



# Development Variance Permit Application

Referral Form – RDCK File V2505F

Date: August 21, 2025

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 SEPTEMBER 21, 2025). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

## LEGAL DESCRIPTION & GENERAL LOCATION:

156 Johnstone Road, Rural Nelson, Electoral Area 'F'

LOT 9 DISTRICT LOT 393 KOOTEANY DISTRICT PLAN 1634 EXCEPT PLAN NEP 64487

012-561-916

## PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The property is presently being used for residential purposes and has been improved with a single detached dwelling.

This Development Variance Permit seeks to vary Section 605.5 of RDCK Zoning Bylaw No. 1675, 2004 to reduce two setbacks:

- The front setback from 4.5 metres to 0.0 metres and;
- The side setback from 2.5 meters to 1.9 meters

The applicant is seeking this variance to build the carport in this location noting that the property is sloping with approximately a 15m drop between the proposed carport and the dwelling.

## AREA OF PROPERTY

### AFFECTED

0.34 ha

## ALR STATUS

n/a

## ZONING

Country Residential (R2)  
in RDCK Zoning Bylaw No.  
1675, 2004

## OCF

Country Residential (CR)  
in Electoral Area 'F' Official  
Community Plan Bylaw No.  
2214, 2011

**APPLICANT:** Lissa Knox and Kevin Johnson

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 INFRASTRUCTURE
- ☒ HABITAT BRANCH (Environment)
- ☒ FRONTCOUNTER BC (MFLNRORD)
- ☐ AGRICULTURAL LAND COMMISSION
- ☐ REGIONAL AGROLOGIST
- ☐ ENERGY & MINES
- ☐ MUNICIPAL AFFAIRS & HOUSING
- ☒ INTERIOR HEALTH, HBE TEAM

## 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

☒ RDCK FIRE SERVICES

☒ RDCK EMERGENCY SERVICES

☒ RDCK BUILDING SERVICES

Nelson Office: Box 590, 202 Lakeside Drive, Nelson, BC. V1L 5R4

Phone: 250.352.6665 | Toll Free: 1.800.268.7325 (BC) | Email: info@rdck.ca | Fax: 250.352.9300

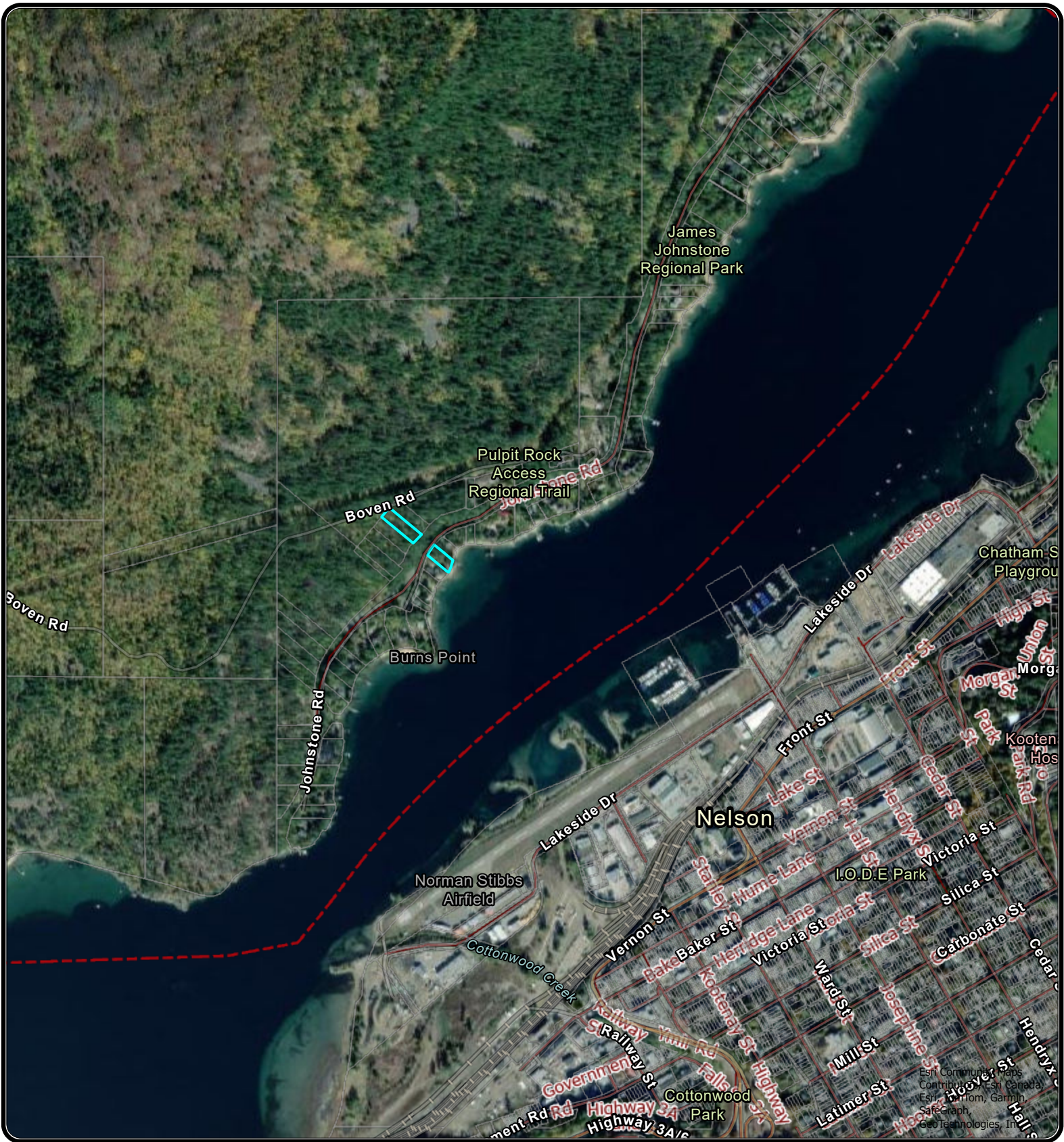
<input type="checkbox"/> SCHOOL DISTRICT NO. <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK RESOURCE RECOVERY <input 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](mailto: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](mailto: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](http://www.rdck.bc.ca)  
[maps@rdck.bc.ca](mailto:maps@rdck.bc.ca)

## Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

## Map Scale:

1:18,056

Date: August 14, 2025



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



Esri Community Maps  
Contributors: Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc.



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

## Legend

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

## Map Scale:

1:2,257

Date: August 14, 2025



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



Esri Community Maps  
Contributors, Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc,



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

## Legend

- Fire Service Areas**
- NORTH SHORE
  - Electoral Areas
  - RDCK Streets
  - Cadastre - Property Lines
  - Address Points

## Map Scale:

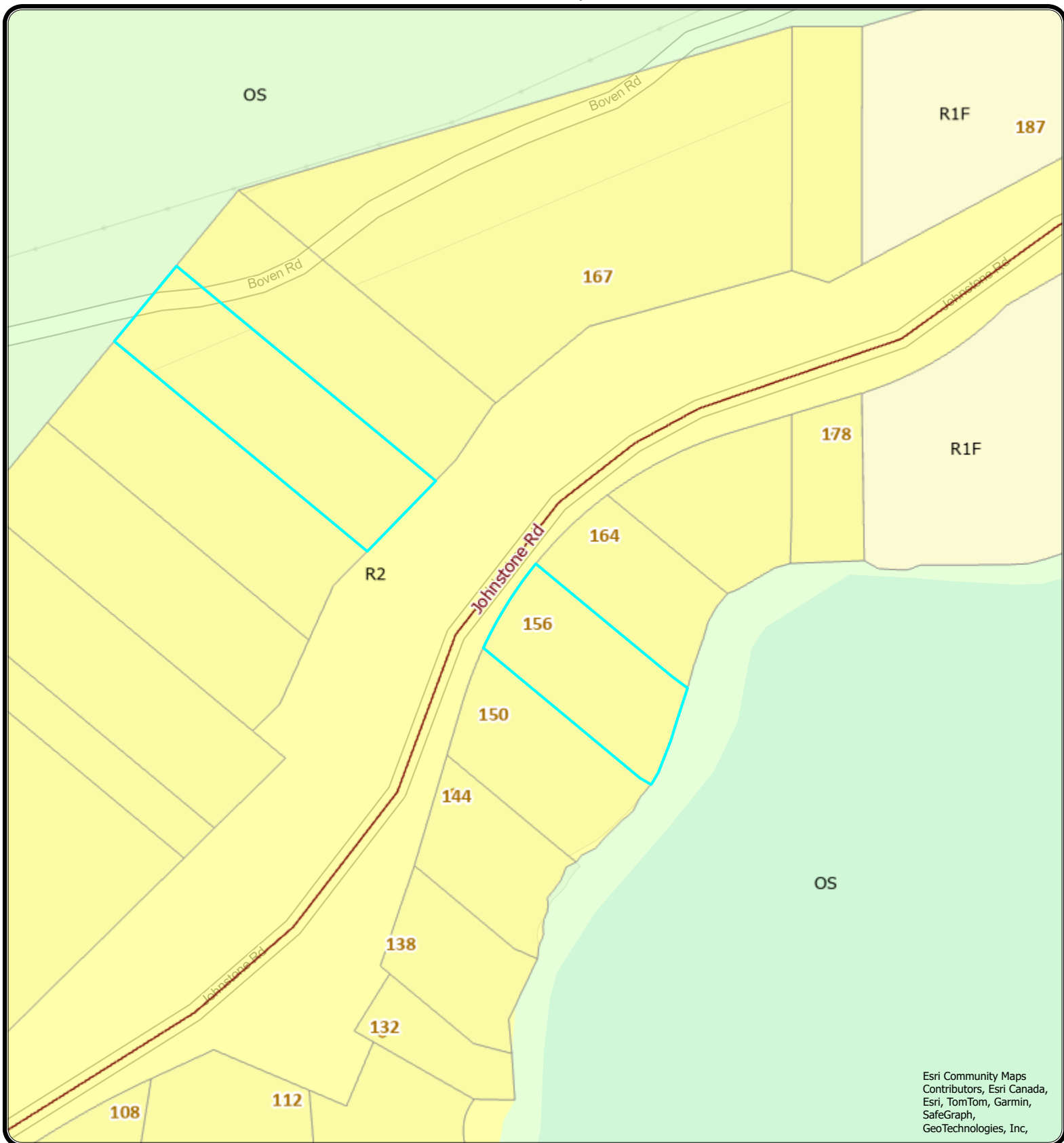
1:2,257

Date: August 14, 2025



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



Esri Community Maps  
Contributors, Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc,



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

## Zoning Class

- Open Space
- Residential 1
- Residential 2
- <all other values>

## Legend

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

## Map Scale:

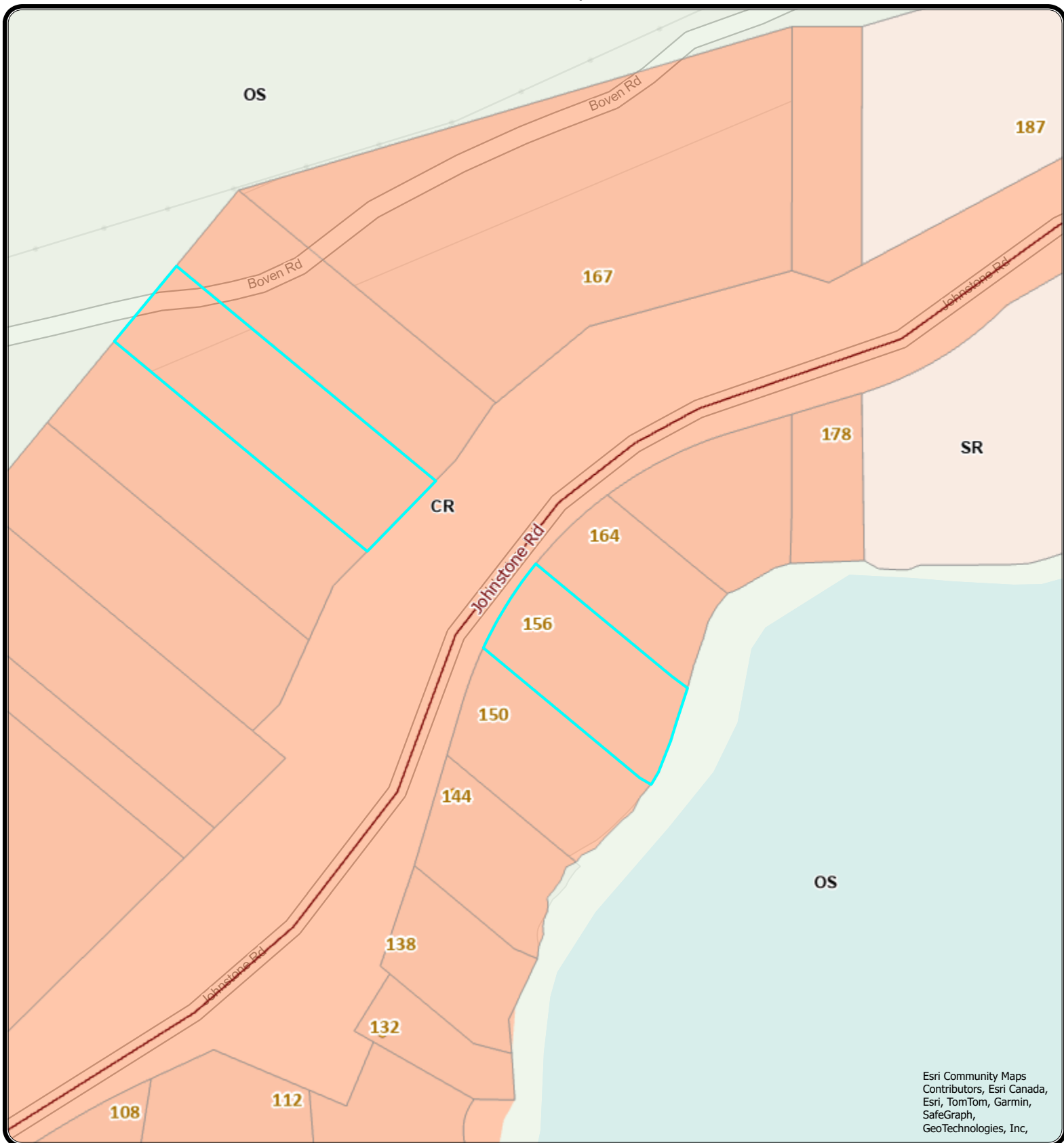
1:2,257

Date: August 14, 2025



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



Esri Community Maps  
Contributors, Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc,



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

## Official Community Plan

- Country Residential
- Open Space
- Suburban Residential

### Legend

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

### Map Scale:

1:2,257

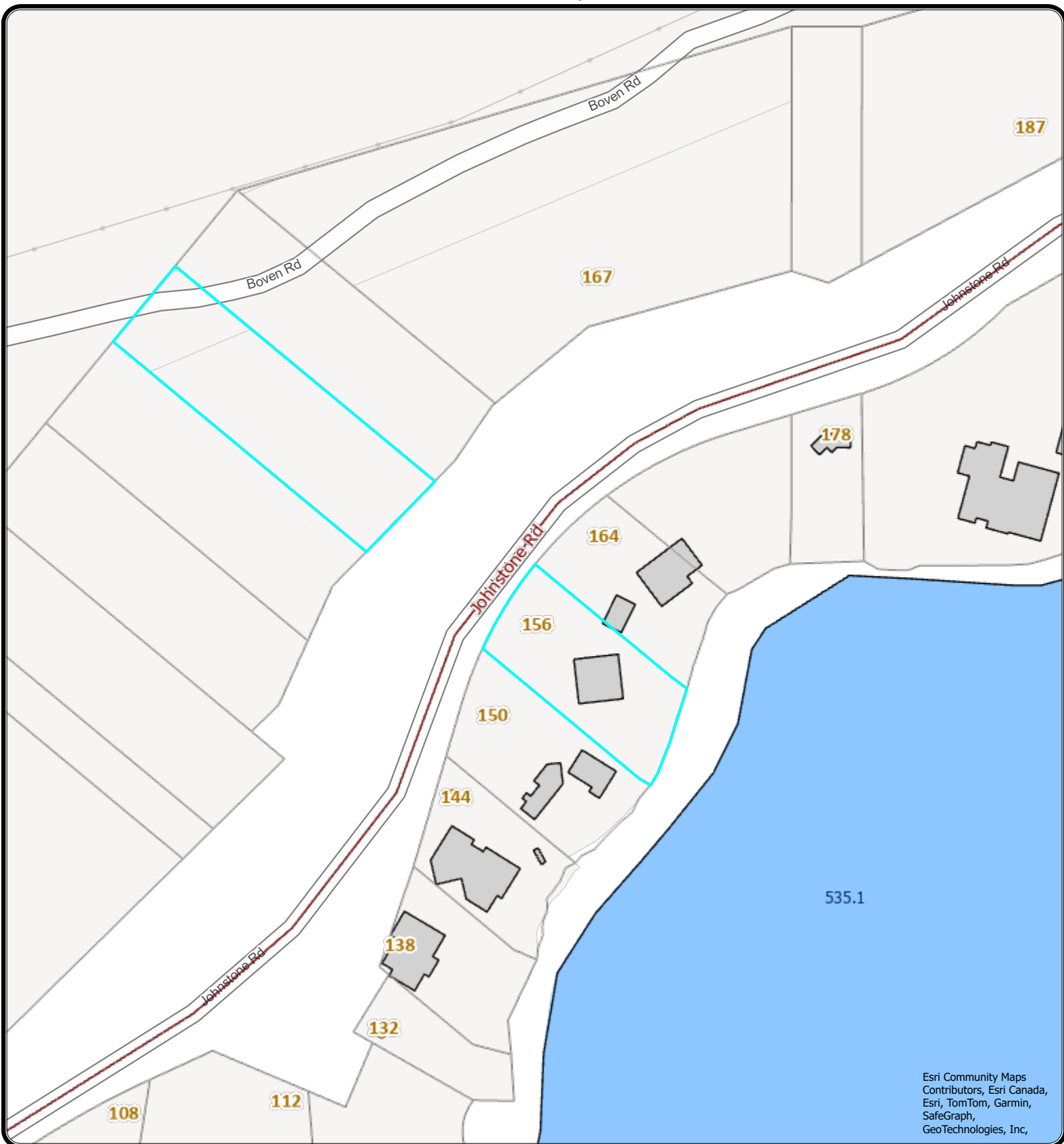
Date: August 14, 2025



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



Esri Community Maps  
Contributors, Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc,



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

## Legend

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

## Map Scale:

1:2,257

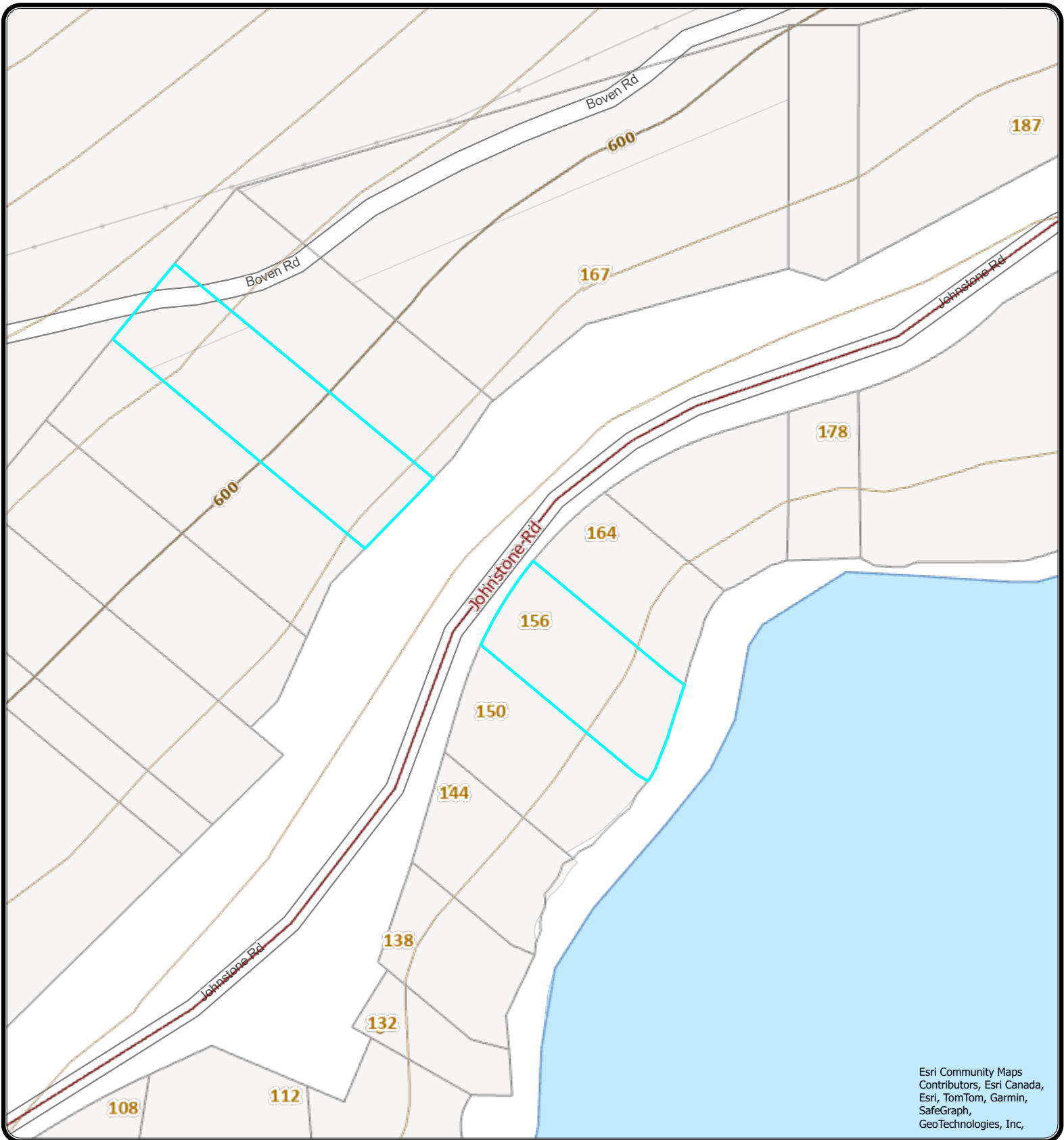
Date: August 14, 2025



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



Esri Community Maps  
Contributors, Esri Canada,  
Esri, TomTom, Garmin,  
SafeGraph,  
GeoTechnologies, Inc,



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

## 20 Meter Contours

- 20 meter
- 100 meter
- Lakes and Rivers

## Legend

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

## Map Scale:

1:2,257

Date: August 14, 2025



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.

- 4 Despite Section 603(3), where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.
- 5 A reduction of the minimum lot size for a single lot for subdivision within any Agricultural zone shall be permitted subject to:
  - a. the lot being no smaller than 0.4 hectares in area;
  - b. where the lot is serviced by a community water system; and
  - c. where the remainder of the lot is consolidated with an adjacent property that has an agricultural tax assessment from the British Columbia Assessment Authority or is within the ALR or created under Section 514 of the *Local Government Act*.

### **Subdivision Servicing Requirements**

604

- 1 All subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.
- 2 All subdivisions shall be in full compliance with any Regional District of Central Kootenay Subdivision Bylaw currently in effect for the area.
- 3 All subdivisions shall comply with the *Drinking Water Protection Act*, the *Public Health Act* and the *Environmental Management Act*.

### **Setback Requirements**

605

- 1 Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.
- 2 Despite Section 605(1), buildings and structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve boundary.
- 3 Unless otherwise stated no portable sawmill may be located within 100 metres from a property line.
- 4 Despite Section 605(1), on all lots having a residential zone and are less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres.
- 5 Despite Section 605(1), for all of Electoral Area F, unless otherwise stated in the zone, no principal or accessory building or structure except a fence may be located



within 4.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.

*Note: BC Building Code regulations may require greater setbacks than those identified in Section 605 and Section 606 of this bylaw.*

### **Setback Exceptions**

606

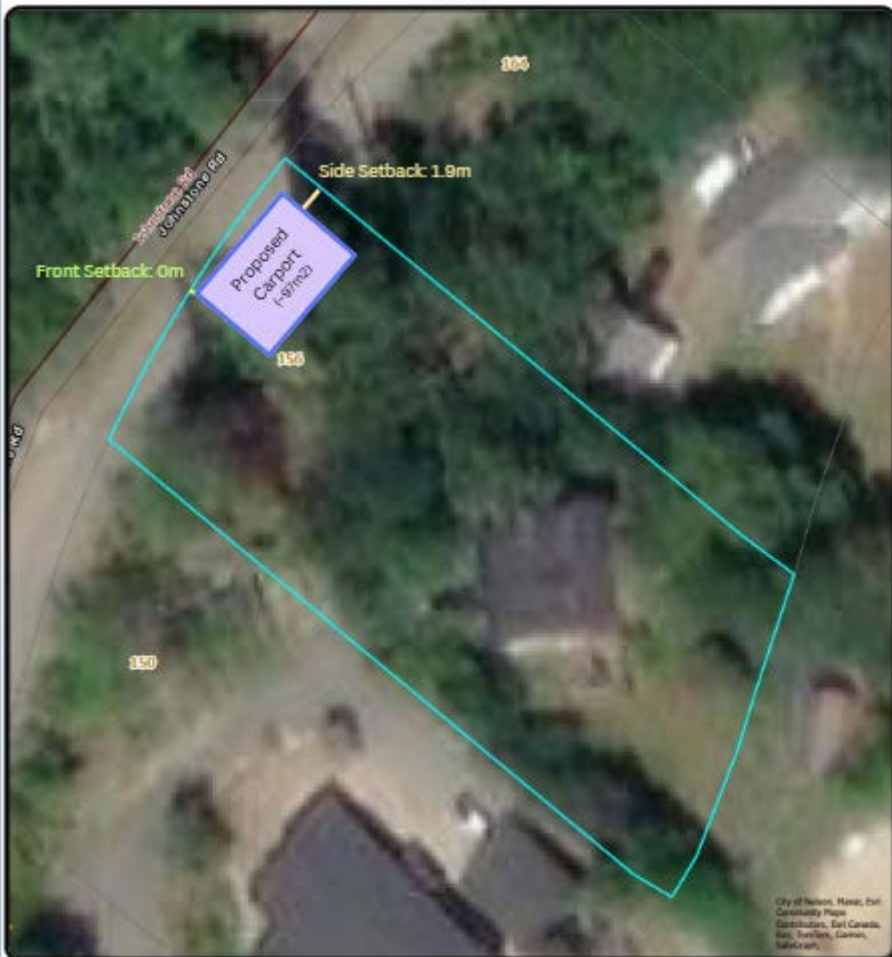
- 1 Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
- 2 Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, and flagpoles up to ten (10) metres in height may be sited on any portion of a lot.
- 3 Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre providing such reduction shall apply only to the projecting feature.
- 4 Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front lot line as permitted elsewhere in this bylaw may be reduced by not more than 1.2 metres and the minimum distance to an abutting site lot line or rear lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre provided such reduction shall apply only to the projecting feature.

### **Home Based Businesses**

607 A Home Based Business, where permitted, is subject to the requirements that:

- 1 The proprietor resides on the subject property;
- 2 The activity shall be conducted in a dwelling unit or accessory building;
- 3 The site area devoted to the Home Based Business, inclusive of external storage of materials, equipment or finished products, shall not exceed 100 square metres on any R1, R2, R3, R6, R7, MFR-F, HR-I, C5 and AG zoned lot;
- 4 The site area devoted to the Home Based Business, inclusive of external storage of materials, equipment or finished products, shall not exceed 200 square metres on any R4 zoned lot;

### Site Plan



REGIONAL DISTRICT OF CENTRAL KOOTENAY

Box 590, 202 Lakeside Drive,  
Nelson, BC V1L 5M4

Phone: 1-800-268-7125 [www.rdc.bc.ca](http://www.rdc.bc.ca)

maps@rdck.bc.ca

### Legend

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

**Map Scale:**

1:524

Date: August 21, 2025



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.



