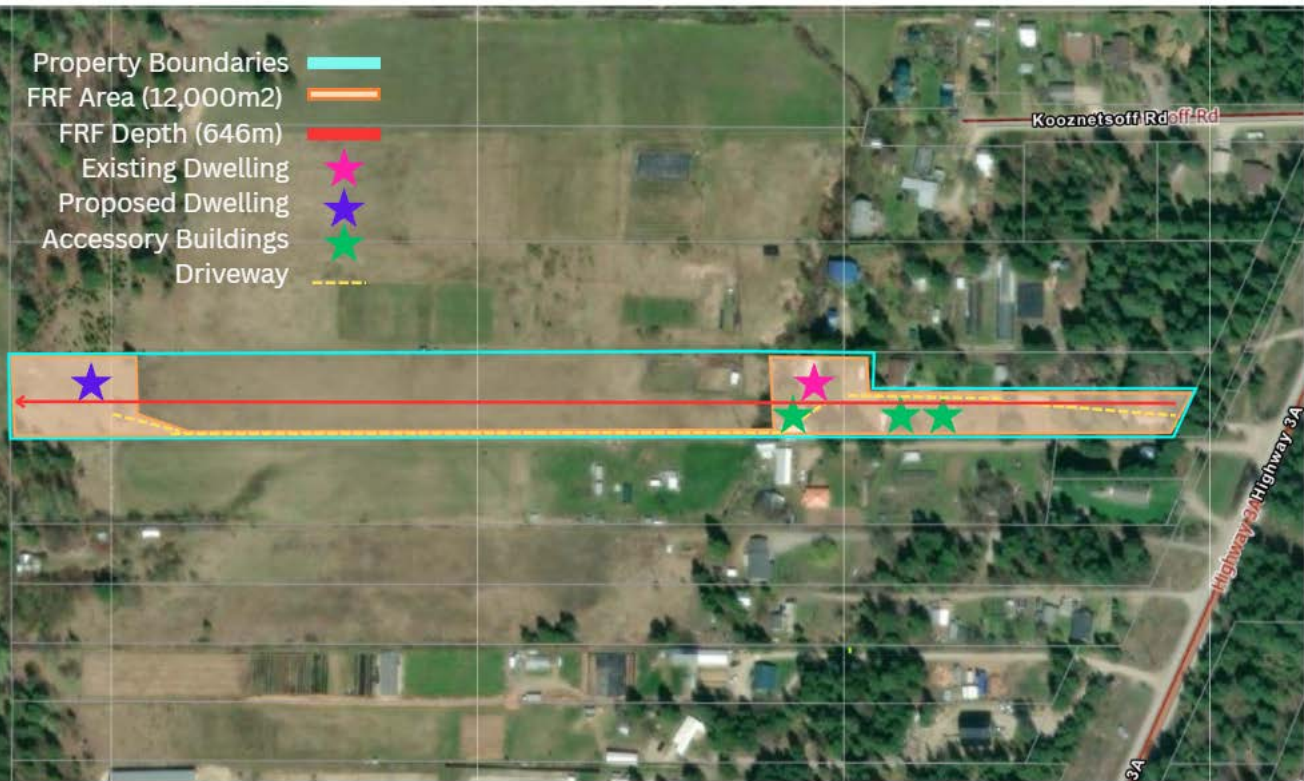
In addition, the proposed site already benefits from existing access infrastructure. A road is in place leading to the top of the hill, where a previous dwelling once existed along with an established septic field. Utilizing this previously developed area reduces the need for additional site disturbance, minimizes environmental impact, and represents a logical and efficient use of the land by building in a location that has historically supported residential use.

Thank you for your time and consideration of this application. We would be pleased to provide any additional information or clarification as required.

Sincerely,

Brandon Loukianoff, Len Loukianoff
ph: (250) 608 5180 em: brandon_loukianoff@hotmail.com

- Property Boundaries 
- FRF Area (12,000m²) 
- FRF Depth (646m) 
- Existing Dwelling 
- Proposed Dwelling 
- Accessory Buildings 
- Driveway 



- a. be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting where adjacent to a lot in any Residential zone; such screening shall be planted or installed so that no person shall be able to see through it,
 - b. be separated from any directly abutting lot in any Residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.
- 4 Where any lot is used for commercial, industrial and institutional purposes, any part of such lot that is not used for buildings, exterior display areas, parking or loading facilities shall be maintained as a landscaped area, or as undisturbed forest.
 - 5 Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.
 - 6 The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the 'British Columbia Landscape Standard' prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association.
 - 7 In the Quarry zone, a landscape screen or a continuous three (3) metre high opaque fence shall be maintained within the 100 metre setback required for any processing operation.

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-unit housing developments can be achieved provided that no siting variances cross a property line.

Accessory Dwelling Units

623 An accessory dwelling unit is subject to the following regulations:

- 1 The maximum number of accessory dwelling units per lot is one.
- 2 The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
- 3 Despite section 623(2) secondary suites are permitted on all lots.
- 4 The maximum gross floor area is 90.0 square metres.
- 5 The maximum height is 8.0 metres.
- 6 The maximum number of storeys is 2.

DIVISION 27 AGRICULTURE 1 (AG1)

Permitted Uses

2700 Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 1 (AG1) zone shall be used for the following purposes only:

Principal Uses:

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

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (*may require ALC non-farm use approval*)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to Section 623
- 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*)

Development Regulations

2701

1. The minimum lot size shall be 4.0 hectares in the Agricultural Land Reserve and 2.0 hectares outside the Agricultural Land Reserve.

1B. The maximum density is 2 Dwelling Units.

- 1C. Only one Single Detached Housing is permitted per lot.
2. The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
3. The maximum Farm Residential Footprint shall be a maximum of 2000 square meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.
4. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
5. The Maximum Gross Floor Area of Single Detached Housing is 300.0 square metres.
6. *Deleted by Bylaw 2958.*
7. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
 - a. the lot is classified as a farm under the Assessment Act;
 - b. the lot is larger than 1.2 hectares;
 - c. the minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
 - d. the minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
8. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within 5 metres of a lot line.
9. Section 2701(8) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
10. Farm Product processing that involves processing livestock:
 - a. must be located on a minimum 2 hectare site outside the Agricultural Land Reserve;



Bylaw Amendment Application

Referral Form – RDCK File Z26021
Amendment to Zoning Bylaw No. 1675

Date: April 27, 2026

You are requested to comment on the attached Bylaw Amendment for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO MAY 27, 2026). 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 2.38 ha subject property is located in Thurms in Electoral Area 'I' and has been developed with two single detached homes as shown on the attached site plan. The purpose of this bylaw amendment is to consider allowing three single detached homes on the residential lot. The applicant is also proposing to increase the minimum lot size for subdivision to 2.0 hectares to prevent additional residential development on the lot through subdivision.

To achieve this, the applicant is proposing to rezone from Country Residential I (CRI) to Country Residential I (CRI) Site-Specific. The proposed site-specific amendments in RDCK Zoning Bylaw no. 1675 are as follows:

Country Residential I (R2I) Development Regulations

- **From:** 1201 (1) The minimum lot size is **1.0** hectare.
- **To:** 1201 (1) The minimum lot size is **2.0** hectares.

- **From:** 1201 (2) The maximum density is **2** Dwelling Units.
- **To:** 1201 (2) The maximum density is **3** Dwelling Units.

- **From:** 1201(2B) Only one **Single Detached Housing or Duplex Housing** is permitted per lot.
- **From:** 1201(2B) Only one **Duplex Housing** is permitted per lot.

- **From:** 1201(3) 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.
- **From:** 1201(3) 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 **2.0** hectare.

LEGAL DESCRIPTION & GENERAL LOCATION:

1625 Highway 3A, Thurms, Electoral Area 'I'
LOT 1 DISTRICT LOT 1239 KOOTENAY DISTRICT PLAN 4105, EXCEPT PART INCLUDED IN PLAN 15763
PID: 014-959-551

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
2.38	no	Country Residential I (R2I) in RDCK Zoning Bylaw no. 1675	Country Residential (RC) in Sentinel Mountain Official Community Plan Bylaw No. 2821, 2024.

APPLICANT/AGENT: Stacey Posnikoff

Please provide your response via email.

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.

If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

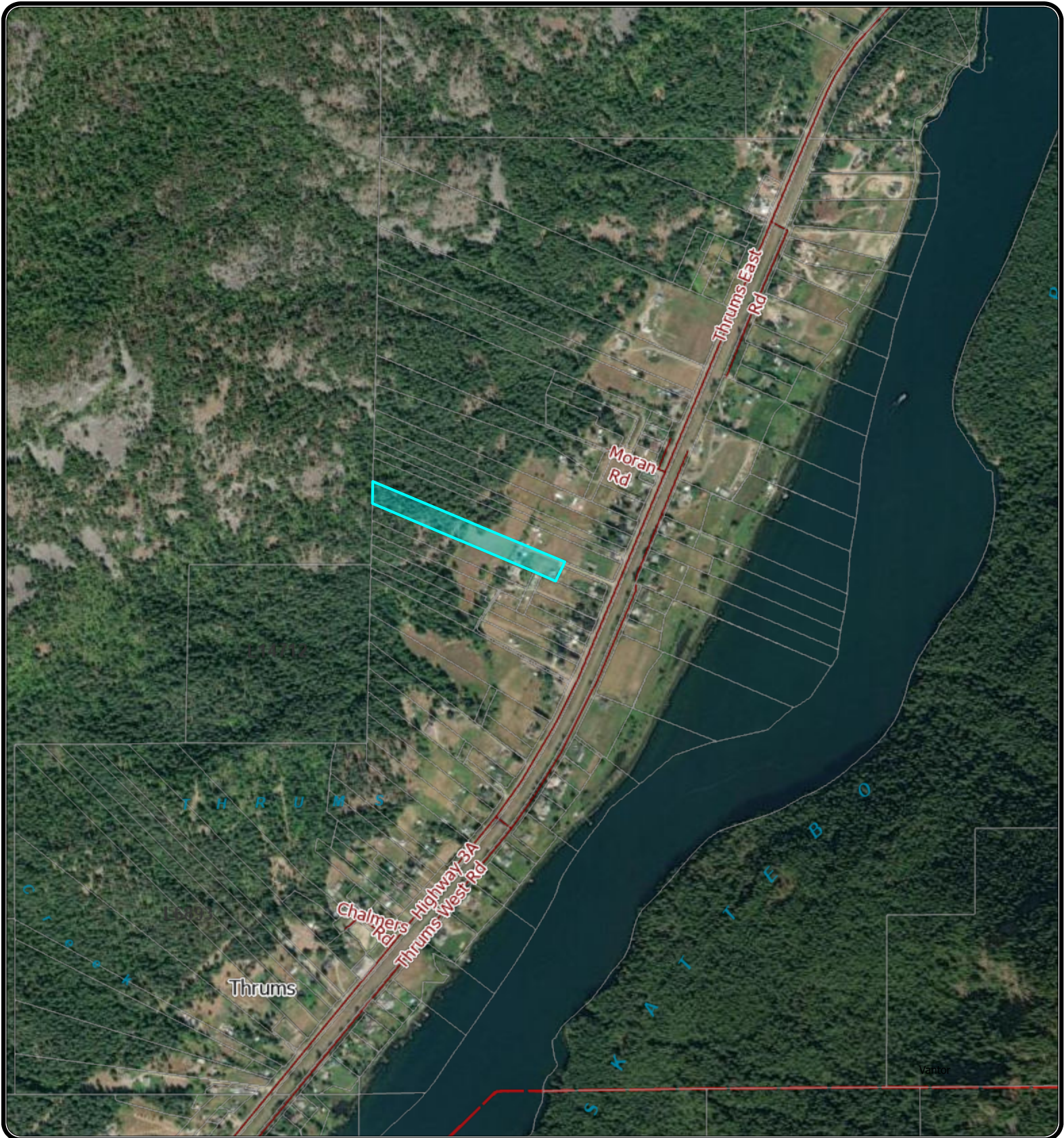
- TRANSPORTATION West Kootenay
- HABITAT BRANCH
- FRONT COUNTER BC (FLNRORD)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH HBE Team, Nelson
- KOOTENAY LAKES PARTNERSHIP
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- 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 AREA I
- RDCK FIRE SERVICES
- RDCK EMERGENCY SERVICES
- RDCK BUILDING SERVICES
- RDCK UTILITY SERVICES
- RDCK REGIONAL PARKS

- 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)
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 - TK'EMLUPS BAND
- SINIXT CONFEDERACY

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RETURN TO: SADIE CHEZENKO, PLANNER
 DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 LAKESIDE DRIVE
 NELSON, BC V1L 5R4
 Ph. 250-352-1585
 Email: plandept@rdck.bc.ca

RDCK Map



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

Legend

- Place Names
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

Map Scale:

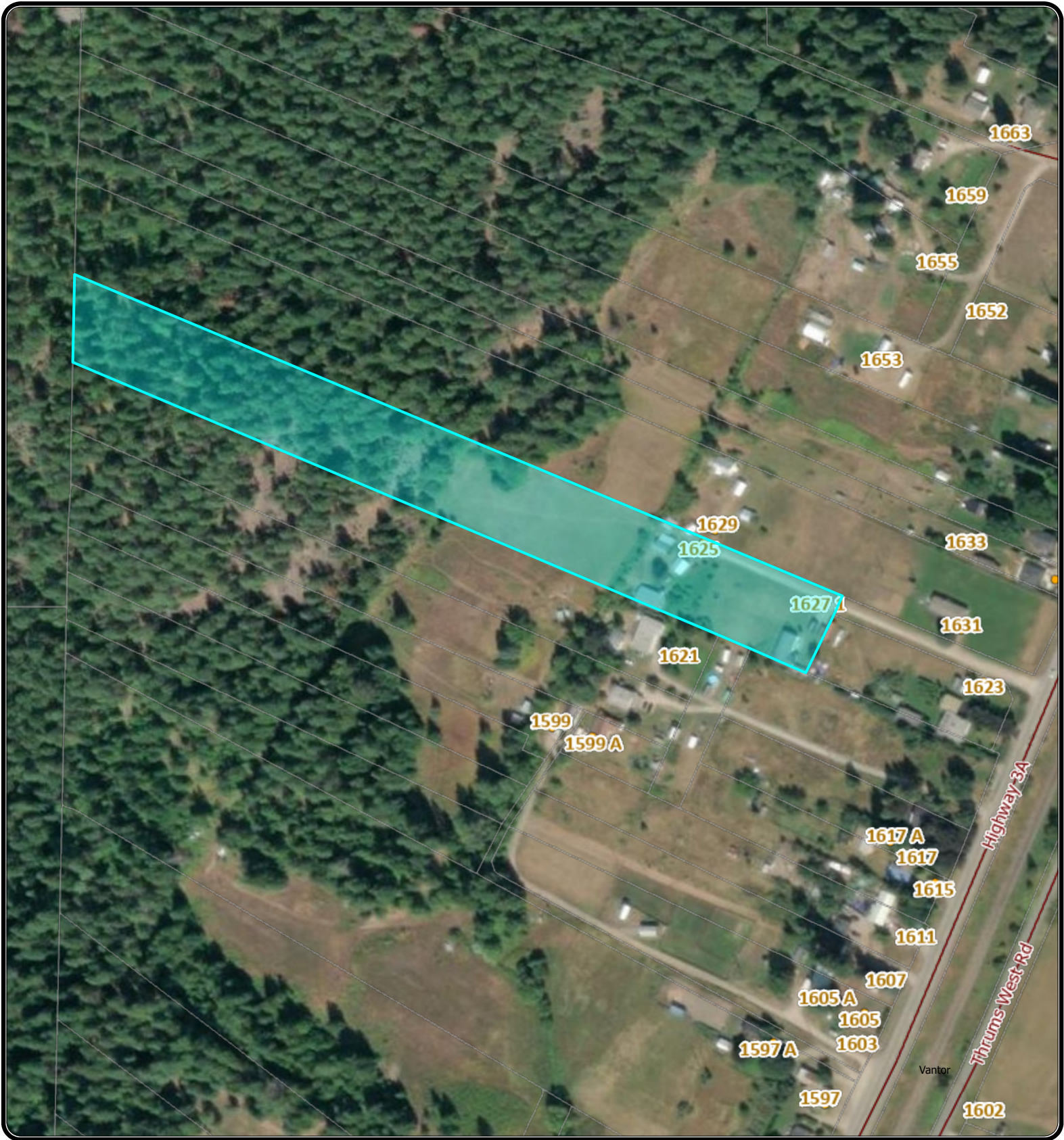
1:18,056

Date: April 21, 2026







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RDCK Map



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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

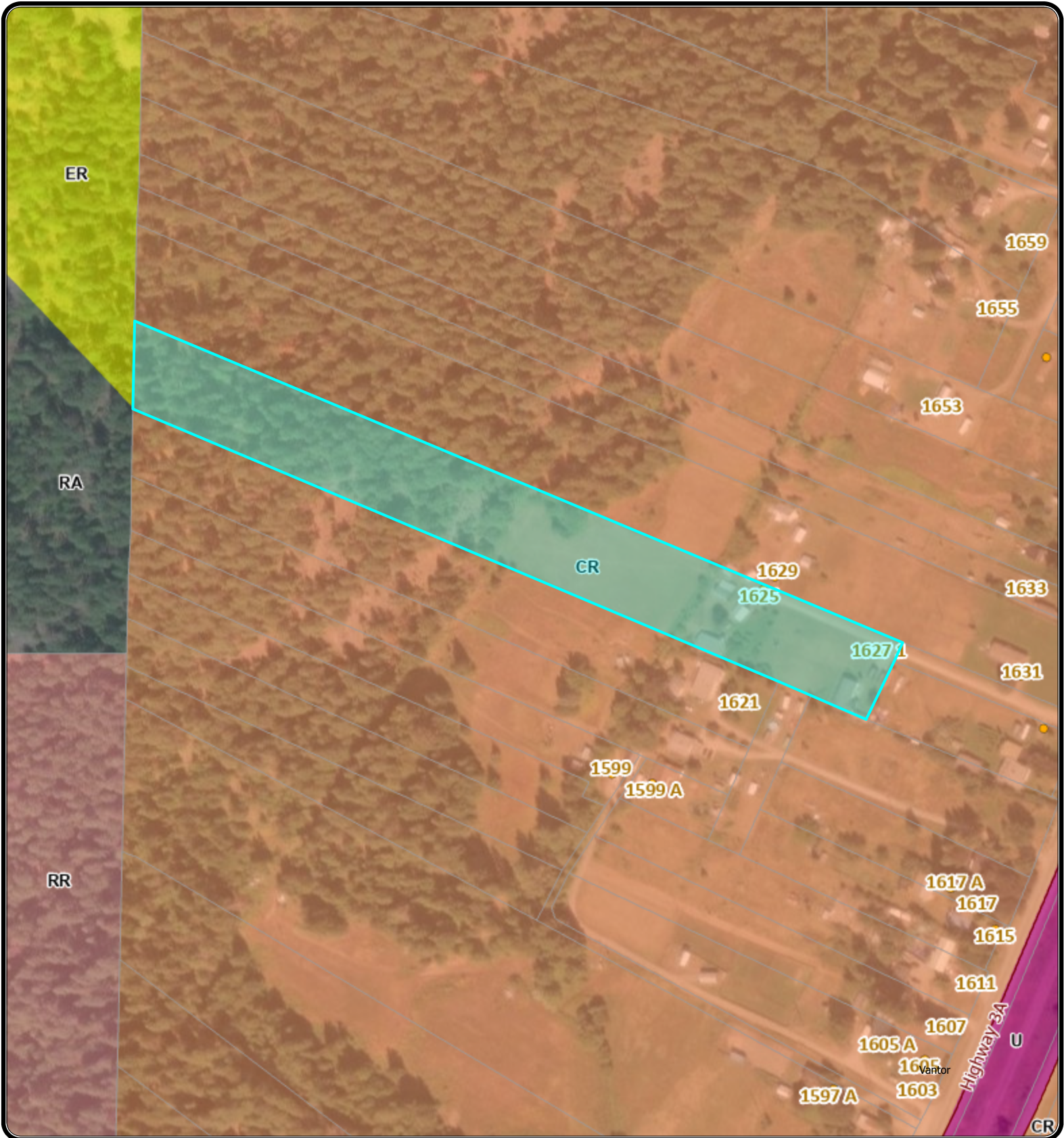
1:4,514

Date: April 21, 2026



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Legend

Official Community Plan

- Country Residential
- Environmental Reserve
- Resource Area
- Rural Residential

- Utility, Railway and Transportation
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:4,514

Date: April 21, 2026



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Zoning Class

- Commercial
- Open Space
- Residential 2
- Residential 3

Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

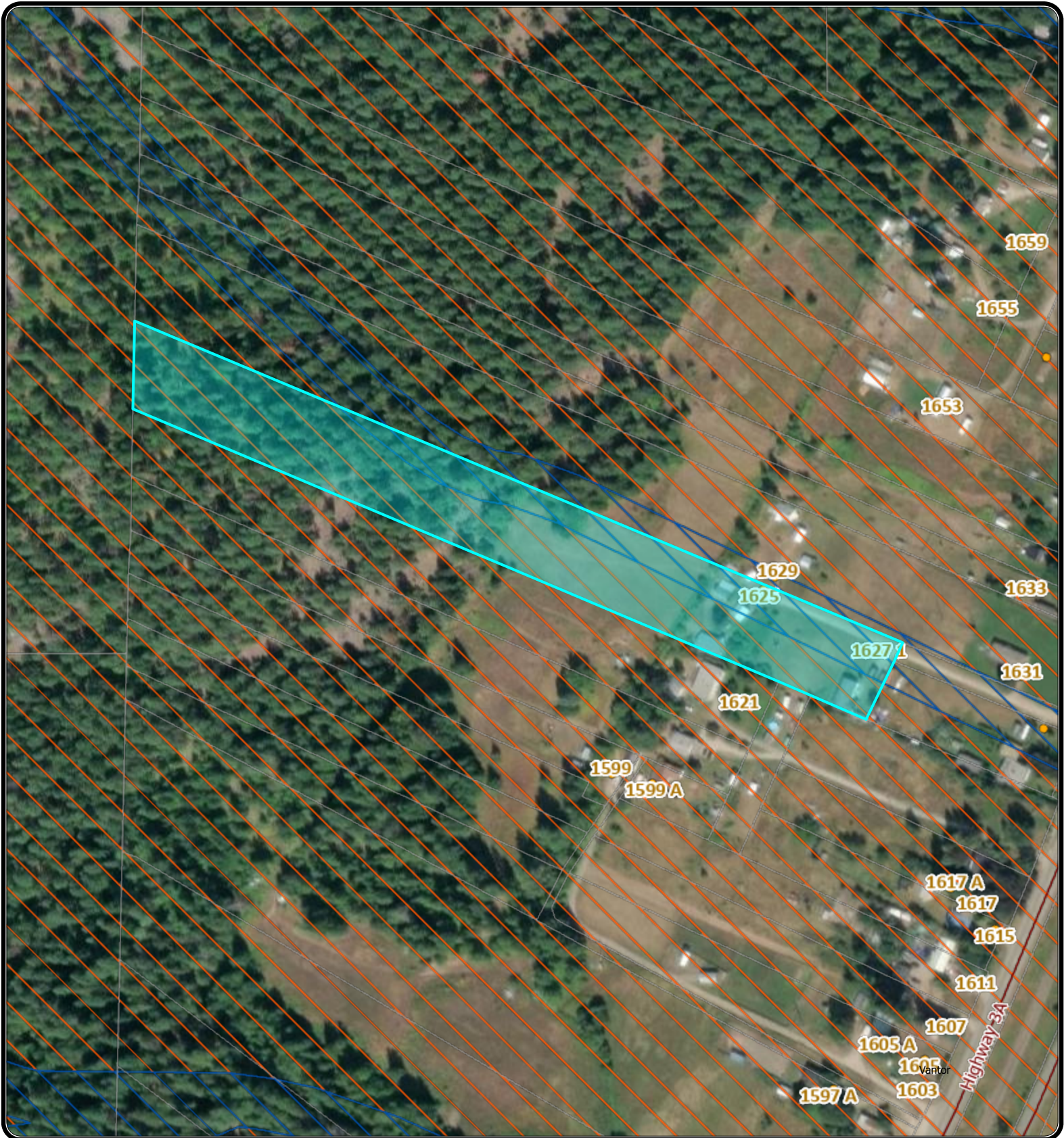
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Development Permit Areas

- Watercourse
- Wildfire

Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

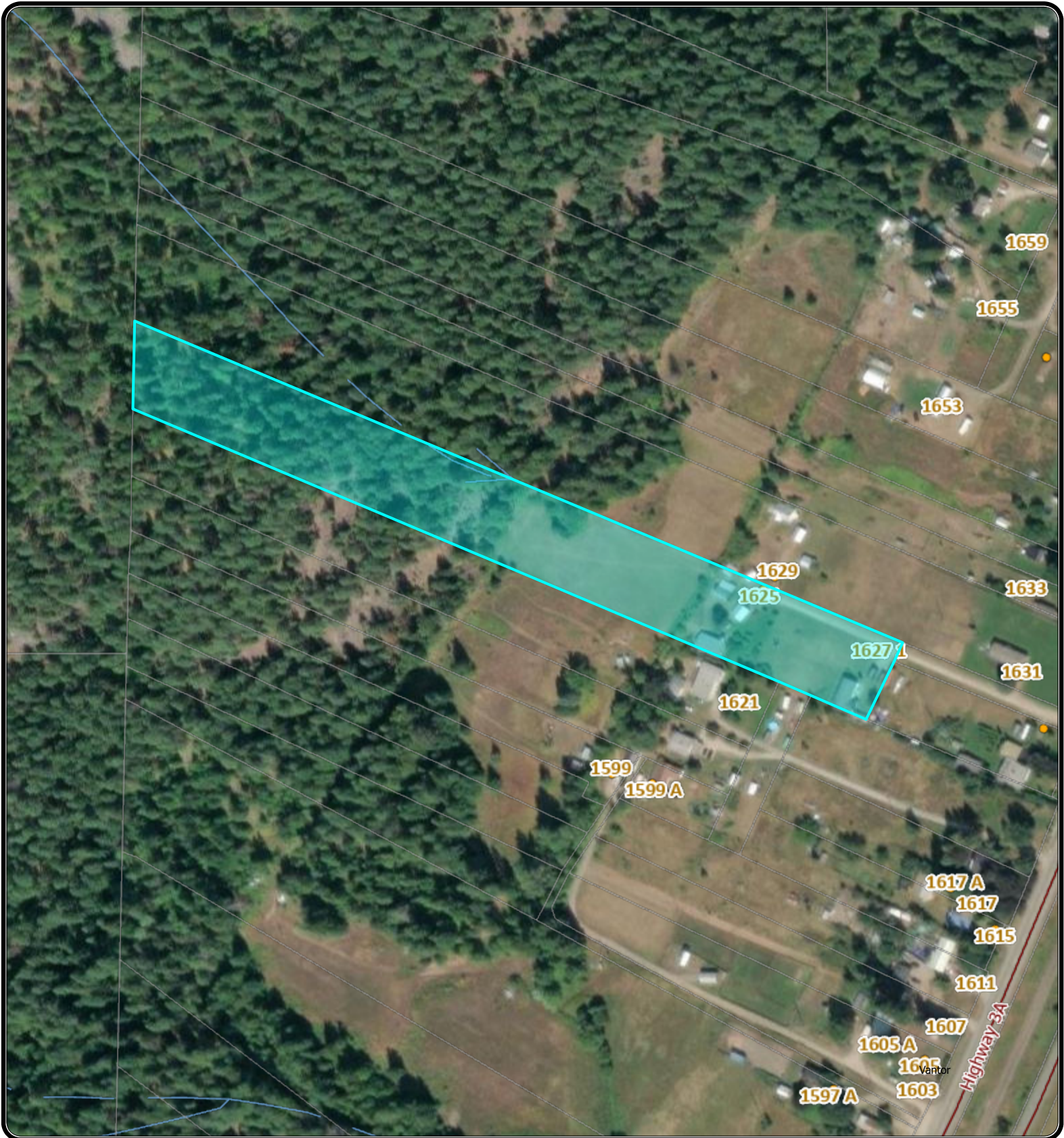
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Legend

- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

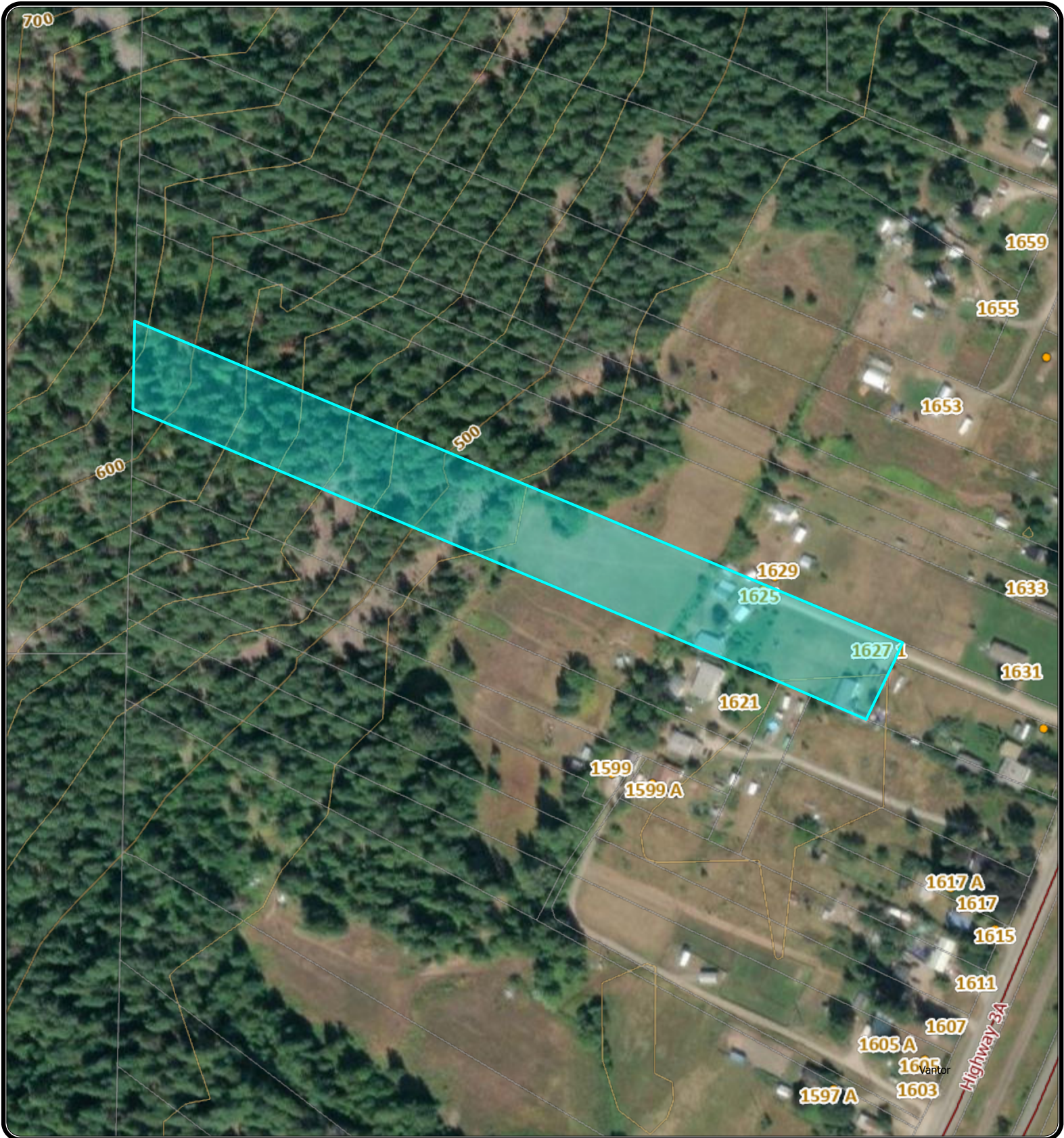
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20 Meter Contours

- 20 meter
- 100 meter

Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:4,514

Date: April 21, 2026



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DIVISION 12 COUNTRY RESIDENTIAL I (R2I)**Permitted Uses**

1200 Land, buildings and structures in the Country Residential I (R2I) zone shall be used for the following purposes only:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- 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

Development Regulations

1201

- 1 The minimum lot size is ~~1.0 hectare.~~ **2.0 hectares**
- 2 The maximum density is ~~2 Dwelling Units.~~ **3 Dwelling Units**
- 2B Only one ~~Single Detached Housing or~~ Duplex Housing is permitted per lot.
- 3 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.~~ **2.0 hectares**
- 4 The maximum site coverage permitted shall be 50 percent of the lot area.
- 5 The keeping of farm animals shall comply with the requirements of section 613.
- 6 Portable sawmills shall be located a minimum of 30 metres from any property line.
- 7 *Deleted by Bylaw 2757.*
- 8 The maximum height of any accessory building or structure shall not exceed 8 metres.
- 9 The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres.
- 10 The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

Site Plan

Property Line

Proposed 180m²
Residence (3)

Proposed
Septic
Location

Existing
Barn

Existing
Garage

Existing
Septic
(1)

Well
servicing
Residence 1
and 2

Proposed
Well
Location

Drainage
Ditch

Existing 140m²
Residence (2)

Existing
Septic
(2)

Existing 170m²
Residence (1)



Zoning Amendment Summary

Property: 1625 Highway 3A, Thrums, BC

Jurisdiction: Regional District of Central Kootenay (RDCK), Electoral Area I

1. Existing Zoning

The subject property is zoned:

- **Country Residential I (R2I), Division 12**
- Under **RDCK Zoning Bylaw No. 1675**

The R2I zone permits residential uses including:

- Single detached dwelling
- Duplex dwelling
- Accessory dwelling unit

However, the zone establishes a **maximum density of two (2) dwelling units per parcel**.

👉 As a result, while multiple housing forms are listed as permitted uses, the property is currently limited to a total of **two dwelling units**, and does **not permit a third dwelling**.

2. Official Community Plan (OCP)

The property is designated:

👉 **Country Residential / Rural Residential** (Electoral Area I OCP)

This designation is intended to:

- Support **low-density residential development on larger parcels**
 - Encourage **flexible housing forms**, including multi-generational living
 - Maintain **rural character and compatibility** with surrounding lands
 - Accommodate development on **onsite water and septic systems**
-

3. Property Characteristics

- Parcel size: **5.88 acres (2.38 hectares)**
- Topography: **Gently sloped**
- Condition: **Predominantly cleared**
- Context: **Low-density rural residential area**

Proposed Building Location:

- The proposed dwelling will be located on the **upper ~1.5 acres of the property**
 - The site provides **substantial separation from other development**
 - There are **no nearby neighbouring dwellings in close proximity**, ensuring privacy and minimal visual impact
-

4. Proposed Amendment

The application proposes:

 A **site-specific amendment to the R2I zone** to permit:

- **Three (3) dwelling units** on the subject parcel


This represents an increase from the current maximum of **two (2) dwelling units**.

No subdivision is proposed, and the parcel will remain as a single title.

5. Effect of the Amendment

If approved, the amendment would allow:

- Up to **three dwelling units** on a **5.88-acre parcel**
- Continued use of the property for **rural residential purposes only**
- Development that remains **low-density in form and character**

 The effective density would remain low at approximately:
1 dwelling per 2 acres

6. Rationale for the Amendment

1. Consistency with OCP

The proposal aligns with the OCP's support for:

- Flexible housing forms
 - Rural residential living
 - Multi-generational use of land
-

2. Appropriate for Parcel Size

At **5.88 acres**, the property:

- Significantly exceeds minimum parcel size requirements
 - Can accommodate a third dwelling while maintaining:
 - privacy
 - separation
 - rural character
-

3. No Subdivision or Fragmentation

- The parcel will remain intact
 - No additional lots or servicing corridors are created
 - Maintains existing land use pattern
-

4. Suitable Site Conditions

- **Cleared and gently sloped land** supports development
 - The proposed dwelling location on the **upper 1.5 acres**:
 - minimizes visibility
 - avoids conflicts with existing uses
 - provides natural buffering
-

5. No Agricultural Impact

- Property is **not within the ALR**
 - No impact on agricultural land base
-

✓ 6. Minimal Infrastructure Impact

- Serviced by **private well and septic systems**
 - Capacity can be confirmed or upgraded as required
 - No demand on public infrastructure
-

7. Impact on Surrounding Properties

The proposed amendment is expected to be:

✓ Neutral to Positive

✓ Density

- No subdivision → **no increase in number of parcels**
 - Maintains overall **rural density pattern**
-

✓ Privacy & Separation

- Large parcel size ensures **substantial buffering**
 - Proposed dwelling is **not in proximity to neighbouring homes**
-

✓ Visual Character

- Development remains:
 - low-profile
 - consistent with rural residential form
 - No change to the broader landscape character
-

✓ Traffic

- Minor increase consistent with residential use
 - No significant impact on Highway 3A
-

✓ Land Use Compatibility

- Use remains strictly **residential**
 - No commercial or industrial activity introduced
-

✓ Property Values

- Expected to have a **neutral or positive effect**
 - Supports continued investment in rural properties
-

✓ 8. Conclusion

The proposed amendment to allow a **third dwelling unit** on a **5.88-acre R2I parcel**:

- Is **consistent with the Official Community Plan**
- Maintains **low-density rural character**
- Is appropriate for the **size and physical characteristics of the property**
- Results in **no negative impacts to surrounding properties**

👉 The proposal represents a **reasonable, low-impact extension of existing residential use** and is well suited to the subject property and surrounding area.

Neighbour Support Letter (Rezoning Application)

RE: Letter of Support – Zoning Amendment Application

Property: 1625 Highway 3A, Thrums, BC

PID: 014-959-551

To Whom It May Concern,

I/We, the undersigned, are neighbouring or nearby property owners to **1625 Highway 3A, Thrums, BC**, and have been informed of the proposed zoning amendment application for this property.

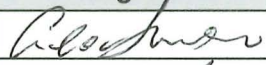

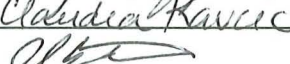
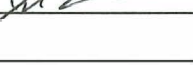
The application seeks a **site-specific amendment to the R2I (Country Residential) zoning** to permit **one additional detached single-family dwelling**, increasing the maximum number of dwelling units from two (2) to three (3) on the existing **5.88-acre parcel**.

- No subdivision is proposed
- The parcel will remain as a single property
- The additional dwelling will be located on the upper portion of the property, providing separation and privacy
- The use will remain strictly residential

Based on this understanding, we have **no concerns** with the proposal and believe it will have a **neutral or positive impact** on the surrounding area.

We support this application.

Neighbour Information & Signature

Name (Print)	Address	Signature	Date
Alec Lawton	1631 Highway 3A		Apr 15/26
Dylan Tripp	1621 Highway 3A		Apr 16/26
Claudia Kavcic	1635 Hwy 3A		Apr 17/26
Jed Carter	1635 Hwy 3A		Apr 17/26



Zoning Bylaw Amendment Application

Referral Form – RDCK File Z24051

Date: April 20, 2026

You are requested to comment on the attached Zoning Bylaw Amendment for potential effect on your agency’s interests. We would appreciate your response within 30 days – **prior to May 20, 2026**. If no response is received within that time, it will be assumed that your agency’s interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

2347 Highway 3A, Glade, Electoral Area ‘I’
 PARCEL A (SEE T3993) OF LOT 3 DISTRICT LOT 302A KOOTENAY DISTRICT PLAN 781, EXCEPT PART INCLUDED IN PLAN 12613 (PID: 016-059-352)

PRESENT USE AND PURPOSE OF AMENDMENT REQUESTED:

The subject property is a 0.25 hectare (0.61 acre) parcel. Historically, the property was improved with a service station (gas station, liquor store and convenience store) and a dwelling.

In 2023, the owner converted the dwelling into a restaurant called the Cornerstone Café without zoning approvals or a building permit. This restaurant is attached to the service station. A Stop Work Order was issued by the Building Department for commencing construction of a restaurant prior to obtaining a valid building permit. In addition to the renovations, a ~69m² deck for outdoor seating was constructed on the north side of the building. The deck extends beyond the property line into the road right-of-way. In terms of the encroachment into the right-of-way, the Ministry of Transportation and Transit has granted the owner a permit to authorize deck to remain in this location. However, the addition of the café and deck resulted in zoning contraventions. As such, this bylaw amendment application is required.

The purpose of the proposed bylaw amendment application is to rezone the property from Neighbourhood Commercial (C1) to Neighbourhood Commercial (C1) Site-Specific in order to legalize the following:

- A service station and a restaurant on a 0.25 ha lot whereas the bylaw requires a minimum of 2.0 ha of site area for both
- A reduction of the exterior side setback from 7.5m to 0.0m on the northern lot line to accommodate the deck
- A maximum site coverage of 70% on the property to accommodate the existing development
- To not meet the general regulations for landscaping (as outlined in S. 621 of the zoning bylaw) by not providing any new landscaping on site
- To not meet the general regulations for parking (as outlined in S. 611 and 612) and instead continue having parking accommodated primarily in the road right of way and on the neighbouring parcel to the southeast as has historically occurred. The zoning without this relaxation would require the property owner to provide 22 parking spaces on the lot.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.25 hectares (0.61 acres)	N/A	Neighbourhood Commercial (C1) in Zoning Bylaw No. 1675, 2004	Commercial (C) in Sentinel Mountain Official Community Plan Bylaw No. 2821, 2024

APPLICANT: Glade General Store LTD c/o Michelle Kooznetsoff

Please provide your response via email.

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.

If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

**SADIE CHEZENKO, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

- MINISTRY OF TRANSPORTATION AND TRANSIT
- MWLRS HABITAT BRANCH
- FRONTCOUNTER BC
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH, HBE TEAM
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, NELSON HYDRO ETC)
- ARCHAEOLOGY BRANCH

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

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- RDCK EMERGENCY SERVICES
- RDCK BUILDING SERVICES
- RDCK UTILITY SERVICES
- RDCK RESOURCE RECOVERY
- RDCK REGIONAL PARKS

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NELSON, BC V1L 5R4
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Email: plandept@rdck.bc.ca

RDCK Map



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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

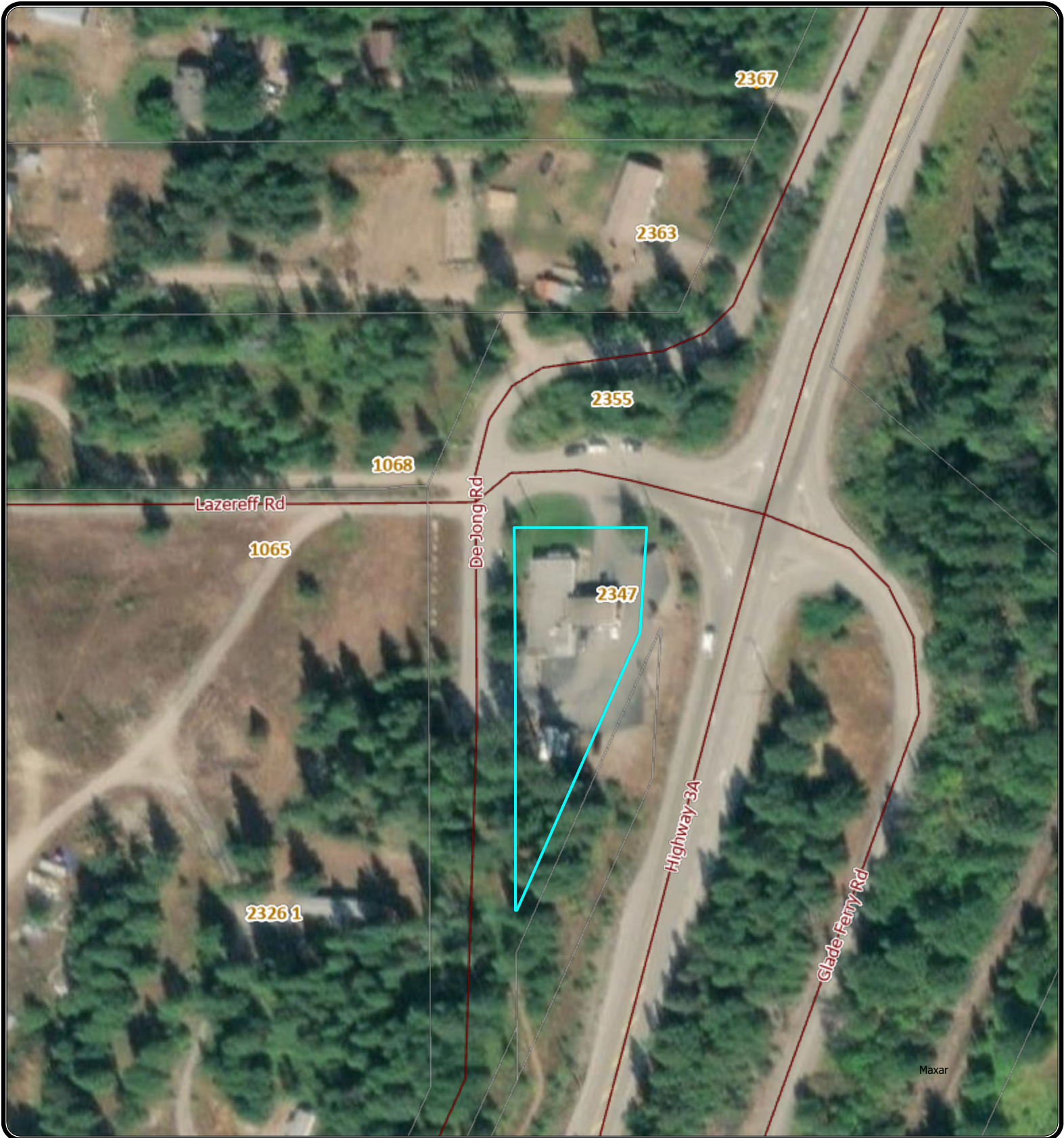
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Date: July 17, 2024







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RDCK Map



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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

1:2,257

Date: July 17, 2024



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Legend

- Flood Construction Levels - 1990
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

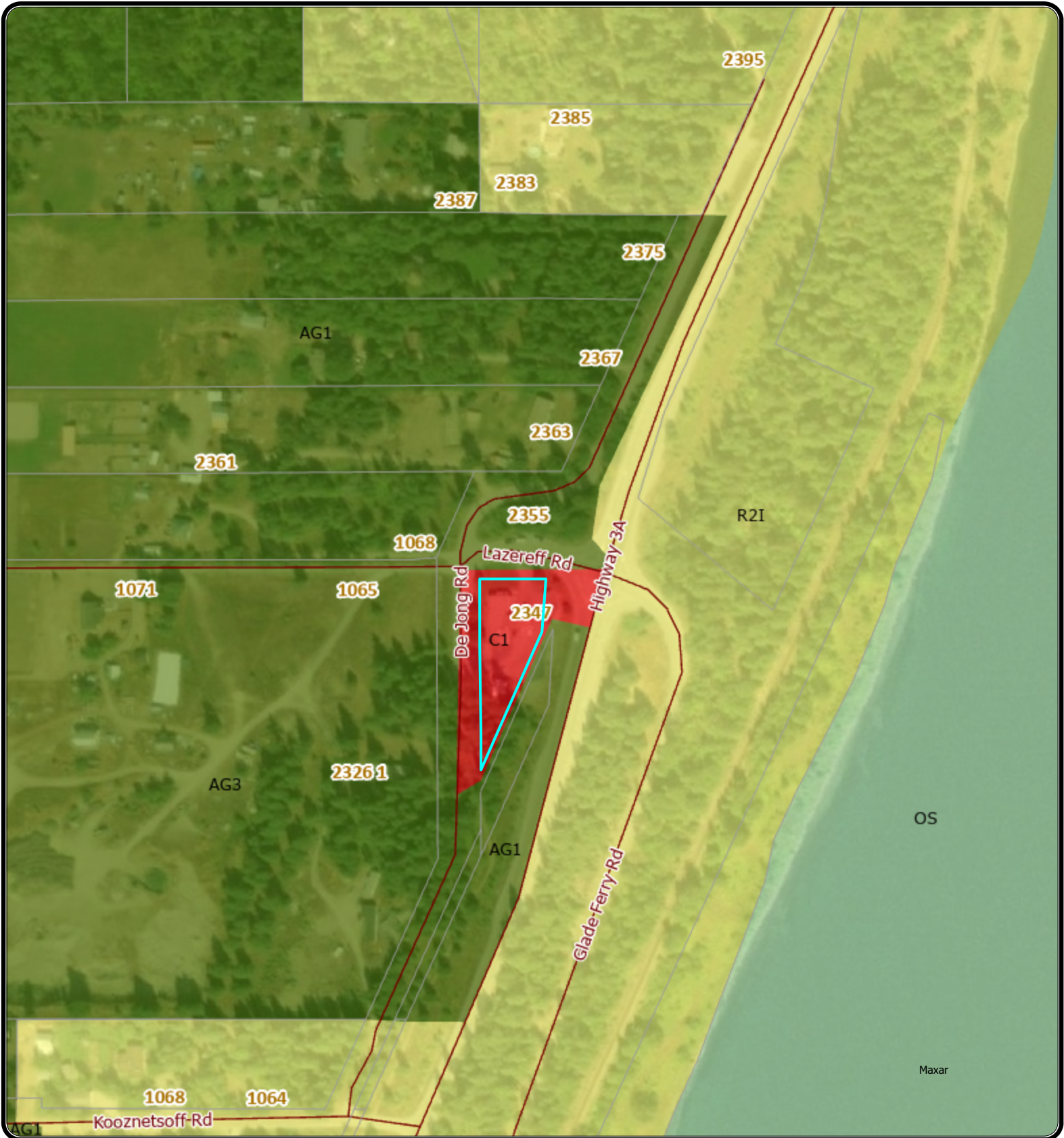
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 maps@rdck.bc.ca

Zoning Class

- Agriculture
- Commercial
- Open Space
- Residential 2

Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:4,514

Date: July 17, 2024



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Official Community Plan

- Agriculture
- Commercial
- Country Residential

Legend

- Open Space
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

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Legend

- Lakes and Rivers
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

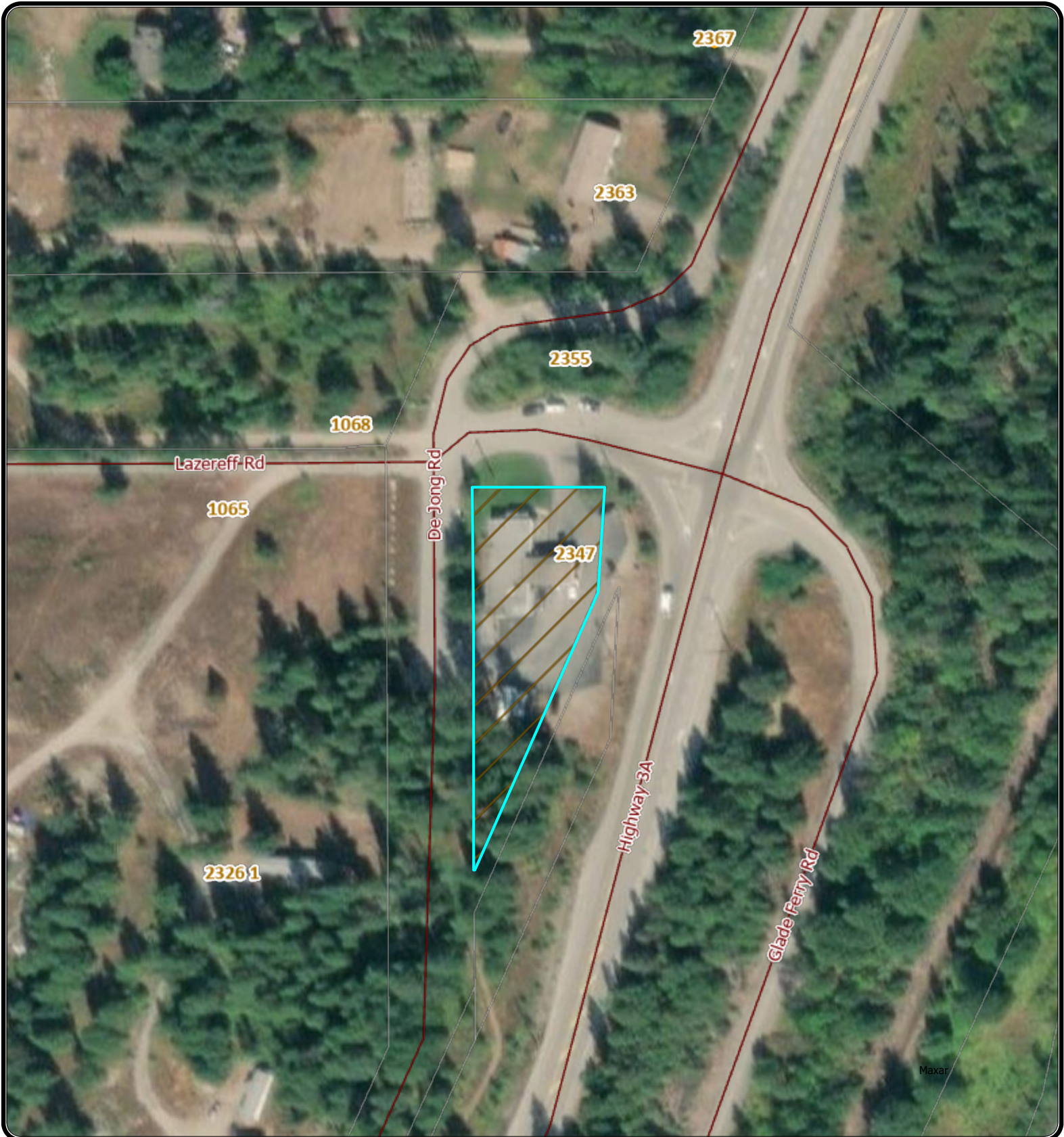
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Development Permit Areas

-  Commercial, Industrial, Comprehensive
-  Development, Gravel Extraction (Quarry) and High Density Residential

Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

Map Scale:

1:2,257

Date: July 17, 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.

Subject
Property





Highway 3A



Service Station
and Cafe



Deck and
Outdoor
Seating



Lazeroff Road



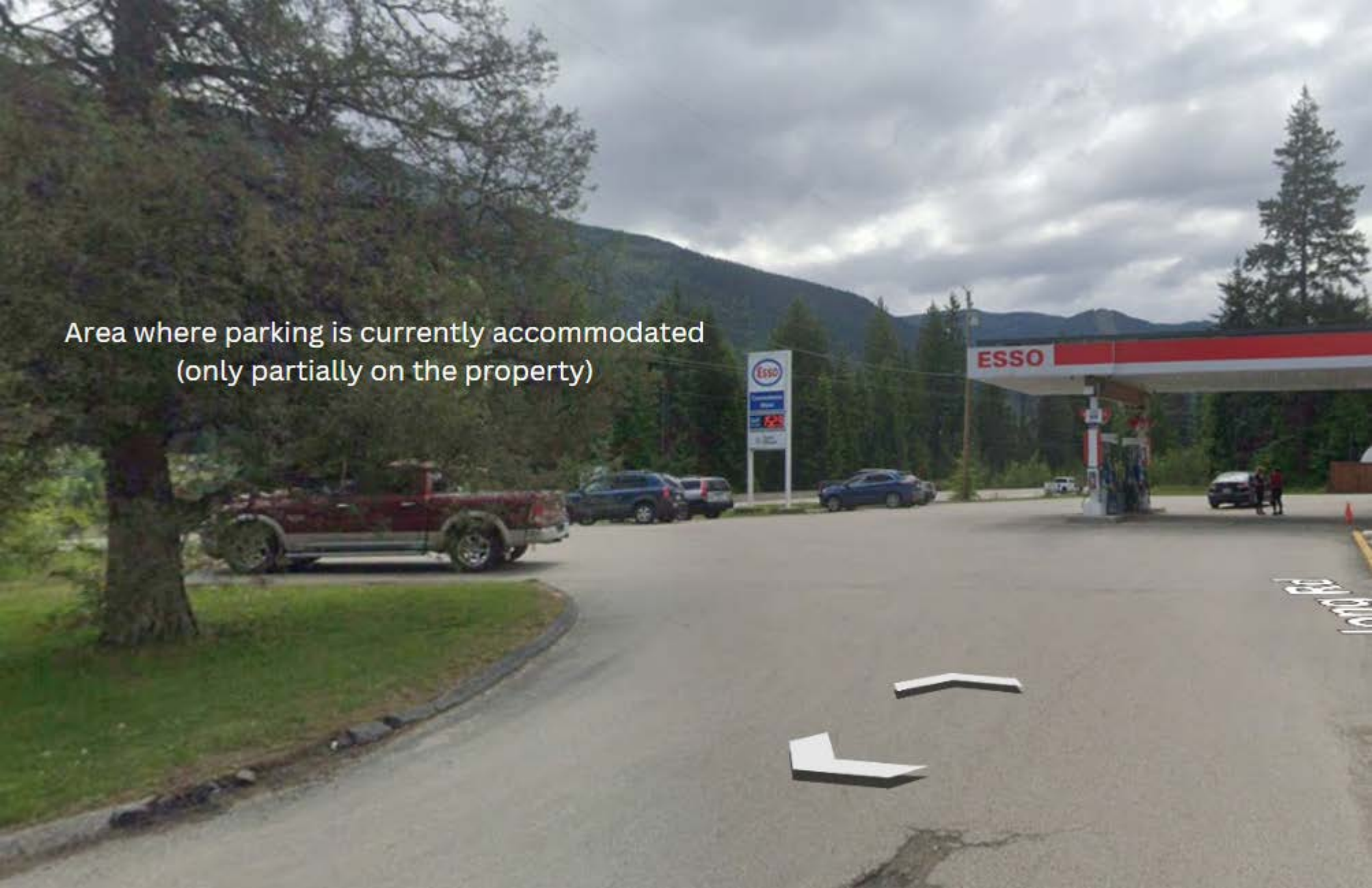


Service Station

Cafe

Deck and
Outdoor Seating Area

Area where parking is currently accommodated
(only partially on the property)



Service Station

Cafe and Deck with Outdoor Seating



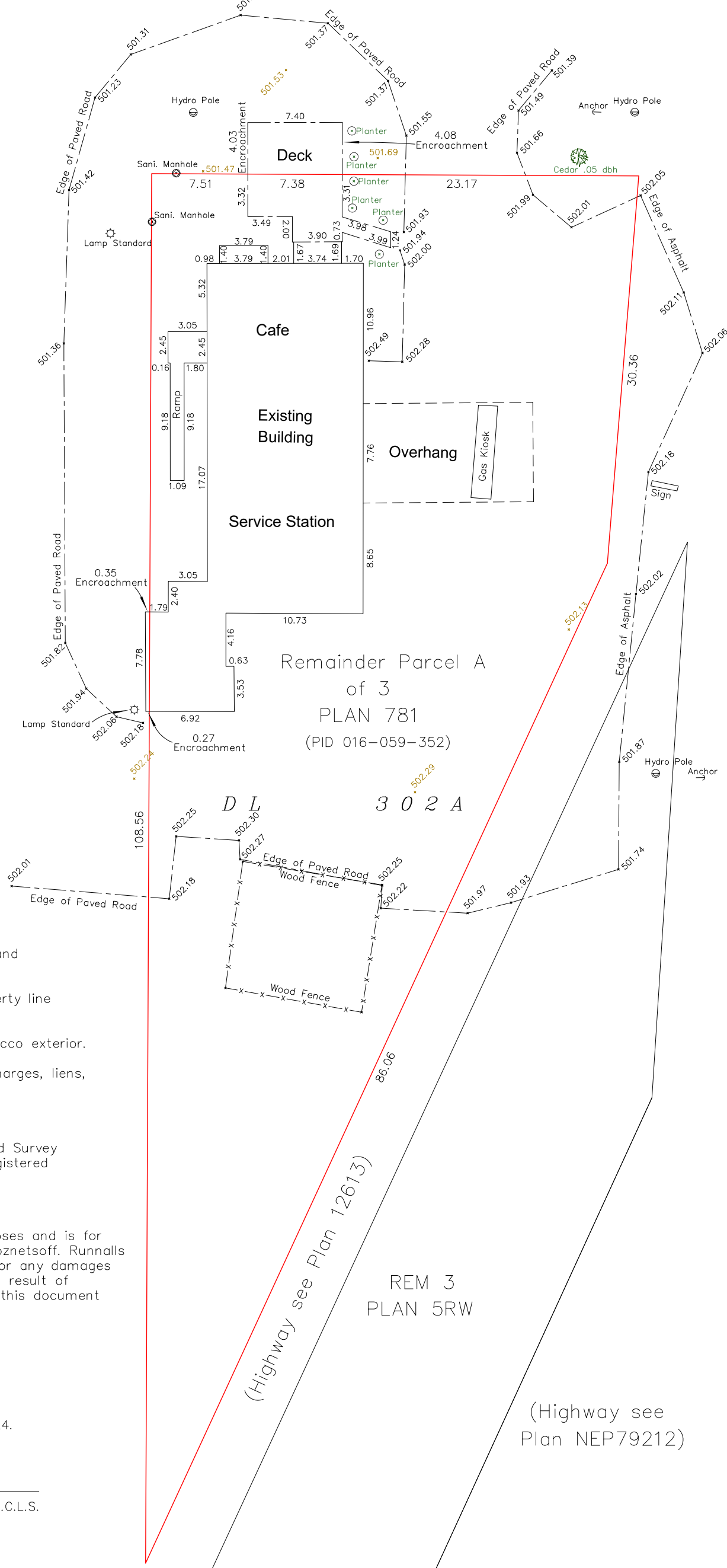
© 2023 Comfy

REM A
PLAN 14747

LAZEREFF ROAD

DE JONG ROAD

REM 7
PLAN 781



NOTES:

Survey Date: January 5, 2024.

Elevations are geodetic (CGVD 28 HTV2.0) and are derived from GPS observations.

This plan is not to be used to define property line locations.

Measurements to buildings are made to stucco exterior.

Rem Parcel A is subject to the following charges, liens, and interests:

Right of Way 49312D

Certified correct according to Land Title and Survey Authority records and a field survey. Unregistered interests have not been considered.

This plan was prepared for permitting purposes and is for the exclusive use of our client, Michelle Kooznetsoff. Runnalls Denby accepts no responsibility or liability for any damages that may be suffered by a third party as a result of reproduction, transmission, or alteration to this document without consent of the signatory.

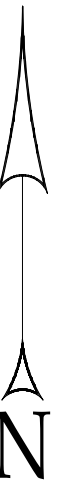
Certified correct this 11th day of January, 2024.

PETER GOODIER

B.C.L.S.

THIS DOCUMENT IS NOT VALID UNLESS DIGITALLY SIGNED

HWY 3A



TITLE: SITE PLAN OF PARCEL A (SEE T3993), OF LOT 3, D.L. 302A, KOOTENAY DISTRICT, PLAN 781, EXCEPT PART INCLUDED IN PLAN 12613 2347 Highway 3A

DRAWN BY: **RUNNALLS DENBY**
british columbia land surveyors
303 Vernon Street Phone: (250) 825-0440
Nelson BC Email: peter@runnallsdenby.com
V1L 4E3

SCALE: 1:350 (11" x 17")

DATE: January 11, 2024

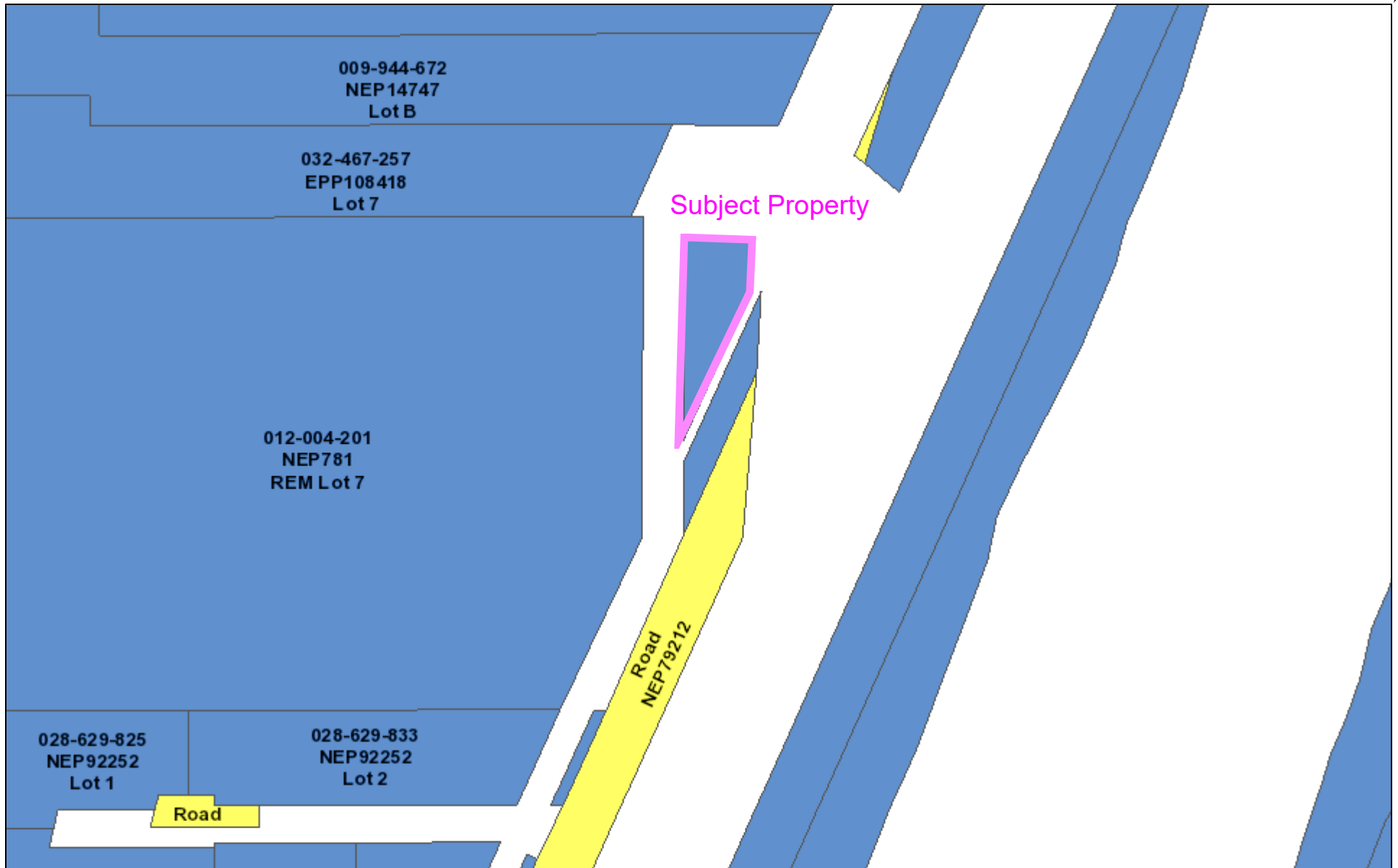
DWG: 210007 SITE

CLIENT: MICHELLE KOOZNETSOFF


FILE No.: 210007

REV. 0

ParcelMap BC Print Report



June 3, 2025

 Interest

WARNING: MAP IS NOT PRINTED TO SCALE

Applicant Proposal Summary

This Bylaw Amendment application is to propose to rezone the property from Neighbourhood Commercial (C1) to Neighbourhood Commercial (C1) Site-Specific.

The Bylaw Amendment is proposed in order to authorize the following:

1. An additional use (restaurant/cafe) on the subject property whereas the Neighbourhood Commercial (C1) zone in Zoning Bylaw No. 1675, 2004 permits one use per 1.0 hectare of land with on-site servicing
2. A deck that was constructed beyond the northern exterior lot line without the benefit of a building permit application to remain in its current location with a 0.0 (nil) setback from the northern exterior lot line. We did obtain an encroachment permit from highways for the deck.
3. To request a maximum site coverage of 70% on the property
4. To request to not meet the landscaping requirements of the zone, by not providing any landscaping on site. Landscaping would impact parking and snow plowing. Our lot is not as big as it seems. We have been using the highway land as parking since 1962 with a handshake agreement and would like to continue with it. I have no problem applying for an encroachment permit for parking as well if that would simplify things.
5. To request to not meet the parking requirements of the zone. There is 20 – 24 parking spots on the property depending on the time of day due to delivery trucks and oversized semis. The rest of the parking is on the street and around the parcel. Again I have no problem applying for an encroachment permit for parking as well if that would simplify things.

The purpose of adding the cafe is to add to my existing family business (of over 65 years), Gas Station / Convenience store so the surrounding community and visitors have a safe, quiet, relaxing place to have a bite to eat, enjoy a coffee on the deck and catch up with friends and family.

I believe the cafe will have a positive effect on the community as there is really no where else between Castlegar and Nelson to sit, eat and relax.

My grandfather initially opened a small convenience store in a house in Glade BC in the late 1950's and moved up to where we are located now in 1962 and added the gas pump and his own house. I love that I am the third generation running our family built business.

As a young child we travelled a lot to the Okanagan for sports and would always stop at the rock creek gas station for their sandwiches and I always thought a sandwich/deli area would be a great addition to our store.

After my father unfortunately passed in 2017 I was unsure what to do with the house portion. I initially rented it to a lady which in the end did not work out due to covid.

Then I met Emily and we decided to take the rock creek idea one step further and open a café together. We did minimum renovations so did not think we needed a permit. We did build a deck as well but it is less than 2 feet off of the ground and is not connected to the building itself. Technically it is a stand alone deck which could be moved if needed. From what we researched a stand alone deck does not need a permit.

If we were incorrect we apologize and will do would we need to correct it.

Zoning Bylaw Excerpts

DIVISION 30 NEIGHBOURHOOD COMMERCIAL (C1)

Permitted Uses

3000 Land, buildings and structures in the Neighbourhood Commercial (C1) zone shall be used for the following purposes only:

- Cannabis Retail Stores
- Horticulture
- Farmer’s Market
- Mixed Use Developments
- Offices
- Pubs
- Personal Service Establishments
- Recycling Depot
- Restaurants
- Retail Stores
- Service Stations
- Tourist Accommodation
- Accessory Uses:
 - Accessory Buildings and Structures
 - Caretaker Suite

Development Regulations

3001

1 The minimum site area for each permitted use shall be provided as follows:

	Community Water Supply and Community Sewer System	Community Water Supply Only	On-Site Servicing Only
Hotel, Motel, Lodge and Similar Uses	0.2 hectares (first unit), 200 square metres for each additional sleeping or housekeeping unit	0.4 hectares, 300 square metres for each additional sleeping unit, 400 square metres for each additional housekeeping unit	1.0 hectare (up to 10 units), 600 square metres for each additional sleeping unit, 0.1 hectares for each additional housekeeping unit
All Other Uses	0.4 hectare	0.4 hectare	1.0 hectare

For Mixed Use Developments, the minimum site area restrictions identified above apply for each permitted principal use within the Mixed Use Development.

- 2 The maximum site coverage permitted shall be 50 percent of the lot area.
- 3 The maximum commercial floor area within all buildings on a lot shall be 500 square metres.
- 4 Landscaping shall comply with the requirements of sections 621 and 622.

- 3 Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning sheets referred to in Section 620(1).
- 4 Any area not specifically shown on Schedule 'A' – Zoning Map, shall be deemed to be zoned Open Space (OS).
- 5 In circumstances where a single lot is located in more than one zone, the provisions of this Bylaw that regulate the use of land, buildings and structures; the density of the use of land, buildings, and structures; the siting, size, and dimension of buildings and structures, and uses permitted on the land; the location of uses on the land and within the building and structures; and the shape, dimension, and area of all parcels of land that may be created by subdivision; shall apply as if the zone boundary were a property line, and in the case of subdivision, be in compliance with the largest minimum area that applies to that lot or portion of the lot being created.

Landscaping Requirements - Applicability

620 Due regard should be given to the following to incorporate landscaping into neighbourhood design:

- 1 Provision of privacy for outdoor and indoor spaces through use of plant screens, walls or fences;
- 2 Separation of distinct areas allocated to different types of activities;
- 3 Reduction of glare or illumination from automobile traffic, street lighting or other sources;
- 4 Direction of pedestrian circulation away from privacy areas onto designated paths with vegetation and varied paving textures;
- 5 Curtailing erosion on steep grades;
- 6 Control of noise from streets or activity areas;
- 7 Environmental modification, such as the blocking of wind.

General Regulations for Landscaping

621

- 1 In a multi-unit residential development including manufactured home parks, any part of a lot not used for structures and associated parking areas shall be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.
- 2 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.
- 3 Any off-street parking area, exterior display area or loading area on a lot used for Commercial or Industrial purposes shall:

- a. be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting where adjacent to a lot in any Residential zone; such screening shall be planted or installed so that no person shall be able to see through it;
 - b. be separated from any directly abutting lot in any Residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.
- 4 Where any lot is used for commercial, industrial and institutional purposes, any part of such lot that is not used for buildings, exterior display areas, parking or loading facilities shall be maintained as a landscaped area, or as undisturbed forest.
 - 5 Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.
 - 6 The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the 'British Columbia Landscape Standard' prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association.
 - 7 In the Quarry zone, a landscape screen or a continuous three (3) metre high opaque fence shall be maintained within the 100 metre setback required for any processing operation.

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-unit housing developments can be achieved provided that no siting variances cross a property line.

Accessory Dwelling Units

623 An accessory dwelling unit is subject to the following regulations:

- 1 The maximum number of accessory dwelling units per lot is one.
- 2 The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.
- 3 Despite section 623(2) secondary suites are permitted on all lots.
- 4 The maximum gross floor area is 90.0 square metres.
- 5 The maximum height is 8.0 metres.
- 6 The maximum number of storeys is 2.

d. unlimited in other zones.

- 2 Any shipping container used as an unattended utility building or structure is exempt from the provisions of Section 610A(1).
- 3 Any shipping container placed on a lot as an accessory building must comply with site coverage, siting, size and setback requirements for that zone.
- 4 Any shipping container used as an accessory building must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen or fencing of a height no less than 2.5 metres.

Recreational Vehicles

610B

- 1 A recreational vehicle may be parked or stored on a property to a maximum of two (2) vehicles.
- 2 A recreational vehicle may only be used as temporary living or sleeping quarters as per Accessory Tourist Accommodation, Temporary Guest Accommodation and Campground regulations, but can not be connected to services associated with the principal or an accessory dwelling.
- 3 Notwithstanding 610B(2) a recreational vehicle may be used to provide temporary accommodation on a property during construction of a principal or accessory dwelling on a lot, provided that:
 - a. a building permit has been issued for the principal or accessory dwelling and the dwelling is under construction; and
 - b. the occupancy of the recreational vehicle shall not continue beyond commencement of occupancy of the permanent dwelling.

Parking Space Requirements

611 Off-street parking spaces for each building and use shall be provided in accordance with the following:

Application of Regulations

The Ministry of Transportation and Infrastructure standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits.

Regional District standards will apply with respect to the location, design and construction of the parking spaces. Regional District standards with respect to the required number of spaces will also apply in any situations where the Ministry of Transportation and Infrastructure standards are lower, or where the Ministry of Transportation and Infrastructure has no jurisdiction.

General Provisions

- 1 Space for the off-street parking and loading of motor vehicles in respect of a class of building or use under this bylaw must be provided and maintained in accordance with the provisions of this bylaw except where the buildings and structures are intended to be accessed exclusively by hiking, skiing, snowmobile, horseback, boat or aircraft.
- 2 The number of off-street parking and loading spaces for motor vehicles required for any use or class of building is calculated according to the table contained in this Section. In cases of mixed uses, the total requirements for off-street parking or off-street loading will be the sum of the requirements for the various uses calculated separately unless otherwise permitted. Required off-street parking spaces for one use will not be considered as required off-street parking spaces for any other use.
- 3 In reference to a building or use permitted under this bylaw which is not specifically referred to in the table below, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building or use that is listed.
- 4 Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.
- 5 Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5 m of length of such seating shall be deemed to be one seat.
- 6 Off-street parking and loading spaces must be located on the same parcel as the building or use they serve unless a suitably zoned site is located within 50 metres of the site.
- 7 Where some or all of the off-street parking is provided on a parcel other than that on which the use, building or structure being served is located, a covenant under Section 219 of the Land Title Act must be registered in the Land Title Office in favour of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.
- 8 Off-Street Parking Space Standards
- 9 Off-street parking spaces shall be a minimum of 17.0 square metres and shall have at all times convenient, vehicular access to a public thoroughfare.
- 10 Each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres and a height of not less than 2.2 metres.

- 11 Where a parking space abuts a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.
- 12 Access and manoeuvring aisles must not be less than 3.6 metres for one-way traffic and 6.6 metres for two-way traffic.
- 13 Required parking and associated manoeuvring aisles in all Multi-Unit Residential, Commercial and Industrial zones shall be surfaced with either asphalt or concrete pavement, 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.
- 14 In all parking areas containing more than five (5) parking spaces, every off-street parking space must have curbs, or wheel stops, to prevent vehicles from overhanging parcel lines, landscaped areas or walking corridors.
- 15 All parking areas must contain adequate provisions so that vehicles may turn around on the parcel.
- 16 All parking areas shall be so designed that motor vehicles do not back out onto a public road.
- 17 The maximum slope for the required off-street parking in all Multi-Unit Residential, Commercial and Industrial zones to accommodate more than 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.
- 18 Excepting recreational vehicles (maximum two) and farm vehicles, not more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg shall be permitted on a lot in a Residential or Agricultural zone at any time, except vehicles that are required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours.
- 19 Where off-street parking is required by this bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code and amendments thereto.
- 20 Where drive-through facilities are installed, there must be adequate magazine storage provided on the parcel to accommodate three (3) automobiles between the property line and the ordering station. Direct access to off-street parking spaces from the magazine storage is prohibited.

Off-Street Loading Facilities

612

- 1 Off-street loading facilities for commercial and industrial uses involving the receipt and delivery of goods or materials by vehicles shall be one (1) space for the first

1,200 m² of gross floor area or fraction thereof, plus an additional space for each additional 2,000 m² of gross floor area or fraction thereof.

2 Off-street loading facilities shall:

- a. be provided on the same parcel as the use it serves;
- b. be set back a minimum of six (6) metres from the designated fronting street;
- c. have a minimum of 30 m² in area, at least three (3) metres in width and four (4) metres in height for each space;
- d. not project into any street, lane or public thoroughfare;
- e. have unobstructed vehicular access to a public street or lane;
- f. be located to the rear or side of a principal building if possible; and
- g. have a durable dust free surface.

Off-Street Parking and Loading Space Requirements

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	0	
	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

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
				operator's residence
	Congregate/Seniors housing	0.75 space per sleeping unit	0	
Commercial	All uses in a C zone, except as listed below	4 spaces per 100 m ² of GFA	0	
	Building Supply, Garden Supply, Nursery	1 spaces per 100 m ² of display, sales, greenhouse and storage area	1	Minimum 10 spaces per business
	Campground	1 space per camp site	0	
	Childcare Centre	4.4 spaces per 100 m ² of GFA	0	
	Food and Beverage Services	1 space per 4 seats or 10 spaces per 100 m ² of customer service area, whichever is greater	0	
	Food and Beverage Services Drive-in/Take-out Only	10 spaces	0	
	Gasoline Station, Auto Repair Shop, Auto-body Shop, Car Wash	2 spaces per gasoline pump, 2 spaces per service bay and 2 spaces per 100 m ² or GFA	0	Minimum 5 spaces per business
	Golf Course	6 spaces per hole	0	
	Golf Driving Range	1 per tee plus 1 space per 2 employees	0	
	Hotel/Motel	1 space per guest room plus 1 per 5 seats of 15 m ² of customer service area in any eating and drinking	0	Plus number of spaces required for each incidental use



Bylaw Amendment Referral Form

Amendments to Zoning Bylaws for Electoral Areas A, B, C, D and I

Date: May 04, 2026

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 JUNE 04, 2026**). If no response is received within that time, it will be assumed that your agency’s interests are unaffected.

PURPOSE OF THE BYLAW AMENDMENTS:

- Density Calculation:** The proposal would change how residential density is calculated in most R1, R2, R3, and R4 zones from a “lot area” basis to a “site area” basis. This does not increase the total density allowed on a property, but it does change how that density can be achieved. Under the current zoning, a subdivision is typically required to reach maximum density, whereas under the proposed approach, the same density could be achieved without subdividing the land.
- Housekeeping:** Clarify the bylaws through formatting and terminology updates.

Background

In January and February 2026, the Rural Affairs Committee directed staff to prepare amendments to revise how density is calculated in most residential zones within Areas A, B, C, and D, as well as one zone in Area I. The intent is to return to the previous density calculation method used before the adoption of Bylaws 2953, 2954, 2955, 2956, and 2958 in 2024.

Current Density Framework

- Most residential lots may have two dwelling units, with permitted forms varying by lot size.
- Lots under 1.0 Hectare (ha) may have a Single Detached House (SDH) with a Secondary Suite (SS), or a Duplex.
- Lots 1.0 ha or larger may have a SDH with a SS, or a Duplex, or a SDH and an Accessory Dwelling Unit (ADU).
- Larger lots may achieve higher densities through a subdivision or a bylaw amendment.

Previous and Proposed Density Framework

- Previous density regulations generally followed the format: One Principal Use (typically SDH or Duplex) is permitted per ‘x’ ha of site area.
- The number and types of dwellings allowed depend on lot size, with larger lots progressively allowing more dwellings.
- For example, the Area D Country Residential (R2) zone previously permitted one Principal Use per 1.0 hectare of site area and did not allow detached ADUs. An example based off this zone of the current and proposed changes are shown below with respect to lot sizes:

Lot Size	Number and Types of Dwellings Permitted			
	Current		Proposed	
	Without subdividing	After subdivision	Without subdividing	After subdivision
0.5 ha	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>
1.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>

2.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)
5.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)
10.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)

Example: A 4.0 ha lot in the Area D Country Residential (R2) Zone

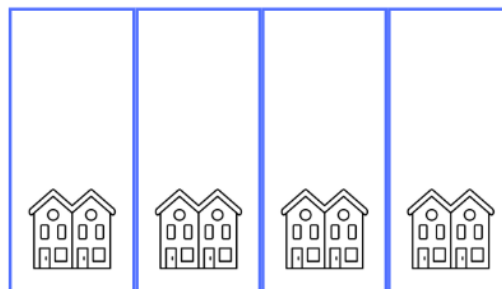
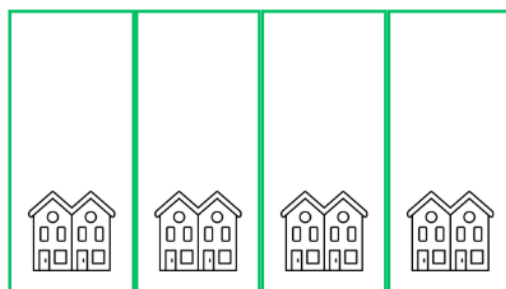
Current

(2 Dwellings per lot)

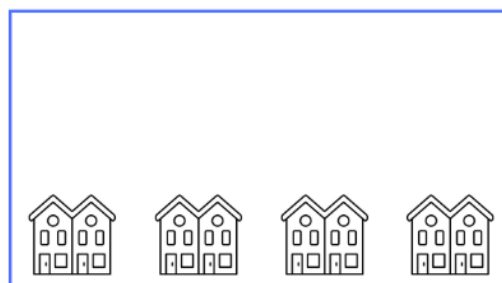
Proposed

(2 Dwellings per 1.0 ha of site area)

With Subdivision



Without Subdivision



The proposed changes vary by zone and electoral area. Please review the attached amendment bylaws and concurrence table for specific details. Historically, the permission for secondary suites and accessory dwelling units varied and across bylaws and are reflected in the proposed changes. At a minimum, all proposed zones permit at least one SDH and SS regardless of lot size. Please note that in Electoral Area 'I,' changes are proposed only to the Rural Residential I (R3I) zone. Full existing bylaws can be found online [here](#).

The proposed amendment bylaws are the following:

Amendment Bylaws	Land Use Bylaws
Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049	Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013
Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050	Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013
Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051	Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013
Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052	Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

GUIDE FOR AREA SPECIFIC INFORMATION:

Electoral Area	Relevant pages
Electoral Area 'A'	1-11, 34-40
Electoral Area 'B'	1-5, 12-18, 41-50
Electoral Area 'C'	1-5, 19-25, 51-60
Electoral Area 'D'	1-5, 26-31, 60-67
Electoral Area 'I'	1-5, 32-33, 68

ALR STATUS: The proposed amendments include properties within and outside the ALR.	ZONING DESIGNATIONS: The proposed amendments apply to multiple zones across five RDCK zoning bylaws.
----------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------

APPLICANT:
RDCK Planning Department

Please provide your response via email.

If you are an RDCK commission member, do not respond via email. Your response is the commission's response which staff will collect from the meeting minutes.

**SADIE CHEZENKO, PLANNER 1
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
 - WYNDEL 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
 - CLAYTON CREEK IMPROVEMENT DISTRICT
 - WHITEHEAD WATERWORKS DISTRICT
 - GLADE IRRIGATION DISTRICT
 - PLAYMOR JUNCTION IMPROVEMENT DISTRICT
 - VOYKIN IMPROVEMENT DISTRICT
 - BRILLIANT WATERWORKS 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

- 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)
 - SUKNAQÍN (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 CONFEDERACY

- | | |
|--------------------------------------------------------------------------------------------------------------------------------|--|
| <input checked="" type="checkbox"/> APHC AREAS A, B, C, D, I & CVAAC
<input checked="" type="checkbox"/> RDCK FIRE SERVICES | |
|--------------------------------------------------------------------------------------------------------------------------------|--|


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.

RDCK Electoral Areas A, B, C, D, I: Zoned and Unzoned

 RDCK Extent

Areas A, B, C, D, I Only:

 Area Boundary

 Unzoned

 Zoned

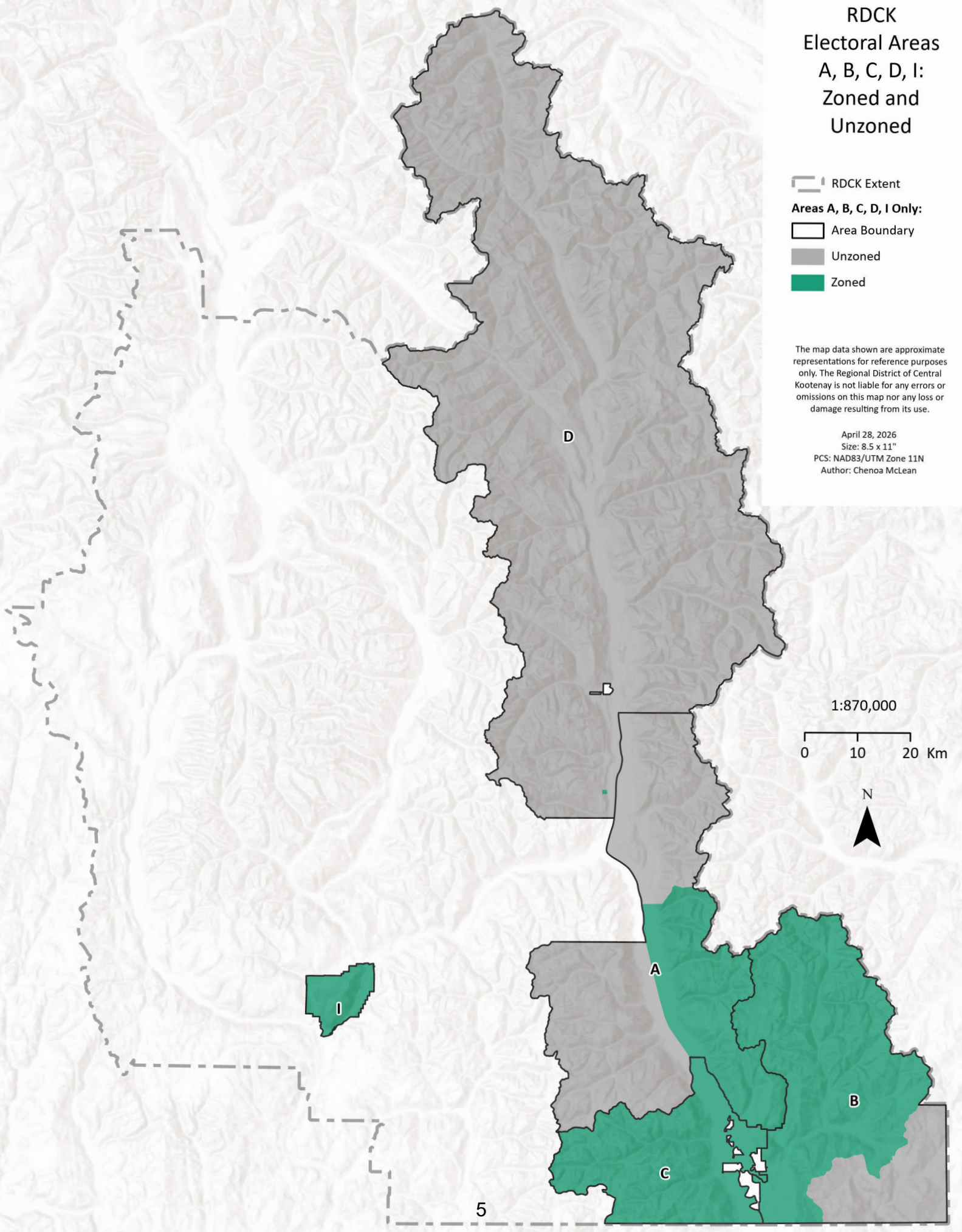
The map data shown are approximate representations for reference purposes only. The Regional District of Central Kootenay is not liable for any errors or omissions on this map nor any loss or damage resulting from its use.

April 28, 2026

Size: 8.5 x 11"

PCS: NAD83/UTM Zone 11N

Author: Chenoa McLean



REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3049

A Bylaw to amend Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'A' Comprehensive 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 Schedule 'B' of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 be amended as follows:

A. That Section 18(108)(c) General Regulations for Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots.

B. That a new Section 18(108)(k) General Regulations for Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.

C. That Section 19(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 18(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

- D. That Section 19(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision 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

- E. That Section 19(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use 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

- F. That Section 19(3) Suburban Residential (R1) Development Regulations be amended as follows:

The maximum Site Coverage is 50 percent of the lot area.

- G. That Section 19(4) Suburban Residential (R1) Development Regulations be amended as follows:

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

- H. That Section 20(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 18(108)
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)

- I. That Section 20(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 hectare.

- J. That Section 21(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Secondary Suite
Small Scale Wood Product Manufacturing
Temporary Guest Accommodation
Temporary Farmworker Housing

- K. That Section 21(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 hectares.

- L. That Section 22(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation

Home Based Business
Keeping of Farm Animals
Sale of Site Grown Agricultural Produce
Secondary Suite
Portable Sawmills
Temporary Guest Accommodation
Temporary Farmworker Housing

- M. That Section 22(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- N. That Section 25(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

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.

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- O. That Section 25(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 2.0 hectares.

- P. That a new Section 25(2)(c) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

Q. That Section 26(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

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

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

R. That Section 26(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 4.0 hectares.

S. That a new Section 26(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as "**Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2026.**"

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

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

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

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date]day of [Month] , 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3050

A Bylaw to amend Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'B' Comprehensive 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 Schedule 'B' of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 be amended as follows:

A. That Section 16(108)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots

B. That a new Section 16(108)(k) General Regulations, Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

C. That Section 17(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 16(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

- D. That Section 17(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision 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

- E. That Section 17(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use 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

- F. That Section 18(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to Section 16(108)

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)

- G. That Section 18(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 1.0 hectare.

- H. That Section 18(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 1.0 hectare.

- I. That Section 19(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 16(108)
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Small Scale Wood Product Manufacturing
Temporary Farmworker Housing

- J. That Section 19(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- K. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- L. That Section 20(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Agricultural Produce
Secondary Suite
Portable Sawmills
Temporary Farmworker Housing

- M. That a Section 20(2) Rural Resource (R4) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- N. That Section 20(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- O. That Section 23(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

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.

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- P. That Section 23(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision is 4.0 hectares.

- Q. That a new Section 23(2)(c) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

R. That Section 24(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

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
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nursery, Greenhouses and Florist
Single Detached Housing
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
Farmworker Dwelling Unit
Portable Sawmills for processing of material harvested on site only
Secondary Suite
Temporary Farmworker Housing (may require ALC non adhering residential use approval)

S. That Section 24(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.

T. That a new Section 24(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

U. That Section 25(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

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
Kennel

Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nursery, Greenhouses and Florist
Single Detached Housing
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
Farmworker Dwelling Unit
Portable Sawmills for processing of material harvested on site only
Secondary Suite
Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- V. That Section 25(2) Agriculture 3 (AG3) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.

- W. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as **“Electoral Area ‘B’ Comprehensive Land Use Amendment Bylaw No. 3050, 2026”**

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

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

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

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3051

A Bylaw to amend Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'C' Comprehensive 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' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

A. That Section 17(107)(c) Accessory Dwelling Units be amended as follows:

Despite section 107(b) secondary suites are permitted on all lots.

B. That Section 17(107)(d) Accessory Dwelling Units be amended as follows:

The maximum gross floor area is 90.0 square metres.

C. That a new Section 17(107)(k) Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

D. That Section 18(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 17(107)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

E. That Section 18(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision 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

F. That Section 18(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use 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

G. That Section 18(3) Suburban Residential (R1) Development Regulations be amended as follows:

The maximum Site Coverage is 50 percent of the lot area.

H. That Section 18(4) Suburban Residential (R1) Development Regulations be amended as follows:

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

I. That Section 19(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to section 17(107)

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)

J. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 ha.

K. That Section 20(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to section 17(107)
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Portable Sawmills
- Small Scale Wood Product Manufacturing
- Temporary Farmworker Housing

L. That Section 20(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

M. That Section 21(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Portable Sawmills
- Sale of Site Grown Agricultural Produce
- Secondary Suite
- Temporary Farmworker Housing

N. That Section 21(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

O. That Section 24(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

- 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
- Kennel
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nursery, Greenhouses and Florist
- Single Detached Housing
- Standard Cultivation, Cannabis
- Standard Processing, Cannabis
- Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
- Farmworker Dwelling Unit
- Portable Sawmills for processing of material harvested on site only
- Secondary Suite
- Temporary Farmworker Housing (may require ALC non adhering residential use approval)

P. That Section 24(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 4 hectares.

Q. That a new Section 24(2)(C) Agriculture 1 (AG1) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

R. That Section 25(1) Agriculture 2 (AG2) Permitted Uses be amended as follows:

Principal Uses:

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

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

S. That Section 25(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.

T. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

U. That Section 26(1) Agriculture 3 (AG3) Permitted Uses be amended as follows:

Principal Uses:

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

- Kennel
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nursery, Greenhouses and Florist
- Single Detached Housing
- Standard Cultivation, Cannabis
- Standard Processing, Cannabis
- Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
- Farmworker Dwelling Unit
- Portable Sawmills for processing of material harvested on site only
- Secondary Suite
- Temporary Farmworker Housing (may require ALC non adhering residential use approval)

V. That Section 26(2) Agriculture 3 (AG3) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.

W. That a new Section 26(2)(C) Agriculture 3 (AG3) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘C’ Comprehensive Land Use Amendment Bylaw No. 3051, 2026**”

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

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

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

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date]day of [Month] , 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3052

A Bylaw to amend Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

WHEREAS it is deemed expedient to amend the Electoral Area 'D' Comprehensive 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' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Zoning Bylaw be amended as follows:

A. That the following definition be removed from Section 21 Interpretation:

MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;

B. That Section 22(4) General Regulations, 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.

C. Section 22 General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Reduction of Minimum Lot Size

D. That Section 22(9) General Regulations, Reduction of Minimum Lot Areas 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.

E. That Section 22(10) General Regulations, Reduction of Minimum Lot Areas 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.

F. That Section 22(11) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

The minimum lot size 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.

G. That Section 22(12) General Regulations, Reduction of Minimum Lot Areas 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 size.

H. That Section 22(46)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 46(b) secondary suites are permitted on all lots

I. That Section 23(1) Town-Site Residential (R1) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Single Detached Housing

Accessory Uses

Accessory Building or Structures

Bed and Breakfast Accommodation see Section 22(22)

Home-based Business see Section 22(21)

Horticulture

Keeping of Farm Animals see Section 22 (35)

Secondary Suite

Vacation Rentals see Section 22(23)

J. That Section 23(2) Town-Site Residential (R1) Development Regulations be amended as follows:

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 hectare

K. That Section 23(9) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum lot size 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

L. That Section 24(1) Country Residential (R2) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Horticulture

Single Detached Housing

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)

Secondary Suite

Vacation Rentals see Section 22(23)

M. That Section 24(2) Country Residential (R2) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 1.0 Hectare

N. That Section 24(9) Country Residential (R2) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectare

O. That Section 25(1) Rural Residential (R3) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing
Horticulture
Outdoor Recreational Activities
Parks
Resource Based Activities
Single Detached Housing

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)
Secondary Suite
Vacation Rentals see Section 22(23)

P. That Section 25(2) Rural Residential (R3) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 2.0 hectares

Q. That Section 25(9) Rural Residential (R3) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 2.0 hectares

R. That Section 26(9) Town-Site Commercial (C1) Development Regulations be amended as follows:

Minimum lot size 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

S. That Section 27(9) Tourist Commercial (C2) Development Regulations be amended as follows:

Minimum lot size 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

T. That Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations be amended as follows:

Minimum lot size 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

U. That Section 29(9) Community Service (CS) Development Regulations be amended as follows:

Minimum lot size 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

V. That Section 30(9) Parks and Recreation (PR) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

W. Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

X. That Section 32(7) Environmental Reserve (ER) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

Y. That Section 33(7) Resource Area (RA) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 15.0 hectares

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as **“Electoral Area ‘D’ Comprehensive Land Use Amendment Bylaw No. 3052, 2026”**

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

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

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

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3076

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:

A. That Section 1600 Rural Residential I (R3I) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- 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 for processing of material harvested on site only

B. That Section 1601(2) Rural Residential I (R3I) Development Regulations be amended as follows:

One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or Duplex Housing shall be permitted per every additional four (4) hectares of site area.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Regional District of Central Kootenay Zoning Amendment Bylaw No. 3076, 2026**”

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

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

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

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date]day of [Month] , 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Amendments to Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 18(108)(c) Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted on all lots.	AMEND Despite section 108(b) secondary suites are permitted on all lots.	Simpler language.
Section 18(108)(k) Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(1) Suburban Residential (R1) Permitted Uses	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	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 19(2) Suburban Residential (R1) Development Regulations	The minimum lot size for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare	Clarifies regulation.

	Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	
Section 19(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use 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	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 19(4) Suburban Residential (R1) Development Regulations	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.
Section 20(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<ul style="list-style-type: none"> - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only) 	<ul style="list-style-type: none"> 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) 	
Section 20(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use shall be 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 21(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horticulture</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <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 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Single Detached Housing Veterinary Clinics <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 Secondary Suite 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

	- Temporary Farmworker Housing	Temporary Guest Accommodation Temporary Farmworker Housing	
Section 21(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 22(1) Rural Resource (R4) Permitted Uses	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 Guest Accommodation -Temporary Farmworker Housing	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Guest Accommodation Temporary Farmworker Housing	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.
Section 22(2)(B) Rural Resource	The maximum density is 2 Dwelling Units.	AMEND	Density modified to align with the density permitted prior to Amendment

(R4) Development Regulations		The minimum site area for each Principal Use is 2.0 hectares.	Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 25(1) Agriculture 1 (AG1) Permitted Uses	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. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite	AMEND Principal Uses: 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. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Clarifies which uses are principal rather than accessory and improves formatting.

	- Temporary Farmworker Housing (may require ALC non adhering residential use approval)		
Section 25(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 2.0 hectares.	AMEND The minimum lot size for subdivision shall be 2.0 hectares.	Consistent use of terms.
Section 25(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 2 (AG2) Permitted Use	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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses:	AMEND Principal Uses: 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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses:	Clarifies which uses are principal rather than accessory and improves formatting.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 26(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 4.0 hectares.	AMEND The minimum lot size for subdivision shall be 4.0 hectares.	Consistent use of terms.
Section 26(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 16(108)(C) General Regulations Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted an all lots.	AMEND Despite section 108(b) secondary suites are permitted an all lots.	Simpler language.
Section 16(108)(K) General Regulations Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 17(1) Suburban Residential (R1) Permitted Uses	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	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 17(2) Suburban Residential (R1) Development Regulations	The minimum site area for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer:	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED	Clarifies regulation.

	<p>0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare</p>	<p>Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare</p>	
<p>Section 17(2)(B) Suburban Residential (R1) Development Regulations</p>	<p>The maximum density is 2 Dwelling Units.</p>	<p>AMEND The minimum site area for each Principal Use 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</p>	<p>Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.</p>
<p>Section 18(1) Country Residential (R2) Permitted Uses</p>	<p>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>	<p>AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce</p>	<p>Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.</p>

	- Portable Sawmills (for processing of materials harvested on-site only)	Portable Sawmills (for processing of materials harvested on-site only)	
Section 18(2) Country Residential (R2) Development Regulations	The minimum lot size is 1.0 hectare.	AMEND The minimum lot size for subdivision shall be 1.0 hectare.	Clarifies regulation.
Section 18(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	NEW The minimum site area for each Principal Use is 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 19(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horticulture</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <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 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	- Temporary Farmworker Housing	Temporary Farmworker Housing	
Section 19(2) Rural Residential (R3) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 19(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 20(1) Rural Resource (R4) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - 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 <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 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

	-Temporary Farmworker Housing	Secondary Suite Temporary Farmworker Housing	
Section 20(2) Rural Resource (R4) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 20(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 23(1) Agriculture 1 (AG1) Permitted Uses	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. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures	AMEND Principal Uses: 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. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis	Clarifies which uses are principal rather than accessory.

	<ul style="list-style-type: none"> - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	
Section 23(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares.	AMEND The minimum lot size for subdivision is 4.0 hectares.	Clarifies regulation.
Section 23(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 24(1) Agriculture 2 (AG2) Permitted Use	Agriculture All activities designated as "Farm Use" as defined in the	AMEND Principal Uses: Agriculture	Clarifies which uses are principal rather than accessory.

	<p>Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p> <p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only 	<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>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p> <p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional 	
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	<ul style="list-style-type: none"> - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>District of Central Kootenay (may require ALC non-farm use approval)</p> <p>Farmworker Dwelling Unit</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Secondary Suite</p> <p>Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 24(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 24(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 25(1) Agriculture 3 (AG3) Permitted Use	<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>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p>	<p>AMEND</p> <p>Principal Uses:</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>Kennel</p> <p>Micro Cultivation, Cannabis</p>	Clarifies which uses are principal rather than accessory.

	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
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Section 25(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
17(107)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 107(b) secondary suites are permitted an all lots.	AMEND Despite section 107(b) secondary suites are permitted an all lots.	Simpler language.
17(107)(d) General Regulations, Accessory Dwelling Units	The maximum gross floor area is 100.0 square metres outside of the Agricultural Land Reserve.	AMEND The maximum gross floor area is 90.0 square metres.	Modified to align with the provisions permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
17(107)(k) General Regulations, Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
18(1) Suburban Residential (R1) Permitted Uses	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	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 18(2) Suburban Residential (R1)	The minimum lot size for the following uses shall be required as follows:	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED	Clarifies regulation.

Development Regulations	LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	
Section 18(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use 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	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 18(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 18(4) Suburban Residential (R1) Development Regulations	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.
Section 19(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses:	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses:	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<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) 	<p>Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) 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>	
Section 19(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 1.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 20(1) Rural Residential (R3) Permitted Uses	Dwellings: <ul style="list-style-type: none"> - 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:	AMEND Principal Uses: <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills - Small Scale Wood Product Manufacturing -Temporary Farmworker Housing 	<p>Accessory Dwelling Unit, subject to section 17(107)</p> <p>Accessory Tourist Accommodation</p> <p>Day Care Facility</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Sale of Site Grown Horticultural Produce</p> <p>Portable Sawmills</p> <p>Small Scale Wood Product Manufacturing</p> <p>Temporary Farmworker Housing</p>	
Section 20(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 21(1) Rural Resource (R4) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horse Riding Stables and Boarding Stables</p> <p>Horticulture</p> <p>Kennels</p> <p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p>	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

	<ul style="list-style-type: none"> - 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 	<ul style="list-style-type: none"> Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Farmworker Housing 	
Section 21(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 24(1) Agriculture 1 (AG1) Permitted Uses	<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>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p>	<p>AMEND</p> <p>Principal Uses:</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>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p>	Clarifies which uses are principal rather than accessory.

	<p>Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 24(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares	AMEND The minimum lot size for subdivision shall be 4 hectares	Consistent use of terms.
Section 24(2)(C) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

<p>Section 25(1) Agriculture 2 (AG2) Permitted Uses</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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the</p>	<p>AMEND Principal Uses: 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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use</p>	<p>Clarifies which uses are principal rather than accessory.</p>
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	Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	approval)	
Section 25(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 3 (AG3) Permitted Uses	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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis	AMEND Principal Uses: 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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis	Clarifies which uses are principal rather than accessory.

	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
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Section 26(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 26(2)(C) Agriculture 3 (AG3) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Ainsworth Townsite Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 21 Interpretation	MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;	DELETE	Consistent use of terms.
Section 22(4) General Regulations, Site Areas	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.	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.	Consistent use of terms.
Section 22 General Regulations, Reduction of Minimum Lot Areas	Reduction of Minimum Lot Areas	AMEND Reduction of Minimum Lot Size	Consistent use of terms.
Section 22(9) General	Where two or more contiguous lots registered prior to adoption of this	AMEND	Consistent use of terms.

Regulations, Reduction of Minimum Lot Areas	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.	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.	
Section 22(10) General Regulations, Reduction of Minimum Lot Areas	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. 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.	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: 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.	Consistent use of terms.
Section 22(11) General Regulations,	The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a	AMEND The minimum lot size for a lot created under sub-section 10 shall be 0.2	Consistent use of terms.

Reduction of Minimum Lot Areas	community water system and 0.4 hectares where not serviced by a community water system.	hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	
Section 22(12) General Regulations, Reduction of Minimum Lot Areas	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.	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 size .	Consistent use of terms.
Section 22(46)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 46(b) secondary suites are permitted an all lots	AMEND Despite section 46(b) secondary suites are permitted an all lots	Simpler language.
Section 23(1) Town-Site Residential (R1) Permitted Uses	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)	AMEND Permitted uses, buildings and structures: Principal Uses Duplex Housing Single Detached Housing Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Secondary Suite	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

	Vacation Rentals see Section 22(23)	Vacation Rentals see Section 22(23)	
Section 23(2) Town-Site Residential (R1) Development Regulations	Maximum Density – 2 Dwelling units	AMEND 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 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 23(9) Town-Site Residential (R1) Development Regulations	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	AMEND Minimum lot size 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	Consistent use of terms.
Section 24(1) Country	Permitted uses, buildings and structures: Principal Uses	AMEND Permitted uses, buildings and structures:	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the

Residential (R2) Permitted Uses	<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>	<p>Principal Uses Duplex Housing Horticulture Single Detached Housing</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) Secondary Suite Vacation Rentals see Section 22(23)</p>	<p>density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.</p>
Section 24(2) Country Residential (R2) Development Regulations	Maximum Density – 2 Dwelling units	AMEND Minimum site area for each Principal Use – 1.0 Hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 24(9) Country Residential (R2) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectare	Consistent use of terms.
Section 25(1) Rural Residential (R3) Permitted Uses	<p>Permitted uses, buildings and structures:</p> <p>Principal Uses Single Detached Housing Duplex Housing Horticulture Outdoor Recreational Activities Parks</p>	<p>AMEND</p> <p>Permitted uses, buildings and structures:</p> <p>Principal Uses Duplex Housing Horticulture Outdoor Recreational Activities Parks</p>	<p>Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.</p>

	<p>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)</p>	<p>Resource Based Activities Single Detached Housing 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) Secondary Suite Vacation Rentals see Section 22(23)</p>	
<p>Section 25(2) Rural Residential (R3) Development Regulations</p>	<p>Maximum Density – 2 Dwelling Units</p>	<p>AMEND Minimum site area for each Principal Use – 2.0 hectares</p>	<p>Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.</p>
<p>Section 25(9) Rural Residential (R3) Development Regulations</p>	<p>Minimum lot area for Subdivision - 2.0 hectares</p>	<p>AMEND Minimum lot size for Subdivision - 2.0 hectares</p>	<p>Consistent use of terms.</p>
<p>Section 26(9) Town-Site Commercial (C1) Development Regulations</p>	<p>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</p>	<p>AMEND Minimum lot size 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</p>	<p>Consistent use of terms.</p>

	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 27(9) Tourist Commercial (C2) Development Regulations	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	AMEND Minimum lot size 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	Consistent use of terms.
Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations	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	AMEND Minimum lot size 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	Consistent use of terms.
Section 29(9) Community Service (CS) Development Regulations	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	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares	Consistent use of terms.

	Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 30(9) Parks and Recreation (PR) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 32(7) Environmental Reserve (ER) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 33(7) Resource Area (RA) Development Regulations	Minimum lot area for Subdivision - 15.0 hectares	AMEND Minimum lot size for Subdivision - 15.0 hectares	Consistent use of terms.

Amendments to Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 (F, I, J, K)

Section Number	Existing Item / Wording	Change	Rationale
Section 1600 Rural Residential I (R3I) Permitted Uses	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 Portable Sawmills for processing of material harvested on site only	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 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 for processing of material harvested on site only	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 1601(2) Rural Residential I (R3I) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or Duplex Housing shall be permitted per every additional four (4) hectares of site area.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2958 which was adopted by the Board in July 2024.