



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, January 21, 2026
Time: 9:00 am
Location: Hybrid Model - In-person and Remote

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

Pages

1. ZOOM REMOTE MEETING INFO

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

Meeting Time:

9:00 a.m. PST

10:00 a.m. MST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/97918675110?pwd=GmVSuFaa2RntNTq5nTyh8CpcKj5tAL.1>

Join by Phone:

833 955 1088 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 979 1867 5110

Meeting Password: 527524

In-Person Location:

Nelson Office - Boardroom
202 Lakeside Drive, Nelson

2. CALL TO ORDER

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

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF THE AGENDA

RECOMMENDATION:

The agenda for the January 21, 2026 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

7 - 15

The December 10, 2025 Rural Affairs Committee meeting minutes, have been received.

6. PLANNING & BUILDING

6.1 NOTICE ON TITLE - INDER VALLEY FRUIT FARMS

16 - 22

File No.: 3135-20- B-786.02918.100 - Inder Valley Fruit Farms
4049 36th Street
(Inder Valley Fruit Farms)
Electoral Area B

The Committee Report dated December 9, 2025 from Erik Stout, Manager Building and Bylaw, re: Notice on Title, has been received.

RECOMMENDATION:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under *Section 57 of the Community Charter* by the Regional District Board relating to land at 4049 36th St, Canyon, BC, Electoral Area B, legally described as LOT 9, PLAN NEP1420, DISTRICT LOT 812, KOOTENAY LAND DISTRICT PID 012-159-107; AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

6.2 DEVELOPMENT VARIANCE PERMIT - MAKI

23 - 36

File No.: V2508F
6102 Wills Road
(Judine and Wendell Maki)
Electoral Area F

The Committee Report dated January 7, 2025 from Sadie Chezenko, Planner 1, re: Development Variance Permit, has been received.

RECOMMENDATION:

That the Board APPROVE the issuance of Development Variance Permit V2508F to Judine and Wendell Maki for the property located at 6102 Wills Road, Sproule Creek and legally described as LOT A, DISTRICT LOT 5574, KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780) to vary Section 1101(10) and 1101(11) of *RDCK Zoning Bylaw No. 1675, 2004* in order to allow a 1,738 m² horse riding arena and a 2,138 m² maximum cumulative gross floor area of all accessory buildings or structures on the subject property.

6.3 FLOODPLAIN EXEMPTION - STEENHOFF

37 - 77

File No.: F2501Hn
260 Wilson Creek Rd E
(Darrell & Audrey Steenhoff)
Electoral Area H

The Committee Report dated January 5, 2026 from Nelson Wight, Planning Manager, re: Site Specific Floodplain Exemption, has been received.

RECOMMENDATION:

That the Board NOT APPROVE the issuance of a Site-Specific Exemption to RDCK Floodplain Management Bylaw No. 2080, 2009, for the existing unlawfully constructed development on LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385, as described in the Staff Report "Site Specific Floodplain Exemption F2501HN", dated January 5, 2026.

6.4 LAND USE BYLAW AMENDMENT - MACE

78 - 111

File No.: Z2505F
2315 West Road
(Britney & Braeden Mace)
Electoral Area F

Moved and seconded,
And resolved:

That the following motion BE REFERRED from December 10, 2025 Rural Affairs Committee meeting to the January 21, 2026 Rural Affairs Committee meeting:

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025.

The Committee Report dated November 24, 2025 from Sadie Chezenko, Planner re: Land Use Bylaw Amendment, has been received.

RECOMMENDATION:

That the Board take no further action in regard to *Regional District Of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025*.

6.5 SMALL SCALE MULTI-UNIT HOUSING (SSMUH) ZONING ALIGNMENT

112 - 244

Electoral Areas A, B, C, D, F, G, I, J, K

The Committee Report dated January 21, 2026 from Sadie Chezenko, Planner 1, re: SSMUH Zoning Alignment, has been received.

RECOMMENDATION:

That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025* being a bylaw to amend the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3049, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

RECOMMENDATION:

That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

RECOMMENDATION:

That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

RECOMMENDATION:

That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025* being a bylaw to amend the *Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3052, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

RECOMMENDATION:

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

RECOMMENDATION:

That *Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3054, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

6.6 PLANNING ACTIVITY STATS QUARTER 4 & YEAR END

245 - 252

The Committee Report dated January 2026 from Nelson Wight, Planning Manager, re: Planning Services Quarterly Report, has been received.

7. RURAL ADMINISTRATION

7.1 DISCUSSION ITEM: COMMUNITY WORKS REPORT UPDATE

253 - 262

Due to time constraints, the Committee REFERRED item 4.7.1 Update on Funding Third Parties with Community Works Funds to the January 21, 2026 Rural Affairs Committee meeting. The Committee Report from Mike Morrison, Senior Manager of Corporate Administration, re: Community Works Report Update has been received.

7.2 DISCUSSION ITEM: COMMUNITY WORKS APPLICATION - RDCK - FIRE HALL STRUCTURAL UPGRADES

263 - 274

The Committee Report dated January 7, 2026 from Monique St Louis,

Grants Coordinator, re: Community Works Fund Application - RDCK - Fire Hall Structural Upgrades has been received.

RECOMMENDATION:

That the Community Works Fund application submitted by the RDCK for the RDCK-Fire Hall Structural Upgrades in the total amount of \$76,450 be approved and that funds be disbursed from Community Works Funds:

Electoral Area B in the amount of \$14,487.50

Electoral Area G in the amount of \$27,862.50

Electoral Area J in the amount of \$34,100.00

8. PUBLIC TIME

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

9. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, December 10, 2025

9:00 a.m.

Hybrid Model - In-person and Remote

COMMITTEE MEMBERS

PRESENT

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

COMMITTEE MEMBERS ABSENT

Director C. Graham	Electoral Area E
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GUEST DIRECTOR

L. Main	Village of Silverton
D. Dumas	Town of Creston

STAFF PRESENT

S. Horn	Chief Administrative Officer
S. Sudan	General Manager of Development and Community Sustainability
N. Wight	Planning Manager
S. Chezenko	Planner
S. Johnson	Planner
C. Scott	Planner

U. Wolf	General Manager of Environmental Services
E. Senyk	Water Services Liaison
M. Morrison	Manager of Corporate Administration
Y. Malloff	General Manager of Finance, IT & Economic Development
C. Hopkyns	Corporate Administration Coordinator – Meeting Coordinator

1. ZOOM REMOTE MEETING INFO

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

Meeting Time:

9:00 a.m. PST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/97918675110?pwd=GmVSuFaa2RntNTq5nTyh8CpcKj5tAL.1>

Join by Phone:

833 955 1088 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 979 1867 5110

Meeting Password: 527524

In-Person Location: RDCK Board Room, 202 Lakeside Dr. Nelson

2. ELECTION

Board Chair Watson assumed the chair at 9:00 a.m.

2.1 ELECTION OF CHAIR

ALL FOR NOMINATIONS

The Chair called for nominations.

Two advance nominations were submitted for Director Jackman.

DECLARATION OF CHAIR

Chair Watson ratifies the appointed Director Jackman as Chair of the Rural Affairs Committee for 2026.

3. CHAIR'S ADDRESS

Chair Jackman thanked the Committee for their support and encouraged Committee to share their feedback.

4. COMMENCEMENT OF THE RURAL AFFAIRS COMMITTEE MEETING

4.1 TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4.2 ADOPTION OF THE AGENDA

Moved and seconded,
And resolved:

The agenda for the December 10, 2025 Rural Affairs Committee meeting be adopted as circulated.

Carried

Moved and seconded,
And resolved:

Directors Main and Dumas have freedom of the floor.

Carried

4.3 RECEIPT OF MINUTES

The November 12, 2025 Rural Affairs Committee meeting minutes, have been received.

4.4 DELEGATIONS

Item 4.5.1 – Britney & Braeden Mace

Item 4.5.2 – Louis Bouchard

Item 4.5.3 – Cassidy, Don and Stephanie Tilling

4.5 PLANNING & BUILDING

4.5.1 LAND USE BYLAW AMENDMENT - MACE

File No.: Z2505F

2315 West Road

(Britney & Braeden Mace)

Electoral Area F

The Committee Report dated November 24, 2025 from Sadie Chezenko, Planner, re: Land Use Bylaw Amendment - Mace, has been received.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the land use bylaw amendment application in Electoral Area 'F' to rezone the subject

property from Country Residential (R2) to Country Residential (R2) Site Specific. The zoning change is proposed to reduce the minimum lot size from 1 hectare to 0.8 hectares to facilitate a two-lot subdivision.

Property owners, Britney Mace, provided background regarding the application and answered the Committee's questions.

Moved and seconded,
And resolved:

That the following motion BE REFERRED to the January 21, 2026 Rural Affairs Committee meeting:

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025.

Carried

4.5.2

LAND USE BYLAW AMENDMENT - BOUCHARD

File No.: Z2506G – BOUCHARD

8515 Highway 6

(Louis Bouchard)

Electoral Area G

The Committee Report dated November 26, 2025 from Sadie Chezenko, Planner, re: Land Use Bylaw Amendment - Bouchard, has been received.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the application for a land use bylaw amendment to rezone a property from Country Residential (R2) to Medium Industrial (M2) and to redesignate the property from Country Residential (RC) to Industrial (M) to expand their business operations as a storage yard for industrial equipment and semi-trailers and for wood products manufacturing.

Property owner, Louis Bouchard, provided background information regarding the application and answered the Committee's questions.

Moved and seconded,
And resolved that it be recommended to the Board:

That Electoral Area 'G' Land Use Amendment Bylaw No. 3059, 2025 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is hereby given FIRST and SECOND reading by content and referred to a public hearing.

Carried

Moved and seconded,
And resolved that it be recommended to the Board:

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

Carried

4.5.3 NON-FARM USE IN THE AGRICULTURAL LAND RESERVE - TILLING

File No.: A2508B – Tilling
1132 27TH Avenue South
(Cassidy Tilling)
Electoral Area B

The Committee Report dated December 1, 2025 from Sadie Chezenko, Planner, re: Non-Farm Use In The Agricultural Land Reserve - Tilling, has been received.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the Non-Farm Use application within the Agricultural Land Reserve (ALR). The proposal is to allow a non-farm use, a coffee shop, to continue being operated on the subject property. The coffee shop was established in a farm building without a building permit in 2021, and the applicant has made this application to begin to seek retroactive compliance.

Property owners, Cassidy Don and Stephanie Tilling provided background information regarding the property and answered the Committee's questions.

Director Tierney moved the Option 3 recommendation in the staff report.

The Committee had a discussion regarding the Agricultural Land Reserve and staff answered the Committee's questions.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board SUPPORT application A2508B for the purposes of a Non-Farm Use in the ALR proposed by Cassidy Tilling for the property located at 1132 27TH Avenue, Erickson, Electoral Area 'B' and legally described as PARCEL B (REFERENCE PLAN 36491I) LOT 4 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730B (PID: 011-958-065);

And that the Board directs Staff to ADVANCE the subject application to the Agricultural Land Commission for consideration.

Carried

**RECESS/
RECONVENE**

The meeting recessed at 10:16 a.m. for break and reconvened at 10:25 a.m.

Moved and seconded,
And resolved:

That the Order of Business was changed to go into Closed meeting with Item 4.9 considered at this time.

Carried

4.9. CLOSED

4.9.1 MEETING CLOSED TO THE PUBLIC

Moved and seconded,
And resolved:

In the opinion of the Committee and, in accordance with Section 90 of the *Community Charter* the public interest so requires that persons other than DIRECTORS, ALTERNATE DIRECTORS, DELEGATIONS AND STAFF be excluded from the meeting;

AND FURTHER, in accordance with Section 90 of the *Community Charter*, the meeting is to be closed on the basis(es) identified in the following Subsections:
90 (1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

Carried

4.9.2 RECESS OF OPEN MEETING

Moved and seconded,
And resolved:

The Open meeting be recessed in order to conduct the Closed meeting.

Carried

ORDER OF AGENDA

Item 4.5.4 Planning Services Work Plan Review was considered at this time.

RESUMED**RECESS/
RECONVENE**

The meeting recessed at 11:02 a.m. for break and reconvened at 11:06 a.m.

DIRECTOR ABSENT:

Directors Davidoff left the meeting at 11:01 a.m.

4.5.4 PLANNING SERVICES WORK PLAN REVIEW

File No.: 10\4720\01

All Electoral Areas

The Committee Report date December 10, 2025 from Nelson Wight, Planning Manager, re: Planning Services Work Plan Review, has been received.

Nelson Wight, Planning Manager, provided presentation that reviewed the Planning Services Work Plan Review that was provided in the staff report. He shared the different work plan scenarios and reviewed funding options.

The Committee discussed the work plan priorities. Staff answered the Committee's questions.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board direct staff to initiate a Sub-Regional Official Community Plan update for areas F, H, J, and K and the Area D Community Planning; and these projects be the top priority for the planning department workplan.

Carried

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board direct staff take no further action to initiate a Housing Development and Costing Study.

Carried

**ORDER OF AGENDA
CHANGED**

The Order of Business was changed Public Time, with Item No. 4.8 Public Time considered at this time.

4.8. PUBLIC TIME

The Chair called for questions from the public and members of the media at 11:45 a.m.

No media or public had questions.

**ORDER OF AGENDA
RESUMED**

Item 4.5.5 2026 Draft Budget: Service S104 Planning and Land Use was considered at this time.

4.5.5 2026 DRAFT BUDGET: SERVICE S104 PLANNING AND LAND USE

The presentation regarding the 2026 Draft Financial Plan for Service S104 Planning and Land Use has been received.

The 2026 Draft Financial Plan for Service S104 Planning and Land Use has been received.

Nelson Wight, Planning Manager, provided an overview to the Committee regarding the draft Service S104 Planning and Land Use budget. He answered the Committee's questions.

4.6 ENVIRONMENTAL SERVICES

4.6.1 LEASE AGREEMENT: BALFOUR WATER SERVICE BUILDING

File No.: 2025-215-ENV_ELLEN_KELLY

Electoral Area E

Due to the November 28, 2025 Water Services Committee meeting being cancelled, the Lease Agreement is coming to the December 10, 2025 Rural Affairs Committee meeting.

The Committee Report dated December 10, 2025 from Eileen Senyk, Water Services Liaison, re: Lease Agreement – Balfour Water Services Building, has been received.

Eileen Senyk, Water Services Liaison, provided an overview to the Committee regarding a Lease Agreement at the Balfour Water Service Building.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Board approve the RDCK enter into a Lease Agreement with Ellen Kelly for the lease of the Balfour Water Service Building for the period on one year starting January 15, 2026 and ending January 14, 2027, and that the Chair and Corporate Officer be authorized to sign the necessary documents.

Carried

4.7 RURAL ADMINISTRATION

4.7.1 FOR INFORMATION: THIRD PARTY COMMUNITY WORKS FUNDING

The Committee Report from Mike Morrison, Senior Manager of Corporate

Administration, re: Update on Funding Third Parties with Community Works Funds, has been received on the addenda package.

Due to time constraints, the Committee REFERRED Item 4.7.1 Update on Funding Third Parties with Community Works Funds to the January 21, 2026 Rural Affairs Committee meeting.

The Committee went back to Item 4.5.4 Planning Services Work Plan Review for a brief discussion.

4.10. ADJOURNMENT

Moved and seconded,
And resolved:

The meeting be adjourned at 12:05 a.m.

Carried

Approved

Garry Jackman, Chair



MEMORANDUM

File No: 3135-20-B-786.02918.100

December 09, 2025

TO: RDCK Board

FROM: Erik Stout, Manager Building and Bylaw

SUBJECT: Filing of Section 57-Notice on Title-Inder Valley Fruit Farms Ltd-4049 36th St

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property described as LOT 9 PLAN NEP1420 DISTRICT LOT 812 KOOTENAY LAND DISTRICT PID 012-159-107 as a consequence of a building bylaw contravention-Commencing construction without a valid building permit.

EXECUTIVE SUMMARY CHOICES:

Commencing construction without a valid building permit. A stop work order was placed on a carport addition to a building that had recently been converted without permits, from a farm type accessory building to a single family dwelling unit.

NOTICE ON TITLE – RURAL AFFAIRS COMMITTEE REPORT – BUILDING BYLAW INFRACTIONS:

4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system or other work related to construction unless a building official has issued a valid and subsisting permit for the work.



6.2 No person shall occupy or use any new building or structure without first obtaining an Occupancy Permit issued by a Building Official for the building or structure, or contrary to the terms of any permit issued or any notice given by a building official.

19.1 No person may occupy a new building or structure or part of a new building or structure until an Occupancy Permit has been issued in the form of Form D to this bylaw.

December 6, 2023: Building Official Erik Stout observed a carport addition to a single-family dwelling constructed without a permit.

December 12, 2023: Building Official Stefan Jones drove by and took photos of the carport addition, could not access property to post Stop Work Order. Letter and Stop Work Order mailed via Canada Post to owner.

January 4, 2024: Second Stop Work Letter mailed to owner.

February 1, 2024: Received a building permit application to construct a 1250 sq ft carport addition to an existing farm building, application number BP028294. Additional required documents requested from owner.

March 15, 2024: BO Stefan Jones raised concern that the addition is to an existing unpermitted dwelling, clarification requested from owner as to whether the addition was done to a farm building or dwelling.

June 5, 2024: Owner submitted additional documentation related to the building permit application.

July 28, 2024: Erik Stout and Gina Harding visited the property to assess aspects related to the Stop Work Order. Owner advised that the building had recently undergone an extensive renovation/change of use to a single family dwelling unit. The prior use was as a farm building, before being converted to a single-family dwelling unit.

February 25, 2025: Letter sent to owner outlining the requirements to resolve the Stop Work Order, including all required documents to be submitted with a building permit application to convert a farm building to a dwelling unit. A Do Not Occupy Notice was mailed along with the letter.

March 20, 2025: Owner responded that they were dealing with a health issue and would work to gather the required information after their recovery.

August 14, 2025: Letter mailed to owner advising that the process of filing a notice on the land title would move forward if required application documents were not received within 30 days.

Sep 20, 2025: Owner responds to letter dated August 13, 2025 – dealing with recovery from health issue and claims was exploited by a contractor.

September 25, 2025 – BO responded and sympathized with situation and advised we would be proceeding with the Notice on Title Process.

As of date of this report, no further contact from owner.



RECOMMENDATION

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land at 4049 36th St, Canyon, BC, Electoral Area B, legally described as LOT 9 PLAN NEP1420 DISTRICT LOT 812 KOOTENAY LAND DISTRICT PID 012-159-107; AND FURTHER, if an active Building permit or Building application is In place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

ALTERNATE RECOMMENDATION

That the Rural Affairs Committee REFER the consideration of a Notice with the Land Title and Survey Authority of British Columbia for land at 4049 36th St, Canyon, BC, Electoral Area B, legally described as LOT 9 PLAN NEP1420 DISTRICT LOT 812 KOOTENAY LAND DISTRICT PID 012-159-107 to the February 2026 Open Rural Affairs Committee meeting.

Erik Stout, Manager Building and Bylaw **Approved**

Sangita Sudan, General Manager of Development and Community Sustainability Services **Approved**

Stuart Horn, Chief Administrative Officer **Approved**

Attachment A – Letter from Property Owner

Attachment B – Draft Letter of NoT notice

January 5, 2026

First, I would like to explain my situation about the appointment RDCK fixed on Jan 21, 2026 mentioned in the letter attached here. I have been in India since November 17, 2025 to complete the rituals for my wife who died in September 2024. My son Sikander is along with me as well. I can travel to Canada for the appointment with RDCK with a new air ticket in an emergency and can try to reach for the meeting, if mandatory. But I request here a postponement till April 2026, if possible .

I do agree that there is delay in preparing the required documents to submit for the permit application, as requested. However, my mental and physical conditions have really deteriorated since almost the previous two years, At first my wife expired in Sep 2024 after a long struggle with cancer, we all can understand what happens with the spouse after one's death. Secondly, I was coming out of the shock when doctors decided to operate my heart for the 4th time to replace the aortic valve, It took 22 hours for the doctors to complete my surgery at Foothills Hospital Calgary, AB.

Actually, I am not asking for sympathy by writing all this, it is just to let you, the decision maker, know about the situation I am going through, it may help to make the right decision justice. I request here and ask for your cooperation to provide me some more time to collect the required information and documents will really help.

I agree that the concerned officials sent me some important correspondence through email and mail and I replied in a timely manner to almost all I received mail. However, there are a few mentioned in the letter I never received, particularly letters dated August 14, 2025 and missed your email dated September 25, 2025. Even the letter you sent on Dec 15, 2025 I received 3 days ago because as I mentioned earlier I am away and not in Canada at this moment. I will be back on 20th April 2026. I was not aware that the office decided to put notice on the land title, otherwise I would have contacted you prior to my departure. I do agree that the officials cooperated with me in a good manner but my above mentioned scenario broke all my schedules. I will attach later the details of my arrival in BC from AB and the treatment of contractors working in the Creston Valley, how they harassed and exploited me and how they propped me in a very bad situation. Definitely, I feel safe now and in a position to proceed further.

I am a farmer and sold my property in India to purchase this land, to convert the raw land to an Orchard having all required sources on it and/or to use it in a more productive way to produce in all respects adding to the economy including taxes, creating new jobs and production of the export quality fruit. It is at the production stage with hard work of 4 years. I also hire other farm workers, I pay taxes and payroll for them, I created a few jobs for foreign workers who work at the farm and pay taxes for each & every purchase starting from water bottle, clothes, shoes and whatever you name. I think as a real Canadian I played my role to add to the Canadian economy. I am a hard worker entrepreneur who wishes to live peacefully doing my job to pay taxes for me and others who work for me and I create more jobs. I definitely will try to meet the requirements of the permit to avoid the bankruptcy situation. Your cooperation will be really appreciated.

With Thanks, AND
Best Regards

Baljit Sandhu

Attachment A

Sikander Sandhu
INDER VALLEY FRUIT FARMS LTD.
[4049 36TH STREET](#) Canyon, BC V0B 1C1
Ph: 403-925-2233, 431-337-2999



File No: 3135-20- B-786.02918.100

December 09, 2025

INDER VALLEY FRUIT FARMS LTD
4-69 AQUITANIA CIR W
LETHBRIDGE AB T1J 5M5

SUBJECT: Notice on Title **CIVIC ADDRESS:** 4049 36th Street

Please be advised that RDCK staff, in accordance with Section 57 of the Community Charter (SBC 2003) are recommending that the RDCK Board place a notice against the land title of your property located at LOT 9 PLAN NEP1420 DISTRICT LOT 812 KOOTENAY LAND DISTRICT PID 012-159-107. The staff memo containing the background information on this matter is enclosed for your reference. Section 57 requires that property owners be given the opportunity to be heard on this matter prior to a decision to place the notice.

This letter serves as notification that the RDCK Rural Affairs Committee will consider this matter at the date and time noted below. Alternatively, you may participate in this meeting online. If you choose to attend, you will be provided with the opportunity to address the Committee regarding this matter.

Date: January 21, 2026

Time: Delegations will be received beginning at **9:00 am**. Please follow the instructions provided by the Administration Department and wait until your item is called to be dealt with by the Committee. **(Maximum 15 minutes for each delegation 10 minutes presentation, 5 minutes question)**

Location: In-person: RDCK Head Office - Board Room, 202 Lakeside Dr, Nelson BC
Hybrid meeting: Please refer to our website **rdck.ca**

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

Please advise us in advance if you will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca no less than 3 business days prior to the meeting.

If you wish to avoid the possibility of having a Notice on Title placed on your property, you must contact the building department **no later than 2 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the RDCK Building department at 1-800-268-7325 or (250) 352-1500

Yours truly,
Mike Morrison, Corporate Officer



Committee Report

Date of Report: January 07, 2025
Date & Type of Meeting: January 21, 2025, Rural Affairs Committee
Author: Sadie Chezenko, Planner 1
Subject: DEVELOPMENT VARIANCE PERMIT
File: V2508F - MAKI
Electoral Area/Municipality F

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider a Development Variance Permit (DVP) in Electoral Area 'F'. This DVP seeks to vary Section 1101(10) and 1101(11) of RDCK Zoning Bylaw No. 1675, 2004 to allow the construction of a 1,738 m² horse riding arena and to permit a cumulative gross floor area of 2,138 m² for all accessory buildings and structures on the property.

There were no significant concerns raised by neighbours or other agencies in response to this application and there are no negative impacts anticipated from this proposal. The proposal does not substantially alter what is already permitted on the property. Consequently, Staff recommend that the Board approve the issuance of this DVP.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Judine and Wendell Maki
Property Location: 6102 Wills Road, Sproule Creek, Electoral Area 'F'
Legal Description: LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780)
Property Size: 12.7 ha (31.3 ac)
Current Zoning: Country Residential (R2) Site Specific
Current Official Community Plan Designation: Country Residential (CR)

Site Context

The subject property is in the Sproule Creek/Taghum area approximately 8km west of Nelson. The property is 12.7 ha in size and is located approximately 1km up Sproule Creek Road from Highway 3A. The parcel is made up of five pieces under one title as can be seen in Figures 1, 2 and 3 which are hooked across the Sproule Creek watercourse. Although the property borders Sproule Creek Road, the bulk of the parcel is separated from the road by Sproule Creek and thus, the residential portion of the parcel is accessed from Wills Road through the two neighbouring parcels to the north.

The subject property is currently used for residential purposes and has been improved with a driveway, residence, septic field, accessory buildings and outdoor horse riding arena. The location of the existing outdoor horse riding arena is over 100m from any property line as well as Sproule Creek. The horse riding arena is not visible from neighbouring properties.

The surrounding area has a mix of residential and industrial properties. The parcels to the north and south of the property are primarily used for residential purposes and are also zoned Country Residential (R2). The large property to the east is known as the Marsden Face Nature Trust Conservation Area and is zoned Rural Residential (R3). To the west of the property is Sproule Creek, Sproule Creek Road, and two Crown Land¹ parcels. The Crown Land parcel to the northwest is the Sproule Creek Pit which is zoned Quarry (Q). The parcel to the south of the pit is classified as works yards by BC Assessment and is zoned Medium Industrial (M2). Figure 2 shows the zoning context.

SURROUNDING LAND USES
North: Country Residential (R2) zoned properties primarily used for residential purposes
East: Marsden Face Nature Trust Conservation Area zoned Rural Residential (R3)
South: Country Residential (R2) zoned properties primarily used for residential purposes
West: Sproule Creek Road and Crown Land including the Sproule Creek Pit zoned Quarry (Q) and works yards zoned Medium Industrial (M2)

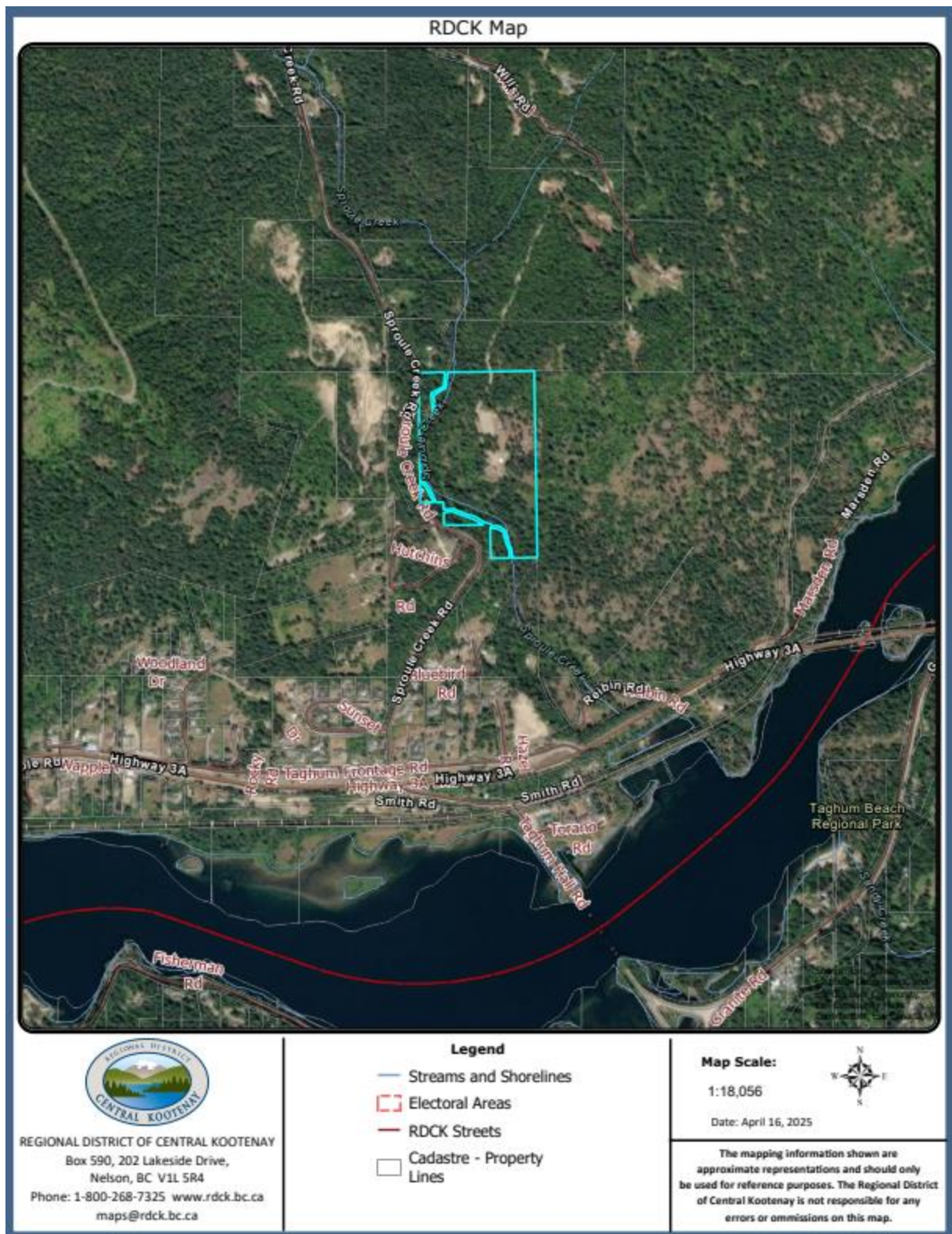


Figure 1: Location Map

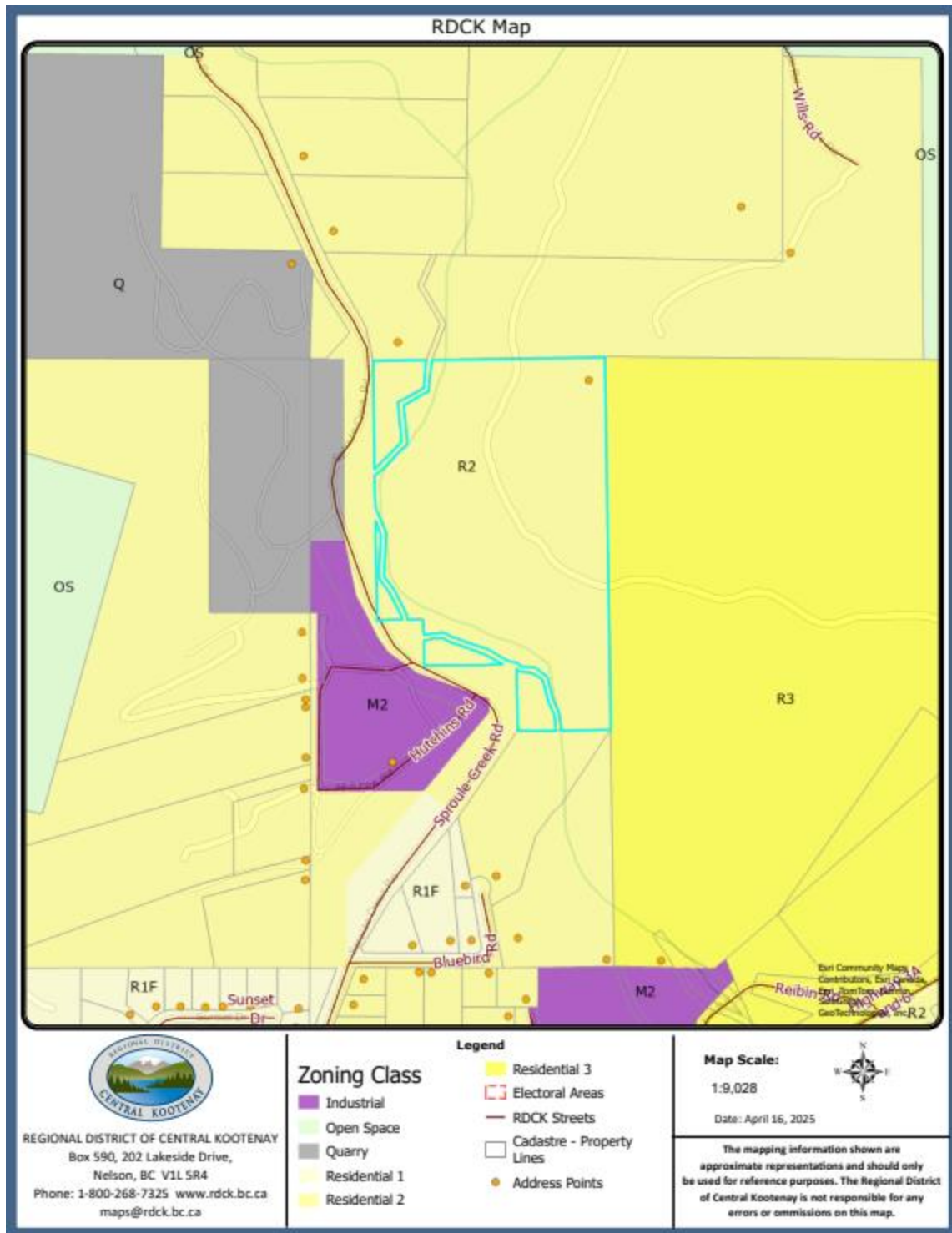


Figure 2: Zoning Map

Development Proposal

As noted earlier in this report, the subject property is currently used for residential purposes and has been improved with a driveway, residence, septic field, accessory buildings and horse riding arena. The property owners are wishing to turn their outdoor riding arena into an indoor riding arena by covering it with a steel structure. The owners have the arena for their own personal use as well as offering the occasional lesson. The property owners recently applied for a bylaw amendment to rezone from Country Residential (R2) to Country Residential (R2) Site-Specific to achieve three things:

1. Add "Horse Riding Arena" as a permitted accessory use
2. Permit the proposed horse riding arena structure to be 1525 m²
3. Permit a cumulative gross area of all accessory buildings/structures to not exceed 1952 m²

This bylaw amendment was approved by the RDCK Board on June 19, 2025.

Since that time, the applicant realized that the size of the arena that she had requested was not sufficiently large for the arena she planned to build. As such, she is now applying for a Development Variance Permit (DVP) so that she may construct a 1,738 m² horse riding arena – rather than the previously approved 1,525 m² arena. Further she has also requested a variance to permit a cumulative gross floor area of 2,138 m² for all accessory buildings and structures on the property to accommodate the larger arena.

Specifically, the proposal is to vary RDCK Zoning Bylaw, Section 1101(10) and 1101(11) as follows:

1101(10):

From: The maximum gross floor area of any accessory building or structure shall not exceed **200** square metres.

To: The maximum gross floor area of any accessory building or structure shall not exceed **1,738** square metres.

1101(11):

From: The cumulative gross floor area of all accessory buildings or structures shall not exceed **400** square metres.

To: The cumulative gross floor area of all accessory buildings or structures shall not exceed **2,138** square metres.

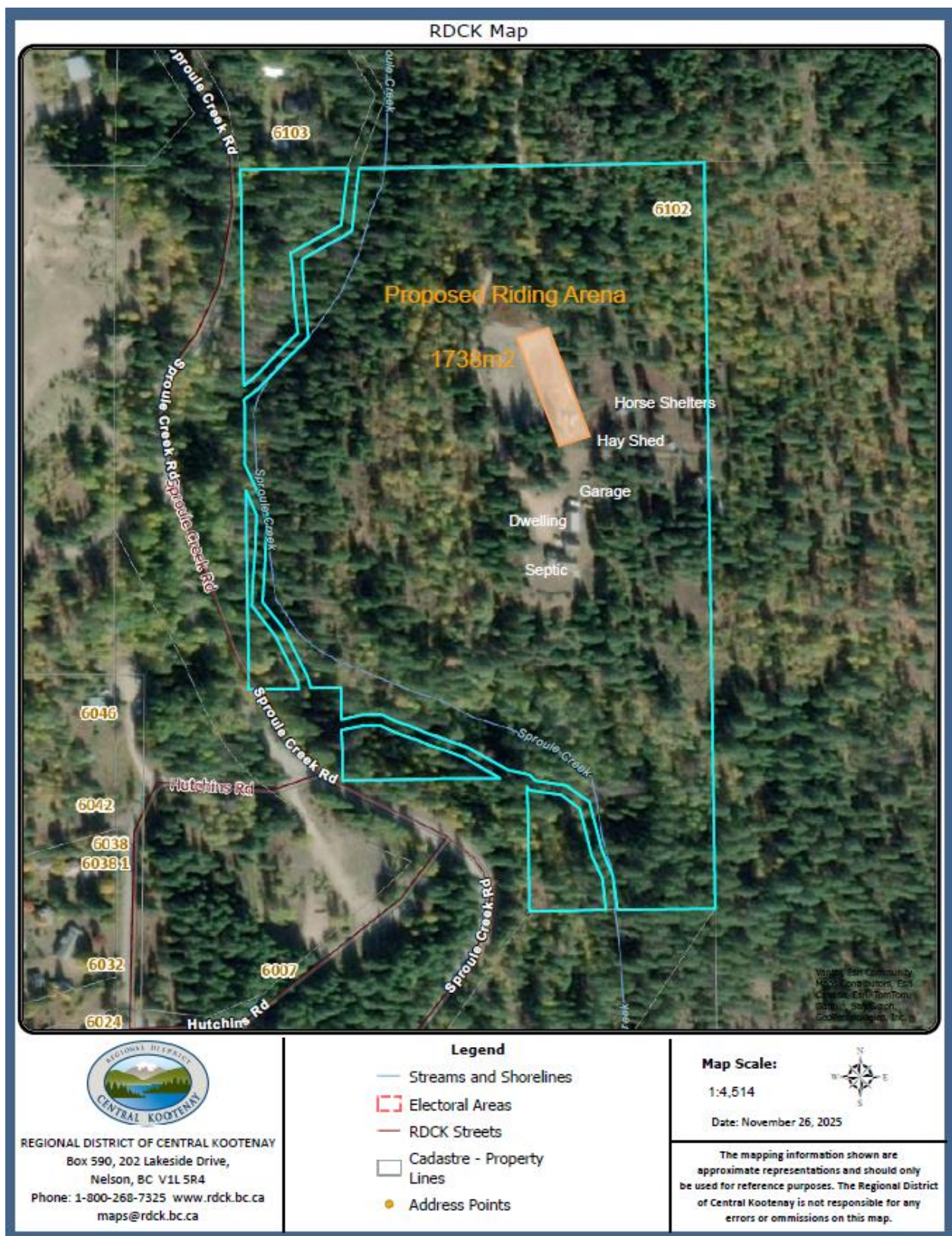




Figure 4: Horse Riding Arena

Land Use Considerations

Official Community Plan (OCP)

The OCP land use designation for this property is Country Residential (CR). The OCP states that Country Residential development generally includes single detached housing, manufactured homes, duplexes, and other buildings and uses that fit with the low-density character of the designation. The OCP is silent on the addition of this specific type of accessory use on a residential property. The OCP does state that one of the general residential objectives is to protect the existing quality of life and character of existing neighbourhoods.

Zoning Bylaw

The subject property is zoned Country Residential (R2) Site Specific in RDCK Zoning Bylaw No. 1675, 2004. A bylaw amendment to rezone the property to permit a horse riding arena as an accessory use was approved by the RDCK Board on June 19, 2025.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Financial Plan Amendment:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Debt Bylaw Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public/Gov't Approvals Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

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

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

Section 498 of the Local Government Act gives authority to vary provisions of a zoning bylaw provided that they do not affect use and density.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

None anticipated.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

Public and Neighbour Notice

In accordance with Schedule 'E' of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, a 'Notice of Development' sign was placed on the subject property. Notice of this proposal was sent via mail to owners and tenants of all parcels within 100 meters of the subject property. The proposal and relevant information was also posted to the RDCK Active Applications page where all current planning applications are made available to the public. To date, there have been no responses received to these notices.

Agency Referral Responses

In accordance with Schedule 'E' of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, planning staff referred the application to all applicable Regional District departments and government ministries and agencies for a period of thirty (30) days. The two responses that were received are included below.

RDCK Fire Services

This location is somewhat challenging in terms of road access but there's plenty of room to maneuver on site and I don't have any fire related issues with the modest increase in building size. There are no concerns from Fire Services.

Ministry of Transportation and Transit

The Ministry has no concerns or objections to the requested development variance permit.

3.7 Staffing/Departmental Workplace Considerations:

Staff reviewed the application in accordance with the Development Variance Permit Procedure within Schedule 'E' of the Planning Procedures and Fees Bylaw No. 2547, 2015. Should the Board approve the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS & PROS / CONS

Planning Discussion

The applicant has applied to for a DVP to authorize the construction of a 1,738 m² horse riding arena on the subject property and to permit a cumulative gross floor area of 2,138 m² for all accessory buildings and structures on the property.

The proposed arena, although large, would only cover approximately 1% of the subject property. The proposed siting for the arena is separated by the nearest neighbouring property residence by over 180m, and to the next

second nearest residence by over 400m. The areas in between are also forested and as such, there will be no visual impact to neighbours as a result of this proposal.

The horse riding arena is proposed primarily for personal use by the property owners. Although unconventional, there appears to be little if any direct impacts to the public because of this proposal. There does not appear to be any additional noise, traffic, dust or environmental impacts that will result.

No public concerns were raised in response to the proposal that was sent to neighbours to alert them of the proposed variance. In addition, there were no significant concerns received from the referred agencies. The proposal for a 1525 m² arena was already approved by the RDCK Board for this property earlier this year.

Ultimately, staff recommend the Board approve the issuance of this Development Variance Permit for the following reasons:

- There were no concerns raised by the neighbours regarding the proposal
- There were no significant concerns raised by other agencies regarding the proposal
- The proposal does not appear to have any negative social, environmental or visual impacts
- The proposal for a 1525 m² horse riding arena was already approved by the RDCK Board in June 2025
- The proposal does not significantly change what is already permitted on the property

Options

Option 1 – Approve

That the Board APPROVE the issuance of Development Variance Permit V2508F to Judine and Wendell Maki for the property located at 6102 Wills Road, Sproule Creek and legally described as LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780) to vary Section 1101(10) and 1101(11) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a 1,738 m² horse riding arena and a 2,138 m² maximum cumulative gross floor area of all accessory buildings or structures on the subject property.

Option 2 – Not Approve

That the Board NOT APPROVE the issuance of Development Variance Permit V2508F to Judine and Wendell Maki for the property located at 6102 Wills Road, Sproule Creek and legally described as LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780) to vary Section 1101(10) and 1101(11) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a 1,738 m² horse riding arena and a 2,138 m² maximum cumulative gross floor area of all accessory buildings or structures on the subject property.

SECTION 5: RECOMMENDATIONS

That the Board APPROVE the issuance of Development Variance Permit V2508F to Judine and Wendell Maki for the property located at 6102 Wills Road, Sproule Creek and legally described as LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780) to vary Section 1101(10) and 1101(11) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a 1,738 m² horse riding arena and a 2,138 m² maximum cumulative gross floor area of all accessory buildings or structures on the subject property.

Respectfully submitted,



Sadie Chezenko, Planner 1

CONCURRENCE

Nelson Wight – Planning Manager **Approved**

Sangita Sudan - General Manager of Development and Community Sustainability **Approved**

Stuart Horn – Chief Administrative Officer **Approved**

ATTACHMENTS:

Attachment A – Development Variance Permit



Development Variance Permit

V2508F (Maki)

Date:

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

TO: Judine and Wendell Maki

ADMINISTRATION

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

APPLICABILITY

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

Address: 6102 Wills Road, Sproule Creek, Electoral Area 'F'

Legal: LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID: 025-049-780)

CONDITIONS

5. Development Variance

RDCK Zoning Bylaw, Section 1101(10) and 1101(11) are varied as follows:

1101(10):

From: The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres.

To: The maximum gross floor area of any accessory building or structure shall not exceed 1738 square metres, as shown on Schedule '1' and '2'

1101(11):

From: The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

To: The cumulative gross floor area of all accessory buildings or structures shall not exceed 2138 square metres., as shown on Schedule '1' and '2'

6. Schedule

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

7. Other

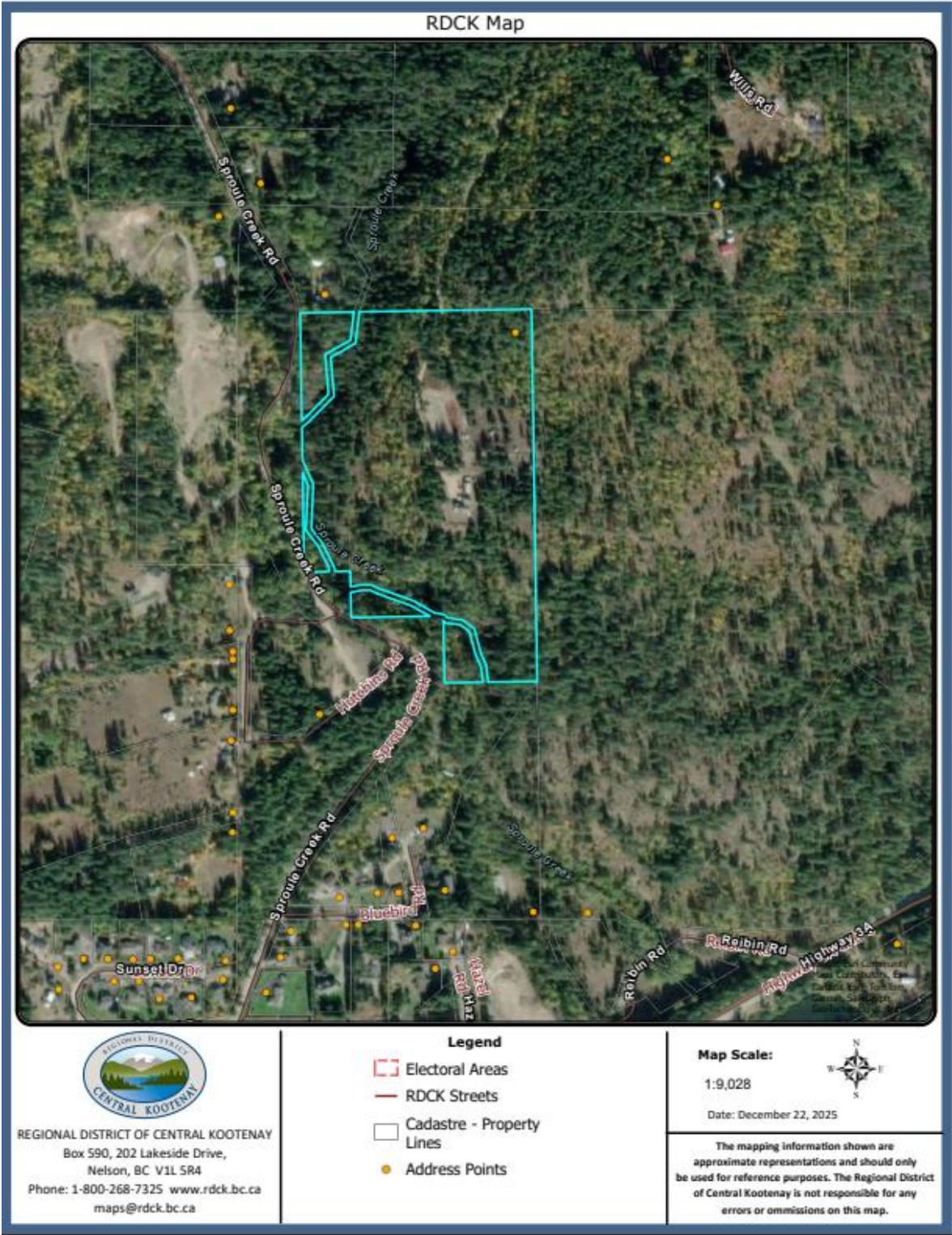
Authorized resolution **[enter resolution number]** passed by the RDCK Board on the day of ,
20 .

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 1: Subject Property



Schedule 2: Site Plan





Committee Report

Date of Report: January 5, 2026
Date & Type of Meeting: January 21, 2026 Rural Affairs Committee
Author: Nelson Wight, Planning Manager
Subject: SITE SPECIFIC FLOODPLAIN EXEMPTION
File: F2501HN – Steenhoff
Electoral Area/Municipality H

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider an application for a Site-Specific Exemption to Regional District of Central Kootenay Floodplain Management Bylaw No. 2080, 2009, in Electoral Area 'H'.

The applicant seeks relief from the floodplain setback requirements for this portion of Wilson Creek specified in *RDCK Floodplain Management Bylaw No. 2080, 2009* to authorize the unlawfully constructed development on the subject property.

It is recommended that the Board NOT APPROVE the issuance of a Site-Specific Exemption to *RDCK Floodplain Management Bylaw No. 2080, 2009*, for the existing unlawfully constructed development on LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385, as described in the Staff Report "Site Specific Floodplain Exemption F2501HN", dated January 5, 2026.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owners: Darrell Steenhoff; Audrey Steenhoff

Property Location: 260 Wilson Creek Rd E

Legal Description: LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385

Property Size: 0.91 hectares (2.25 acres)

Zoning: Not subject to a zoning bylaw

Land Use Designation: Rural Residential (R3) – Slocan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009

SURROUNDING LAND USES

North: Wilson Creek/Vacant land designated Park (across Wilson Creek)

West: Wilson Creek/East Wilson Creek Road

East: Rural Residential (Single family dwelling)

South: Agriculture/Industrial (Crown gravel pit to southwest)

Background and Site Context

The subject property is in Electoral Area 'H' of the Regional District of Central Kootenay (RDCK), south of Rosebery and approximately 300 meters east of Highway 6 on East Wilson Creek Road (Attachment A). It is located along the east side of Wilson Creek on the Creek's alluvial fan (Attachment B). The property falls within Wilson Creek's

designated floodplain and, as such, is subject to the requirements of *Regional District of Central Kootenay Floodplain Management Bylaw No. 2080, 2009* (the Floodplain Bylaw). The Floodplain Bylaw stipulates a minimum flood construction level (FCL) of 3.0 metres above the natural boundary of Wilson Creek and a minimum setback of 30.0 metres from the natural boundary of Wilson Creek.

The subject property falls outside of the non-standard flood and erosion area (NSFEA) for Wilson Creek specified in the Floodplain Bylaw. However, findings from the 2020 Floodplain and Steep Creek Study¹ determined that the property has a variable flood hazard rating that ranges from “very low” (in the southeastern corner) to “high” (on the northern most portion of the property). Most of the property has a “low” flood hazard rating with the majority of development generally falling in this area. However, the portions of the development on the property nearest to Wilson Creek fall within an area that has a “moderate” flood hazard rating (see Attachment C – Steep Creek Hazard Rating Map).

The property’s title has three covenants registered on it, in addition to a Notice on Title pursuant to Section 57 of the *Community Charter* for commencement of construction without a valid building permit (more detail on the contraventions is provided in the sections below). The covenants and their purposes are:

- KT16468 – Section 219 (*Land Title Act*) no-build covenant for an approximately 10-15-metre-wide strip of land (the distance fluctuates across the property’s frontage) adjacent to East Wilson Creek Road
- KT16479 – Section 219 flood covenant prohibiting construction of a building, mobile home or unit, modular home or structure within 30 metres of and below 3.0 metres of the natural boundary of Wilson Creek
- KT16477 – Section 219 water potability covenant

Property History

The following summarizes relevant dates related to previous development on the property (2002-2013):

- February 14, 2002 – 3 covenants registered on title in subdivision.
- August 22, 2005 – building permit 00332N processed for single family dwelling on the parent parcel (final inspection completed May 17, 2006).
- April 19, 2006 – building permit 00857N processed for manufactured home on the parent parcel (final inspection completed May 29, 2009).
- October 3, 2007 – building permit 02148 processed for Quonset hut garage structure on parent parcel (final inspection completed May 29, 2009).
- April 18, 2013 – subdivision of the parent parcel under MoTI file no. 2012-03852. The manufactured home (BP00857N) and Quonset hut (BP02148) remain on the subject property – 260 East Wilson Creek Road – while the previously constructed single-family dwelling (BP00332N) is now located on the neighbouring parcel to the east – 270 East Wilson Creek Road.

The following summarizes the timeline related to enforcement actions regarding unauthorized development on the subject property (2022-present):

- June 22, 2022 – complaint received regarding building without a permit and a stop work order (SWO00226) is issued the next day for commencement of construction without a valid building permit.
- July 13, 2022 – compliance letter sent to property owners by Planning staff outlining additional bylaw contraventions (i.e. building within the designated floodplain of Wilson Creek and without a valid Development Permit).

¹ RDCK Floodplain and Steep Creek Study – Wilson Creek (March 31, 2020). Prepared by BGC Engineering Inc.
https://rdck.ca/wp-content/uploads/2024/11/2020-07-17-Wilson_Creek-FINAL.pdf

- October 3, 2022 – no correspondence received from property owners. Building Official recommends moving to Notice on Title.
- February 16, 2023 – second notice issued under SW000226 and no correspondence received from the property owners in the months that followed.
- May 9-July 6, 2023 – correspondence from Planning staff encouraging voluntary compliance with floodplain bylaw and development permit requirements. Property owner indicates they will not be submitting the required applications.
- July 19, 2023 – request to place Notice on Title presented to RAC and direction given to place the Notice on Title (BRD RES 460/23). Notice on Title (CB780580) registered one week later, on July 26, 2023.
- March 3, 2025 – following continued efforts to compel compliance, the property owner submits the application described in this staff report.
- May 9, 2025 – site visit from Planning staff. Applicant and engineer unable to meet on site.

At the time of application, there were 5 structures on the subject property in addition to a garden and chicken coop area:

1. Manufactured home
2. Quonset hut structure
3. Primary Residence
4. Semi-permanent residence
5. Temporary residence

2 of the 5 structures were constructed with permits (manufactured home and Quonset hut) while the remaining 3 (primary residence, semi-permanent residence, and temporary residence) were constructed without permits. Permitting the remaining structures involves 2 RDCK Planning approvals (in addition to Building Permits):

1. Site-specific exemption to the Floodplain Bylaw to address flood hazards on the property.
2. Development Permit to address environmental (riparian area) considerations for the development.

A Development Permit application was submitted on August 9, 2025. Processing of that application has not commenced, as outcomes of this floodplain exemption application could alter environmental recommendations covered under the Development Permit.

Development Proposal

The site-specific floodplain exemption application is a request to permit the primary dwelling within Wilson Creek's designated floodplain. While the semi-permanent and temporary residences are also located in the floodplain, the development proposal submitted by the applicant (Attachment D) does not indicate whether the application seeks to permit them or whether they will be removed from/relocated outside of the floodplain. The Professional Engineer's Report submitted with the application (Attachment E) does not provide any indication of an intention to keep or remove these structures but recommends relocating the semi-permanent and temporary residences outside of the floodplain or removing them from the property altogether.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Financial Plan Amendment:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Debt Bylaw Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public/Gov't Approvals Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

The \$500 fee for a Site-Specific Floodplain Exemption application has been paid pursuant to the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015*. Additionally, a \$2000 surcharge for an application arising out of an enforcement issue has been applied to this application and paid by the applicant.

This application is associated with compliance issues dating back to 2022. Since that time there has been considerable staff effort to encourage the owner to bring the property into compliance with the relevant bylaws. The resources dedicated to this effort far surpass the costs recovered from the application fee and surcharge.

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

Under Section 524(7) of the *Local Government Act (LGA)*, the Board has the authority to:

... exempt a person from the application of [a floodplain bylaw and its associated regulations] in relation to a specific parcel of land or a use, building or other structure on the parcel of land, if the local government considers it advisable and either:

- a) considers that the exemption is consistent with the Provincial guidelines, or*
- b) has received a report that the land may be used safely for the use intended, which report is certified by a person who is*
 - i. a professional engineer or geoscientist and experienced in geotechnical engineering, or*
 - ii. a person in a class prescribed by the environment minister under subsection (9).*

Granting of an exemption under *LGA* Section 524(7)(a) is not recommended for reasons explained in Section 4 of this Staff Report. Pursuant to *LGA* Section 524(7)(b), an Engineer's Report, "Technical Memorandum – Post-Construction Hazard Assessment" (Attachment E), has been submitted with this application.

3.3 Environmental Considerations

Environmental considerations would be evaluated in the review of the Development Permit application.

3.4 Social Considerations:

The actions of the property owner to continue to build while knowing doing so contravenes multiple RDCK bylaws perpetuates the sentiment of lawlessness in the RDCK, particularly in areas without zoning. This sentiment undermines the time and effort of individual community members who have participated in a community planning process and have a certain expectation for how development will be undertaken, in this case in a way that mitigates flood hazards and is sensitive to the natural environment. Further, it undermines the efforts of the RDCK to ensure that new development is safe from geohazards.

3.5 Economic Considerations:

There can be significant costs associated with emergency response and structural protection in a flood event. These costs are absorbed by the local and provincial governments and ultimately place a burden on all taxpayers. The Floodplain Bylaw exists to ensure that where these risks may be present, they are effectively understood and responded to appropriately.

3.6 Communication Considerations:

In accordance with the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015* staff referred the application to all relevant government agencies, internal RDCK departments and the Electoral Area 'H' Director for review. The following comments were received:

RDCK Fire Services

A Fire Department response to this location could be hampered during a flood event.

BC Ministry of Transportation and Transit (MoTT)

Thank you for the opportunity to review and provide comment on the above-noted referral.

As the Ministry's authority is limited to the safety, operation and maintenance of our roads and right-of-way, along with any legal documents that the Ministry is named on, for the purpose of this floodplain exemption the Ministry has no comments.

Kootenay Boundary Crown Land Authorizations (KBCLA sent via FrontCounter BC)

On behalf of Kootenay Boundary Crown Land Authorizations, no concerns with the amendment.

BC Hydro

Thank you for your referral concerning the proposed Floodplain Exemption of the above property. After reviewing our records, BC Hydro has no objection to this development.

Fortis BC

There are no FortisBC Inc (Electric) ("FBC(E)") facilities affected by this application. As such FBC(E) has no concerns with this circulation.

BC Ministry of Water, Land, and Resource Stewardship (MWLRS) – Water Authorizations

Ministry of Water, Land and Resource Stewardship (WLRS) staff have reviewed information provided in RDCK Referral F2501Hn pertaining to civic address 260 Wilson Creek Road in Electoral Area 'H' (PID 029-139-716) ("subject property") and provide the following comments at this time.

WLRS staff understand that: 1) works have been completed on the property without required municipal permits/authorizations, 2) applications have been submitted to the Regional District of Central Kootenay (RDCK) permit/authorize works, and (3) this referral was distributed seeking input from WLRS regarding proposed works. Further, it is understood that works described in the referral are not consistent with Terms and Conditions of a covenant registered on property title on February 14, 2022 (copy attached) where the Province of British Columbia is named as a Grantee on the covenant.

The purpose of the covenant is, among other things, to safeguard the province of British Columbia against potential damages or liabilities resulting from development or activities on the subject property which the covenant identified as having flood risk. In doing so, the covenant also informs the property owner regarding flood hazards associated with the subject property enabling informed decisions regarding land use and development. This awareness may also prompt further investigation into applicable regulatory requirements to mitigate flood risk, such as determining appropriate flood construction levels, conducting site-specific assessments, and obtaining required permits etc. The covenant is an instrument for indemnification and information-sharing and not a regulatory instrument (e.g., permit, approval) with a compliance or enforcement component. Regardless of any works or activities that may be authorized by the RDCK on the property, the covenant remains valid and continues to indemnify the province of British Columbia as detailed in the covenant.

Noting that no works or activities are proposed below high-water mark and/or use and diversion of water is not proposed, WLRS staff do not have concerns with works described in the referral from a Water Sustainability Act perspective.

BC Ministry of Water, Land, and Resource Stewardship (MWLRS) – Kootenay-Boundary Ecosystems

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

- 1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.*
- 2. Changes in and about a "stream" [as defined in the Water Sustainability Act (WSA)] must only be done*

under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the Water Sustainability Regulation. Authorized changes must also be compliant with the Kootenay-Boundary Terms and Conditions and Timing Windows documents. Applications to conduct works in and about streams can be submitted through FrontCounter BC.

3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the Riparian Areas Protection Regulation (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of RAPR are required to ensure that all development is compliant with RAPR.
4. The federal Species at Risk Act (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to Resource Inventory Standard Committee (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific Recovery Strategy or Management Plan documents, and to ensure proposed activities will not adversely affect SEAR or their Critical Habitat for Federally-listed Species at Risk (Posted).
5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: Natural Resource Best Management Practices - Province of British Columbia (gov.bc.ca) and Develop with Care 2014 - Province of British Columbia.
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial Wildlife Act and the federal Migratory Birds Convention Act. Guidelines to avoid harm to migratory birds can be found at: Guidelines to avoid harm to migratory birds -Canada.ca. If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

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

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

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

8. *Section 33.1 of the provincial Wildlife Act prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.*
9. *If this referral is in relation to a potential environmental violation it should be reported online at Report All Poachers & Polluters (RAPP) or by phone at 1-877-952-RAPP (7277).*
10. *Developments must be compliant with all other applicable statutes, bylaws, and regulations.*

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Ministry of Environment and Parks

BC parks has no concerns with this referral as it is outside the park boundary and there is no proposed flood mitigation works, riprap, or shoreline impacts included in this application.

3.7 Staffing/Departmental Workplace Considerations:

Processing development applications, such as a site-specific exemption to the Floodplain Bylaw, is part of the operational role of Planning Services.

3.8 Board Strategic Plan/Priorities Considerations:

The following areas of focus from the Board's 2024-2026 Strategic Plan are relevant in considering this application:

Energy Efficiency and Environmental Responsibility:

- Proactively prepare for and mitigate the impacts of natural risks, (fire, floods, and slides) including preparedness at the community level.
- Support community resiliency with resident safety as our top priority.

SECTION 4: OPTIONS & PROS / CONS

Planning Discussion – Provincial Guidelines (LGA S.524(7)(a))

The Board can exempt the development from the requirements of the Floodplain Bylaw if it considers the exemption to be consistent with the Provincial guidelines.

Section 3.2.1 of the Province's Flood Hazard Area Land Use Management Guidelines (the Provincial Guidelines)² states that:

- Buildings should be setback at least 30 metres from the natural boundary of any watercourse; and
- The Flood Construction Level should be no lower than 3.0 metres above the natural boundary of any nearby watercourse.

² Flood Hazard Area Land Use Management Guidelines (2004, amended January 1, 2018). BC Ministry of Water Land and Air Protection. https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/integrated-flood-hazard-mgmt/flood_hazard_area_land_use_guidelines_2017.pdf

The Provincial Guidelines also state:

Setback requirements should not be reduced unless a serious hardship exists and no other reasonable option is available. A valid hardship should only be recognized where the physical characteristics of the lot (e.g., exposed bedrock, steep slope, the presence of a watercourse, etc.) and size of the lot are such that building development proposals, consistent with land use zoning bylaws, cannot occur unless the requirements are reduced.

In order to avoid setting difficult precedents these site characteristics should be unique to the subject property and environs. The economic circumstances or design and siting preferences of the owner should not be considered as grounds for hardship. Before agreeing to a modification, consideration should be given to other options such as the use of alternate building sites, construction techniques and designs (e.g., constructing an additional storey and thereby reducing the size of the 'building footprint').

The subject property is not considered to meet the criteria for a hardship laid out in the Provincial Guidelines for the following reasons:

- no evidence has been presented to identify the presence of physical constraints on the subject property. Based on the soils-related findings in the Engineer's Report (p.3) and the approximate alluvial fan-delta boundary identified in the 2020 Floodplain and Steep Creek Study, it is not considered likely that the presence of bedrock or soil composition would make development on other parts of the property impossible; however, further subsurface investigations by the applicant would be required to confirm this;
- the size of the 0.91-hectare (2.25-acre) property does not restrict the ability to build elsewhere on it, outside of the floodplain setback area. When taking into account the 30-metre setback from Wilson Creek, the no-build area adjacent to East Wilson Creek Road, minimum spatial separation requirements of the *BC Building Code*, and already developed areas there is still ample area (estimated to be over 0.2 hectares/0.5 acres) with either a low or very low flood hazard rating on the subject property that could likely accommodate development; and,
- were the development to have been constructed lawfully, there would have been ample opportunity to consult with RDCK staff and explore the viability of alternate building sites or designs that could have better considered the floodplain or avoided it altogether.

Planning Discussion – Professional Engineer's Report (LGA S.524(7)(b))

Where a development proposal does not meet the Provincial Guidelines, an exemption is still possible where a report from a professional engineer or geoscientist has been submitted confirming "that the land may be used safely for the use intended."

The Engineer's Report (Attachment E) submitted with the application summarizes hazard-related data, compares site-specific conditions with Engineers and Geoscientists British Columbia's (EGBC) standard levels of risk tolerance and outlines risk considerations. It is important to note that the report is a non-intrusive, post construction assessment and does not include test excavations or subsurface investigations. The assessment is based on limited post-construction data, relying on owner-provided statements and photographs, findings from the 2020 Floodplain and Steep Creek Study conducted by BGC Engineering Inc. (2020), and findings from a limited field investigation by the engineer. More detail than what is covered in this Staff Report on specific elevation and setback characteristics of the primary dwelling is included in the attached Engineer's Report.

The RDCK provides qualified professionals with a Terms of Reference document, "*Professional Engineers/Geoscientists undertaking Geotechnical Reports/Flood Hazard Assessment Reports*", which outlines basic information that should be included in such reports. The Engineer's Report does not meet the requirements set out under the above-mentioned Terms of Reference. It is deficient as it does not contain crucial information

that would provide evidence as to whether the application should be approved, namely:

1. a Flood Assurance Statement;
2. confirmation that “the land may be used safely for the use intended”;
3. confirmation of which structures on the property will be subject to the site-specific exemption;
4. identification of which sections of the Floodplain Bylaw the development is to be exempted from; and,
5. recommendations for mitigation measures, such as floodproofing or other protective measures.

The applicant and engineer were made aware of these deficiencies on April 29, 2025. Referral of the application to applicable RDCK departments and government ministries and agencies was delayed for approximately 6 months to allow time for the applicant to submit a revised Engineer’s Report that addresses the deficiencies listed above. Despite multiple requests from staff, a revised report has not been received.

Following a discussion on September 4, 2025, with the applicant, engineer, and RDCK staff, the engineer confirmed that subsurface investigation and assessment would be required to meet the standard of care for a flood assessment and assurance statement (items 2 and 3 above). Following that discussion, staff indicated to the applicant that the application would be sent out for referral in accordance with the RDCK Planning Procedures and Fees Bylaw and that any subsequent reports received by the RDCK would be forwarded to the referral agencies. The applicant confirmed that they do not intend to provide a revised report to address the deficiencies, citing financial reasons.

Planning Discussion – Implications of the Flood Covenant (KT16479)

The existing floodplain covenant (KT16479) would either need to be modified or released in order for the RDCK to issue a Building Permit to permit the development within the floodplain. If the exemption were approved, registration of a second covenant on the property in accordance with the requirements of the Floodplain Bylaw would not supersede the requirements of the existing covenant. Modification or release of KT16479 would still be required regardless of whether the RDCK registered a new floodplain covenant.

No indication has been provided by the Province of whether they would be amenable to a modification or release of the floodplain covenant (KT16479) in the referral response comments. The Province is also required to consider the same Provincial Guidelines as the RDCK (described in the Planning Discussion – Provincial Guidelines (LGA S.524(7)(a)) Section above) in their determination of whether to grant such a request. As highlighted above, there is strong evidence to suggest that the development proposal does not meet the Provincial guidelines. If the Province also does not consider the proposal to meet these Guidelines, it is highly questionable whether the Province would agree to modify or release the existing covenant.

Planning Discussion – Recommendation

Due to the deficiencies with the Engineer’s Report listed above, not enough information has been provided to recommend support of the application, pursuant to LGA S.524(7)(b), at this time. This position of non-support is deepened when considering the potential risks, including conceivable exposure to a damages claim, if the RDCK Board granted the exemption and damage to property or human life were to occur as a result of a flood event affecting the subject property and especially if the Province does not agree to modify or cancel the original flood covenant. An approval under LGA S.524(7)(a) is not advisable either as it may exacerbate these risks because the exemption is not consistent with the Provincial Guidelines. As such, the RDCK must rely on the Engineer’s Report to confirm that the land can be used safely for the intended use. The Engineer’s Report does not provide this confirmation, which also makes the proposal inconsistent with Section 11.3 of the RDCK Floodplain Bylaw. Based on these considerations, staff recommend that the application is not approved.

Should the RDCK Board refuse to grant the exemption, the RDCK will seek to have the unauthorized structures removed from the floodplain.

OPTIONS

Option 1 – Not approve the issuance of the exemption

That the Board NOT APPROVE the issuance of a Site-Specific Exemption to RDCK Floodplain Management Bylaw No. 2080, 2009, for the existing unlawfully constructed development on LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385, as described in the Staff Report “Site Specific Floodplain Exemption F2501HN”, dated January 5, 2026.

Option 2 – Defer the application to a future meeting (set a deadline for the applicant to provide an Engineer’s Report to the RDCK that addresses the deficiencies)

This option is not recommended, as the property owners have been given numerous opportunities to address the compliance issues over the last three and a half years and have failed to do so, despite repeated staff efforts. Further, staff delayed processing this application by six months to afford the property owners time to work with their engineer to address deficiencies in the Engineer’s Report. The property owners have confirmed that they do not intend to submit a revised report. However, should the Board desire this option, a resolution could be:

That the Board REFER the application for a Site-Specific Exemption to RDCK Floodplain Management Bylaw No. 2080, 2009, for the existing unlawfully constructed development on LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385, until such time that a revised Engineer’s Report has been submitted that addresses the deficiencies described in the Staff Report “Site Specific Floodplain Exemption F2501HN”, dated January 5, 2026, with a deadline of March 31, 2026 and Covenant KT16479 has been modified or released by the Province.

SECTION 5: RECOMMENDATIONS

That the Board NOT APPROVE the issuance of a Site-Specific Exemption to RDCK Floodplain Management Bylaw No. 2080, 2009, for the existing unlawfully constructed development on LOT B DISTRICT LOT 4877 KOOTENAY DISTRICT PLAN EPP30385, as described in the Staff Report “Site Specific Floodplain Exemption F2501HN”, dated January 5, 2026.

Respectfully submitted,

Nelson Wight, Planning Manager

CONCURRENCE

General Manager Sustainability and Development Services – Sangita Sudan **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – Site Context Map

Attachment B – Subject Property Map

Attachment C – Steep Creek Hazard Rating (2020) Map

Attachment D – Development Description Summary

Attachment E – Engineer’s Report, “Technical Memorandum – Post-Construction Hazard Assessment”, prepared by Crowsnest Engineering, dated February 14, 2025



Steenhoff Application for Site Specific Floodplain Exemption

Lot 1 of District Lot: 4877

Lot



Time
line

2002

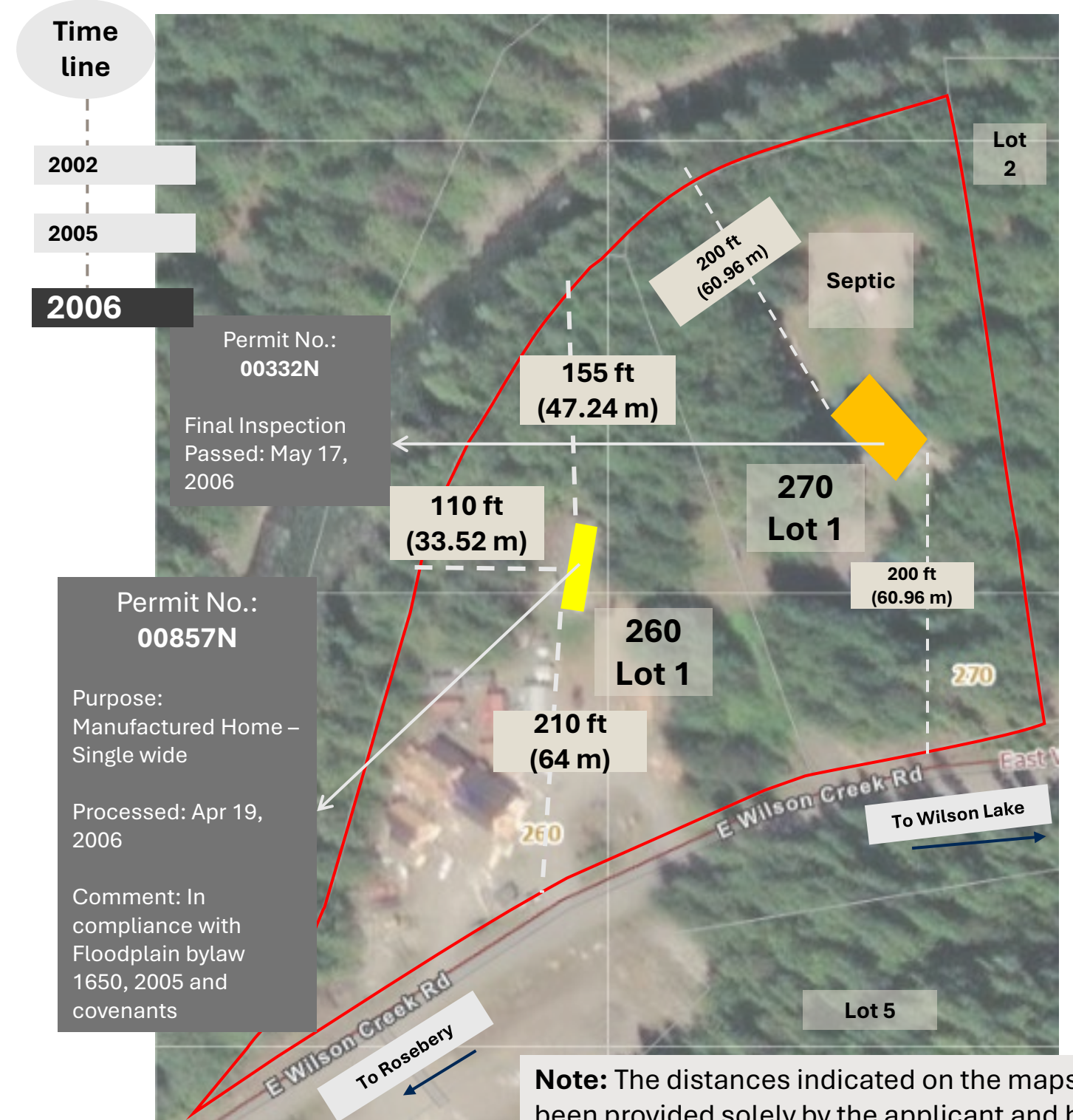


Covenants:
2002-02-14

- 1. KT16468: Minister of Transportation
- 2. KT16477: Ministry of Health
- 3. KT16479: Minister of water, Land And Air Protection

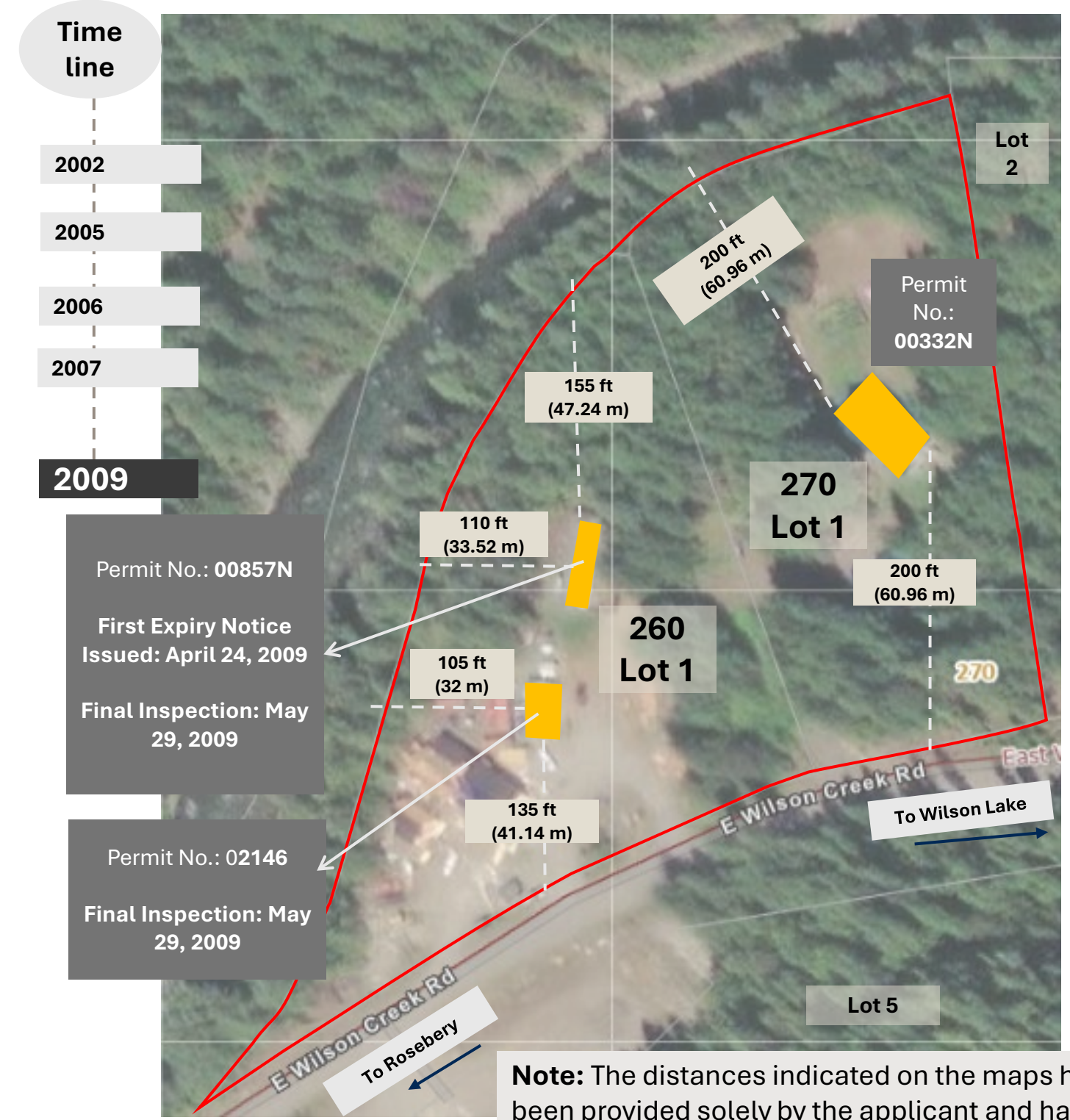
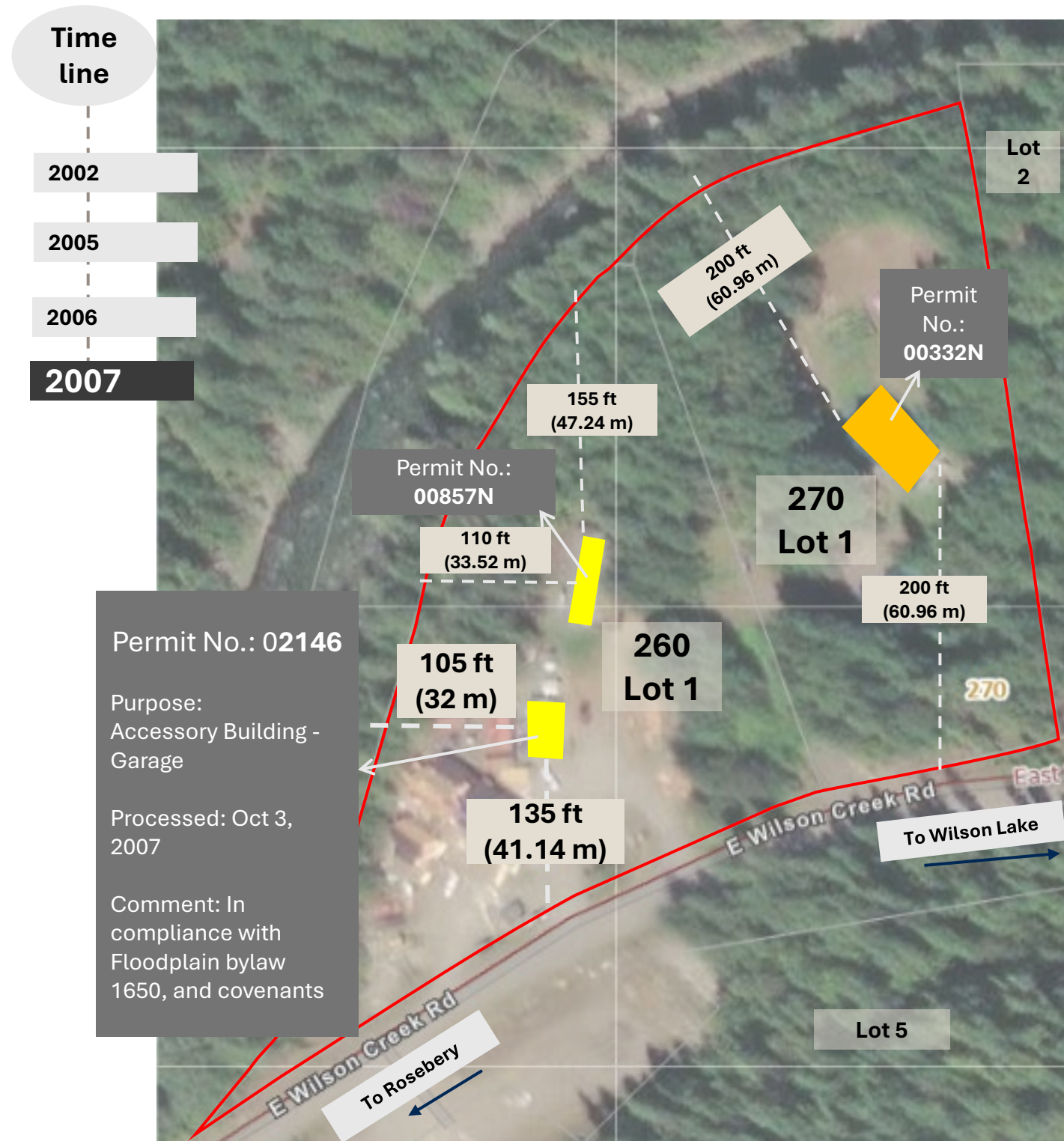


Lot 1 of District Lot: 4877



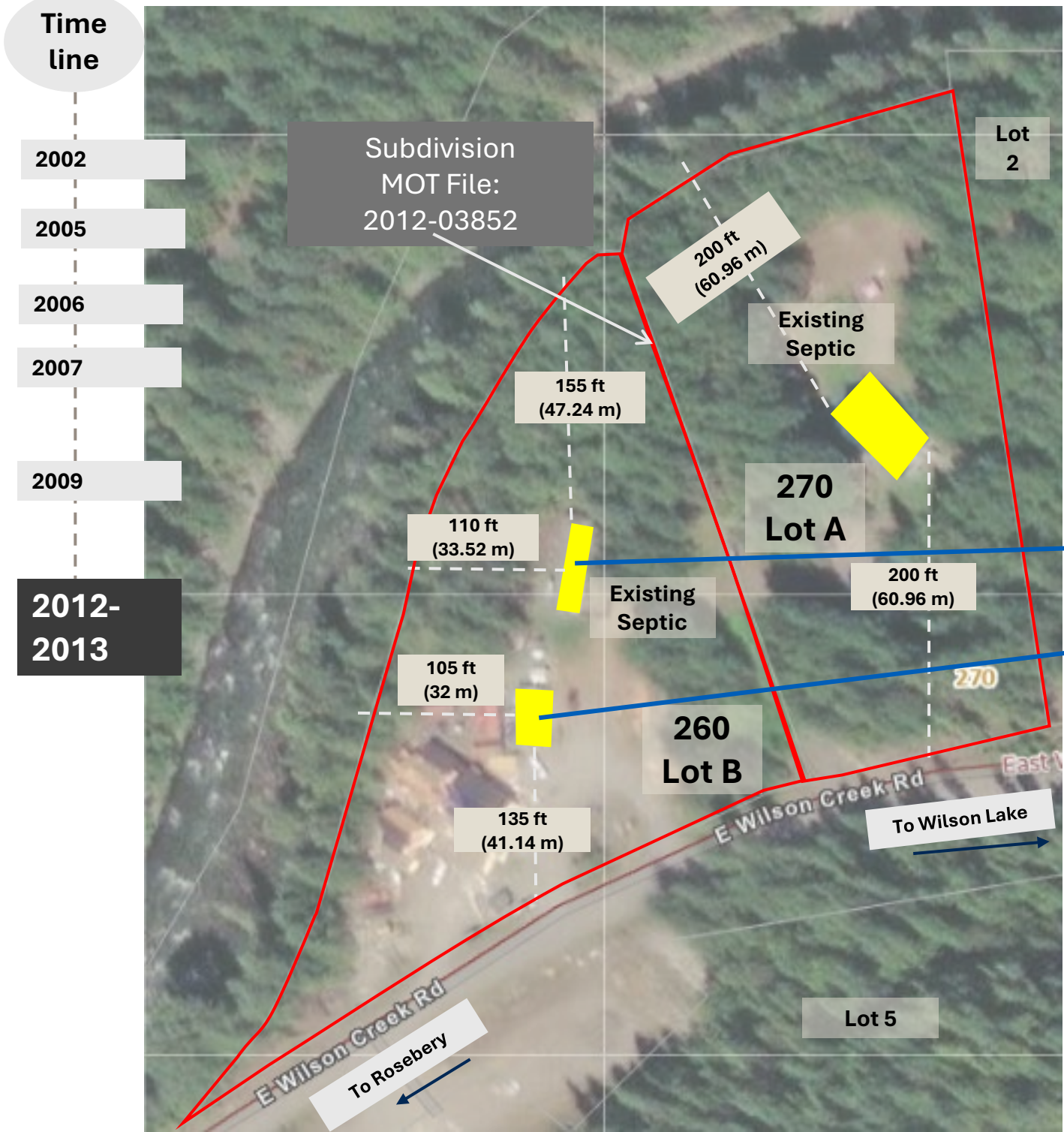
Note: The distances indicated on the maps have been provided solely by the applicant and have been plotted on an approximate basis.

Lot 1 of District Lot: 4877



Note: The distances indicated on the maps have been provided solely by the applicant and have been plotted on an approximate basis.

Lot 1 of District Lot: 4877

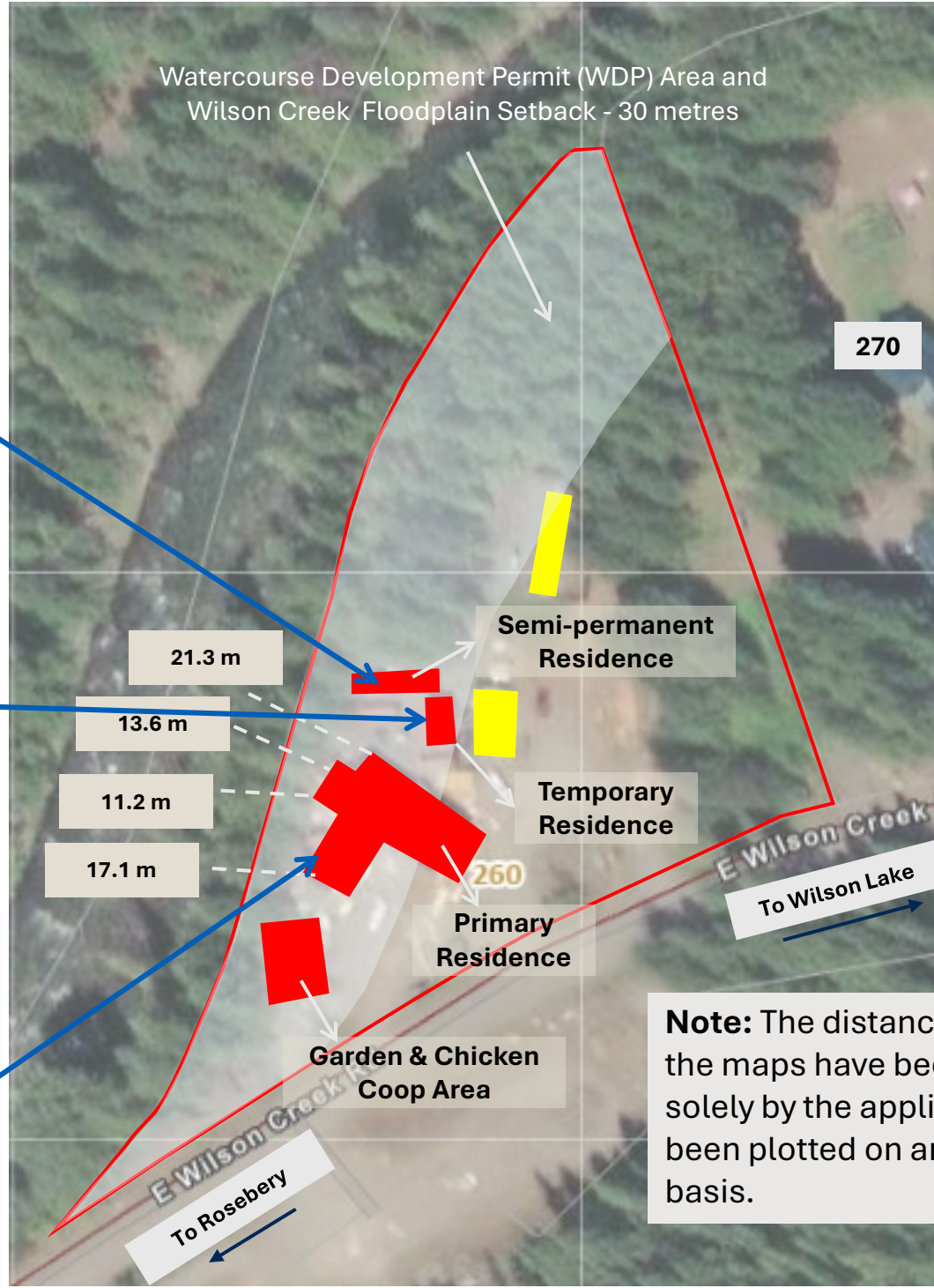
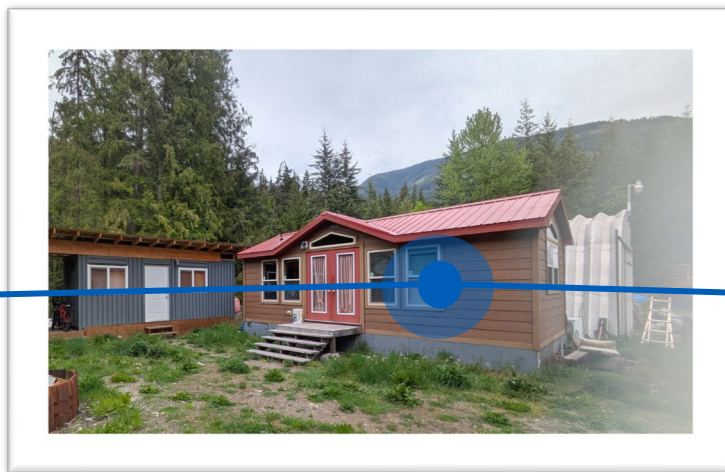
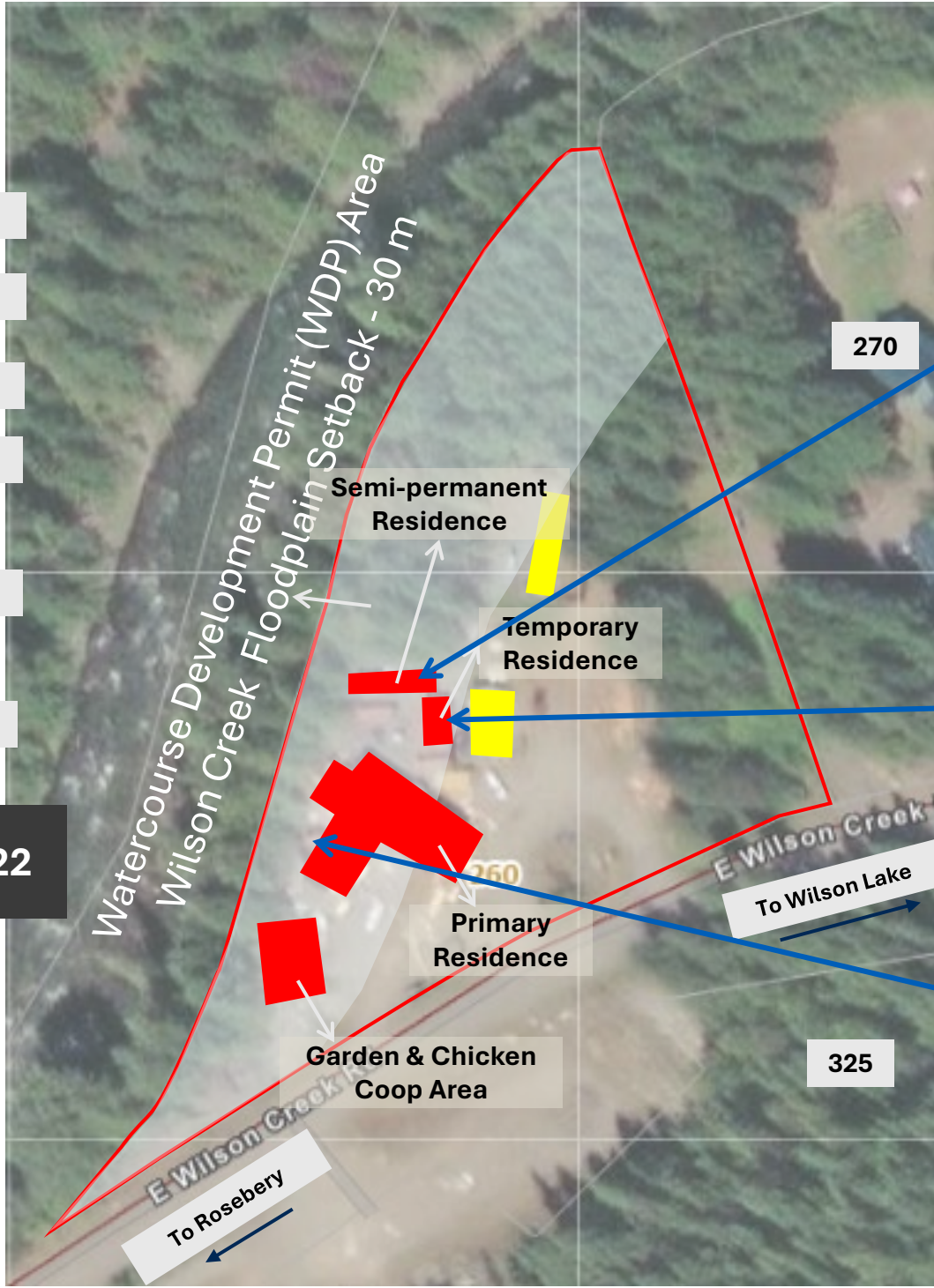


Note: The distances indicated on this map have been provided solely by the applicant and have been plotted on an approximate basis.

260 EAST WILSON CREEK RD


Time line

- 2002
- 2005
- 2006
- 2007
- 2009
- 2013
- 2020-2022



Note: The distances indicated on the maps have been provided solely by the applicant and have been plotted on an approximate basis.

 Unpermitted construction

 construction under permit



Violation of the RDCK regulatory bylaws and covenants:

- RDCK Floodplain Management Bylaw No. 2080
- Electoral Area 'H' North Official Community Plan Bylaw No. 1967
- Building Bylaw No. 2200, 2010
- Restrictive covenant KT016468 – No build covenant
- Restrictive covenant KT016477 – Water covenant
- Restrictive covenant KT016479 – Flood covenant



Engineering Report Requirements

As part of the Site-Specific Floodplain Exemption (SSFE) application, the applicant is required to submit a Flood Hazard Assessment Report prepared by a qualified Engineer.

The report must meet specific requirements.

These requirements are set out in a Terms of Reference document, which is provided to Engineers to ensure that submitted reports are complete, consistent, and in accordance with RDCK requirements.



Deficient Report Submitted

The Engineer's Report submitted for this application does not meet the requirements set out under the RDCK Terms of Reference, namely it does not:

1. Include a Flood Assurance Statement;
2. Provide confirmation that “the land may be used safely for the use intended”;
3. Define which structures on the property will be subject to the site-specific exemption;
4. Identify which sections of the Floodplain Bylaw the development is to be exempted from; and,
5. Provide recommendations for mitigation measures, such as floodproofing or other protective measures.

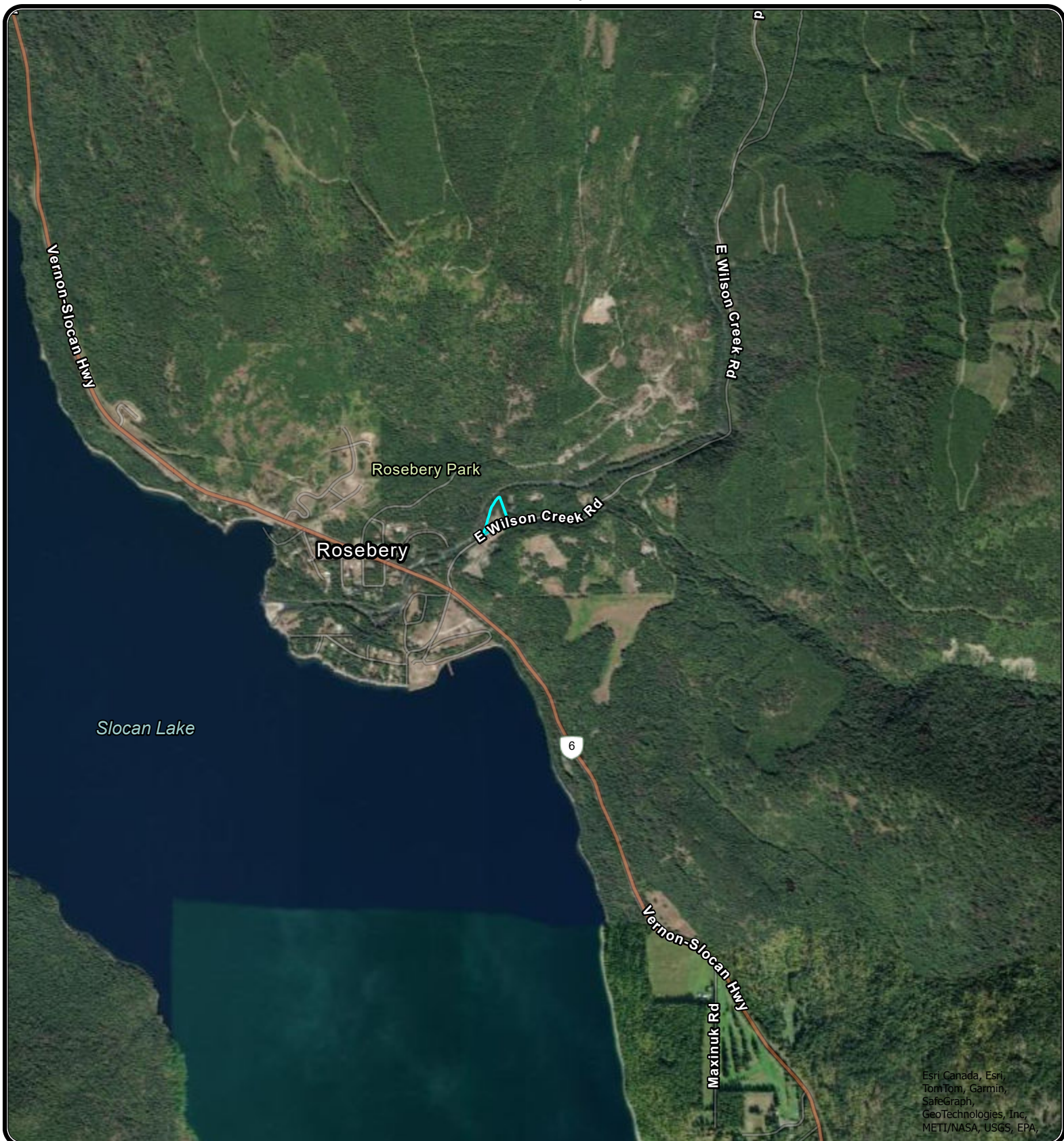
The Report is deficient as it does not contain crucial information that would provide evidence as to whether the application should be approved

Summary

- Provincial Guidelines stipulate that setback requirements should not be reduced unless a serious hardship exists and no other reasonable option is available. And further, that the economic circumstances or design and siting preferences of the owner should not be considered as grounds for hardship.
- The subject property does not meet the hardship criteria, as no physical constraints have been demonstrated, the lot size allows alternative building locations outside the setback, and other siting or design options were available.
- Although an Engineer's Report was submitted, it is a non-intrusive, post-construction assessment and does not meet RDCK Terms of Reference requirements.
- Key deficiencies include the absence of a Flood Assurance Statement, confirmation that the land can be used safely, identification of exempted structures and bylaw sections, and recommended mitigation measures.
- Despite being notified of these deficiencies and given time to submit revisions, the applicant has declined to provide a revised report.
- Approval would also require modification or release of an existing provincial floodplain covenant, with no indication that the Province would support such a change.
- Given the lack of supporting evidence, inconsistency with Provincial Guidelines and the Floodplain Bylaw, and potential legal and safety risks, refusal of the application is recommended.

Recommendation

It is recommended that the Board **NOT APPROVE** the issuance of a Site-Specific Floodplain Exemption.



Esri Canada, Esri,
TomTom, Garmin,
SafeGraph,
GeoTechnologies, Inc.,
METI/NASA, USGS, EPA,



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

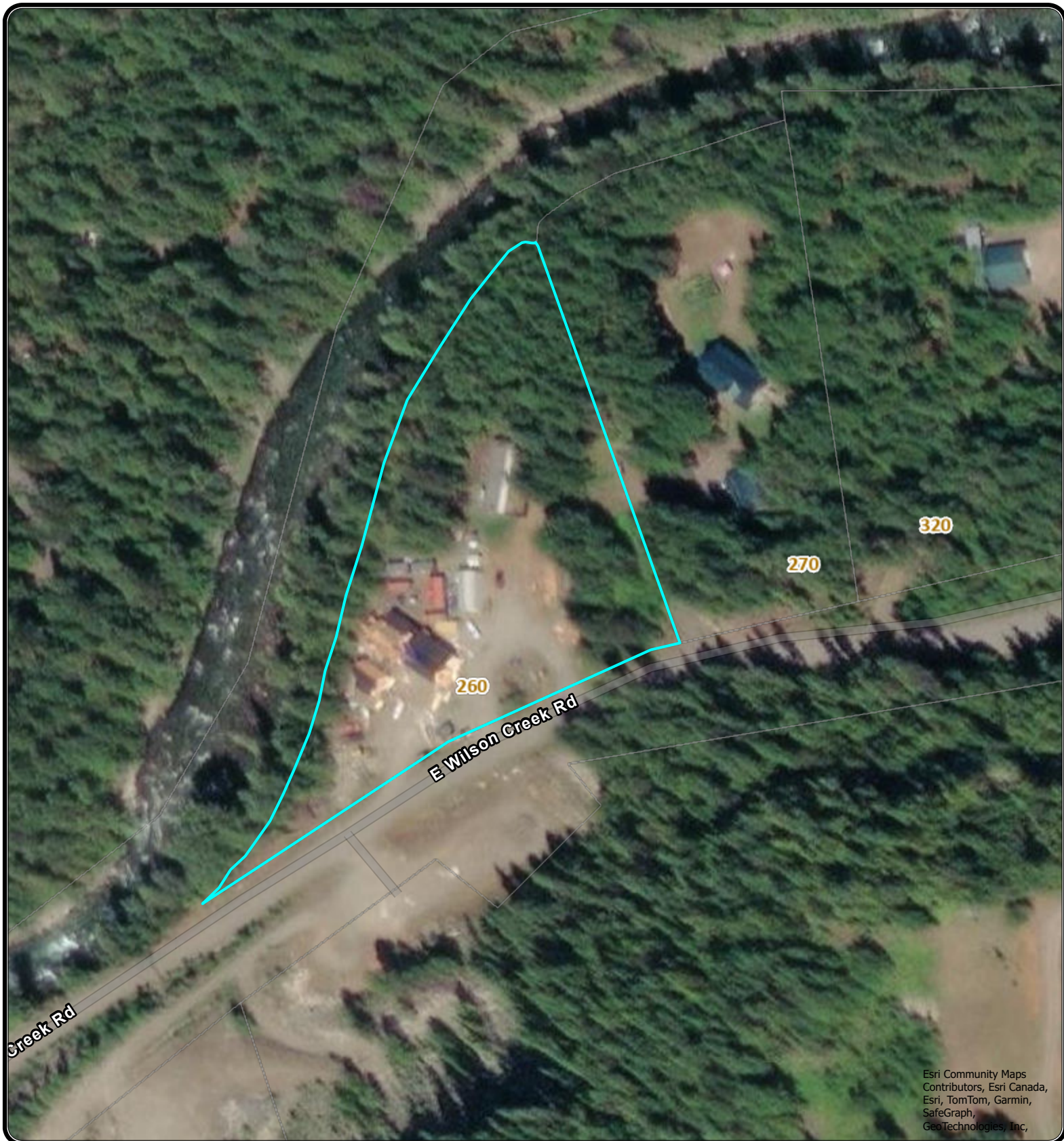
Map Scale:

1:36,112

Date: October 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.



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



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Legend

- Electoral Areas
- Cadastre - Property Lines
- Address Points

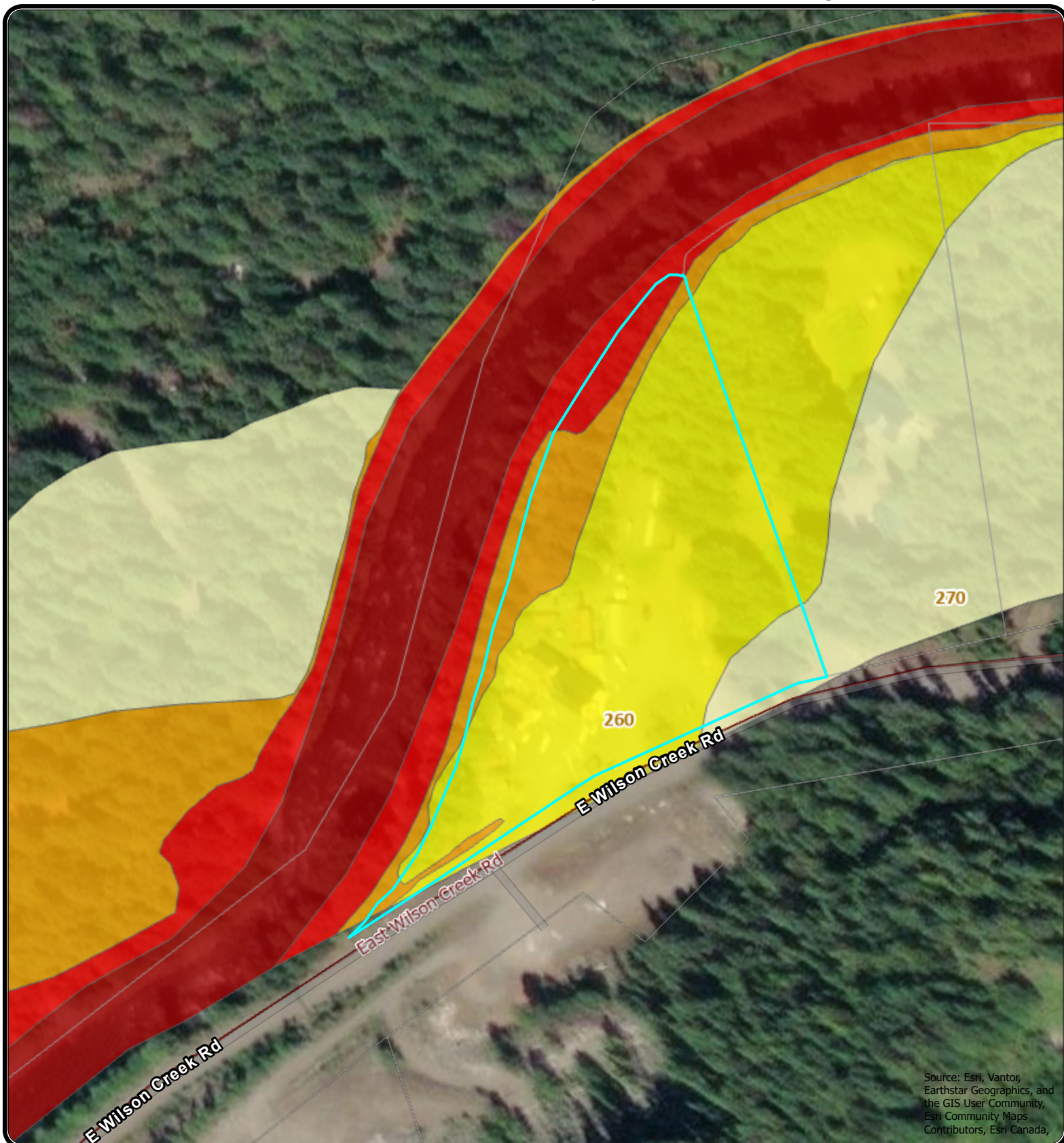
Map Scale:

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Date: October 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.



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

Steep Creek Hazard Rating - 2020 Composite

- Very High
- High
- Moderate

Legend

- Low
- Very Low
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- 60
- Address Points

Map Scale:

1:2,257

Date: December 5, 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.

December 16, 2024

Proposal Summary

RDCK,

I am requesting a low hazard floodplain exemption for my property at 260 East Wilson Cr Rd. New Denver BC. The reasons for the exemption are that I have already built my home on the floodplain, it was the highest part of the property and the best place to build. I have 2 Permitted buildings that already exist on the same floodplain. One is my dad's trailer that he built about 15 years ago, the other is a shop that was also built about 15 years ago. Both permitted.

The only paperwork I have not submitted with this package is the Professional Engineers report. I have retained Nick from Crowsnest engineering to do that report. He is unavailable until the new year but will get started early in the new year and will have the report in by our feb 15th deadline. I will need RDCK to get the certificate of title at the \$17 fee and also get the copy of the Non-Financial charges on title(if applicable). I will need RDCK to direct me on the application fee, how and when to pay.

Property information...

Legal description: Lot B EPP30385, District lot 4877, Kootenay land district

PID: 029-137-716

Cheers,

Darrell

darrell@slocanmining.ca

steenhoff9@hotmail.com

250-505-4694

Darrell Steenhoff
North Slokan Mining Group Ltd.

Date: February 14th, 2025
File: STEENHOFF-2025-001

Attn.: Darrell Steenhoff – North Slokan Mining Group Ltd.

Re: Technical Memorandum – Post-Construction Hazard Assessment
260 East Wilson Creek Road, Regional District of Central Kootenay (RDCK), BC
LOT B PLAN EPP30385 DISTRICT LOT 4877 KOOTENAY LAND DISTRICT

1. Introduction

This technical memorandum presents a post-construction site specific hazard assessment for the property located at 260 East Wilson Creek Road, within the Regional District of Central Kootenay (RDCK), British Columbia. This assessment is prepared in response to ongoing discussions between the property owners and the RDCK regarding the subject property's conformance with local development bylaws and floodplain management regulations. The primary objective of this memorandum is to review all available technical data related to the development to support informed decision-making by both the property owner and the RDCK.

The property is situated along the southern bank of Wilson Creek within an area subject to hydrogeomorphic processes, including potential flooding, erosion, and debris floods. The key regulatory concerns pertain to the development's location within a designated floodplain without the necessary assessment / permits, and the implications of potential residual geohazard on the long-term stability and safety of the structure. While the RDCK retains authority over regulatory enforcement, this memorandum provides a site-specific summary of relevant geotechnical and hazard information to aid in evaluating the current conditions of the development. Critical to this assessment is the reliance on the Wilson Creek Hydrogeomorphic Hazard Assessment conducted by BGC Engineering Inc. (2020), which represents the most comprehensive and recent study of hazard conditions across the wider map area and including the subject property. The findings and interpretations in this memorandum are largely informed by BGC's work, which serves as the primary reference for understanding flood, erosion, and debris flood risks affecting the property at a site-specific level.

The objectives of this memorandum are to:

1. Summarize available information relevant to the subject property to better understand the hazard ratings applicable to the existing development. This assessment emphasizes site-specific conditions rather than broader map area findings.
2. Compare the site-specific hazard conditions of the subject property with standard levels of risk tolerance as defined in Engineers and Geoscientists British Columbia (EGBC) professional practice documents.
3. Provide a possible framework for risk consideration and acceptance by the property owners while limiting liability to RDCK for future claims associated with potential residual hazards arising from non-compliance with RDCK building bylaws.

This assessment is non-intrusive and post-construction in nature. At this time, the property owners have not approved a scope of work that includes test excavations or subsurface investigations. Accordingly, certain geotechnical parameters, such as bearing capacity and long-term settlement potential, cannot be directly assessed. However, based on available soils mapping, regional geological context, and the



performance of the structure over multiple seasons, it is reasonable to infer that the subgrade soils are generally adequate to support typical loading conditions. This conclusion is informed in part by statements from the property owner, which are assumed to be accurate. In the absence of direct subsurface information, it is important to acknowledge that the property owner assumes some level of risk for potential post-construction settlement, which, while unlikely to present life-safety concerns, may lead to serviceability issues such as total and/or differential settlement, architectural distress, or a reduction in long-term structural lifespan. At present, no indications of excessive settlement or bearing capacity deficiencies have been identified.

2. Site Description and Investigation

The subject property is located on the southern bank of Wilson Creek, approximately 600 metres downstream of the 2018 Wilson Creek fan-delta boundary as delineated by BGC Engineering Inc. (2020). The fan-delta represents the transition where sediments transported by Wilson Creek spread laterally onto the lower-gradient valley floor, forming a depositional landform that ultimately merges with Slocan Lake. This area is shaped by ongoing hydrogeomorphic processes, including episodic sediment deposition, channel migration, and the potential for avulsion events, resulting in variable surface elevations and an evolving geomorphic profile. Within the context of the subject property, Wilson Creek flows are generally directed toward the southwest, skirting the northern boundary of the property.

Approximately 50% of the property remains vegetated, with a mix of mature and immature timber, underbrush, and deadfall. The property falls within the interior western hemlock – western red cedar forest zone. The remainder of the property is generally open, consisting of existing developments, access, and yard space.



Figure 2.1: Feb 4 2025 aerial photograph of the subject property looking approximately northeast. Approximate subject property extents delineated in cyan.

Five structures currently exist across the site, as shown in Figure 2.2. These include the primary residential structure, a small semi-permanent residential structure (capable of being relocated), a temporary residential structure mounted on wheels, a shop, and a modular home. Following discussions with the Client, we understand the shop and modular home have been historically permitted and approved by the RDCK. Thus, the focus of this assessment is on the primary residential structure, which is the most recent development on the property, as well as the small semi-permanent and temporary residential structures due to their proximity to potential hazard zones and their relevance to ongoing regulatory discussions.



Figure 2.2: Feb 9 2025 orthophoto of subject property with north to the right.

Desktop Investigation

Our desktop investigation of the subject property included a review of available soils mapping, construction photographs and plans provided by the owner, and the recent Wilson Creek Hydrogeomorphic Hazard Assessment conducted by BGC Engineering Inc. (2020). Additionally, relevant provisions of RDCK Floodplain Management Bylaw No. 2080, 2009, were referenced in evaluating flood construction levels and required setbacks. This investigation serves to correlate mapped soil conditions and regional geomorphic context with observed site conditions, providing a preliminary assessment of foundation suitability and flood exposure.

Based on available soils mapping, surficial soils across the subject property are predominantly classified as Fruitvale Association deposits. These deposits represent variably textured alluvial fan materials, typically well to rapidly drained. Coarser and stony textures are more common near the fan apex, closer to the subject property, while finer textures are generally present farther downstream along the fan apron. These deposits are consistent with Wilson Creek's depositional environment and reflect the natural sedimentation patterns associated with historical channel migration and floodplain development.

Construction photographs provided by the owner indicate that the subgrade soils at the foundation level primarily consist of Silty Sands and Gravels, consistent with the anticipated soil conditions based on mapping. Visual inspection of the photographs suggests that frost-protective backfill, approximately 0.9 m (3 ft) in depth, was provided around the foundation system. This depth aligns with good construction

practices in frost-susceptible regions, where adequate frost protection is critical to prevent frost heave and associated structural damage.

The construction drawings indicate that typical strip footings were constructed with widths of 500 mm (20 inches), while spread footings were shown as 760 mm (30 inches) square. According to Section 9.15.3.4 of the BC Building Code 2018 (BCBC 2018), which was in effect at the time of construction, the minimum strip footing width is specified at 400–500 mm, and the minimum required footing area for columns is approximately 0.8 m². While the strip footings meet or exceed BCBC 2018 width requirements, the plan dimensions for spread footings shown on the drawings fall approximately 150 mm (6 inches) short in each direction compared to the specified area requirement.

It is important to note that BCBC 2018 footing area requirements are considered conservative to accommodate worst-case conditions and varying soil support capacity. Furthermore, discussions with the property owner indicate that the Contractor installed minimum 0.9 m (3 ft) square spread footings in practice, which would then meet the BCBC 2018 requirements for footing area.

Given that the constructed foundation system has been in service for several seasons without visible signs of settlement or structural distress, it is reasonable to infer that the foundation is performing adequately under current loading conditions. However, this assessment is based on a review of available data and does not replace a full subsurface investigation. Should the owner wish to confirm foundation performance through detailed analysis, this would likely require site-specific subsurface investigation and collaboration with a qualified Structural Engineer to confirm design loading at foundation-bearing surfaces.

RDCK Floodplain Management Bylaw No. 2080, 2009, specifies a Flood Construction Level¹ (FCL) of 3.0 metres above the Natural Boundary² and a minimum Floodplain Setback³ of 30.0 metres from the natural boundary of Wilson Creek.

The BGC hazard mapping serves as a primary reference for assessing compliance with the RDCK Floodplain Management Bylaw No. 2080, 2009. According to the BGC report, the subject property is situated within a "Low Composite Hazard Zone." Further examination of the BGC report indicates that developments in areas susceptible to bank erosion should consider implementing appropriate setbacks beyond the 50th percentile bank erosion line, along with measures for bank protection and emergency preparedness. Cross-section 2 from the BGC erosion assessment, located nearby upstream of the subject property, identifies a 50th percentile bank erosion line for the 200-year return period at approximately 12.5 meters. However, along the subject property, both the likely and potential/improbable bank erosion corridors mapped by BGC are more modest (less than 10 meters) and do not encroach upon the key developments under review.

The RDCK Floodplain Management Bylaw No. 2080, 2009, specifies a standard floodplain setback of 30 meters from the natural boundary of watercourses, which is more conservative than the setbacks suggested by the BGC report in this instance. In the absence of specific FCL elevations provided in the BGC report, the bylaw's requirement of elevating the underside of any floor system or the top of any pad to 3.0 meters above the natural boundary is considered the applicable standard. Therefore, for the subject property, the

¹ Flood Construction Level (FCL) is defined as the Designated Flood Level (the observed or calculated elevation for the Designated Flood which is used in the calculation of the Flood Construction Level), plus the allowance for freeboard and is used to establish the elevation of the underside of a wooden floor system or top of concrete slab for habitable buildings. In the case of a manufactured home, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above-described elevation. It also establishes the minimum crest level of a Standard Dike. Where the Designated Flood Level can not be determined or where there are overriding factors, an assessed height above the natural boundary of the water body or above the natural ground elevation may be used. Taken from RDCK Floodplain Management Bylaw 2080, 2009.

² Natural Boundary is defined as the visible high watermark of any lake, river, watercourse, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, watercourse, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself. In addition, the natural boundary includes the best estimate of the edge of dormant or old side channels and marsh areas. Taken from RDCK Floodplain Management Bylaw 2080, 2009.

³ Floodplain Setback or "Setback" is defined as the minimum required distance from the Natural Boundary of a watercourse, lake, or other body of water and for administrative purposes is taken to be that area submerged by the Designated Flood plus freeboard. Taken from RDCK Floodplain Management Bylaw 2080, 2009.



more conservative 30-meter setback and the 3.0-meter FCL above the natural boundary, as stipulated in the bylaw, have been considered as the governing requirements.

The BGC report also provides an estimated impact force of less than 1 kN/m for the area surrounding the structures of interest. For practical context, this value is similar to design lateral forces from typical wind loading, inferring that hydrogeomorphic forces at this location are unlikely to pose structural challenges significantly exceeding the common environmental loads.

Field Investigation

A field investigation was conducted to assess the subject property's geotechnical and hydrological characteristics, focusing on compliance with the RDCK Floodplain Management Bylaw No. 2080, 2009, and evaluating the performance of existing developments.

Site Assessment

The initial site visit occurred on February 4, 2025, during which the entire property was traversed on foot. An unmanned aerial vehicle (UAV) survey was also conducted to capture high-resolution imagery of the property and its surroundings, including upstream and downstream sections of Wilson Creek and the adjacent bank along the property. Preliminary measurements of setbacks from, and elevations above, the natural boundary were obtained using a standard measuring tape and a laser distance meter. These initial measurements served as baselines for subsequent, more precise measurements, which are discussed below.

A follow-up site visit on February 9, 2025, aimed to refine the initial measurements through more advanced surveying techniques. A temporary benchmark was established near the southern edge of the property using a magnesium pin, facilitating accurate geospatial referencing for Global Navigation Satellite System (GNSS) measurements. Long-duration static GNSS sessions were conducted to capture precise positional data to establish site control. Additionally, both ground-based and UAV surveys were performed to map the natural boundary and the locations of existing structures.

Interior Assessment

An interior survey of the primary residential structure was conducted in collaboration with the property owners. Utilizing a self-leveling laser level (BOSCH GLL50-20G) and a handheld tape measure, interior floor surface elevations were assessed. The measurements revealed a surface variance of approximately 25 mm (1 inch) over a building footprint spanning roughly 15 meters (50 feet), which is within the typical 1:200 geotechnical differential settlement constraint for residential structures. Discussions with the owner inferred adherence to best practices during subgrade preparation, including re-consolidation of receiving surfaces using a plate compactor prior to foundation construction. No areas of seepage or soft ground were reported during earthworks.

Minor slab cracking was observed internally, primarily at control joints and at the interface between the slab and foundation stem walls. Notably, one instance of slab cracking was identified where the slab crosses over the foundation stem wall into the master bedroom. This cracking is likely due to differential stiffness between the foundation stem wall (which is more rigid) and the built-up structural fills within the master bedroom area. This observed slab cracking is considered architectural and not indicative of structural failure.

Structural Performance Over Time

The structure has been occupied since January 2023, encompassing the majority of winter 2023, all of winter 2024, and the current winter of 2025. Throughout this post-construction period, the foundation has been subjected to typical seasonal loading variations, including winter roof snow loads which often govern applied service loading, without exhibiting significant geotechnical issues. This performance suggests adequate structure behavior under typical seasonal environmental conditions.



Topographical and Hydrological Observations

The general topography in the area immediately surrounding and upstream of the property was examined. The RDCK interactive web mapping tool and BGC composite hazard mapping appear to have accurately identified the site-specific terrain features, notably the intermediate bench between Wilson Creek and the bench where the subject property developments of interest are situated. This intermediate bench grows in lateral width moving north across the subject property, before tapering out to meet Wilson Creek near the northern edge of the property.

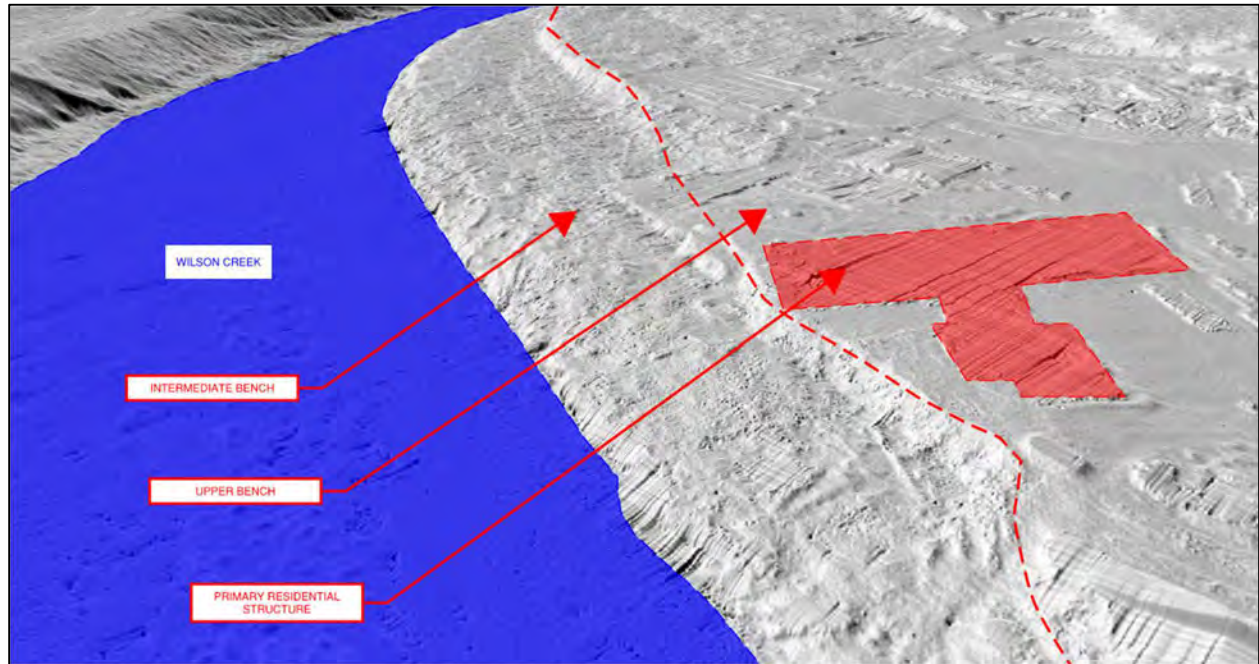


Figure 2.3: February 9th, 2025 LiDAR ground-classified surface depicting Wilson Creek, the intermediate bench, the upper bench, and the primary residential structure called-out. Approximate crest of upper bench depicted with dashed red line. Looking approximately north.

We concur with the increased composite hazard rating of Moderate at this intermediate bench. In reviewing channel characteristics, the intermediate bench appears to accommodate infrequent overbank flows within the primary Wilson Creek channel.

Favourably for the subject property, the primary Wilson Creek channel widens substantially—from approximately 20–22 meters wide immediately upstream of the property to approximately 29–35 meters wide across the subject property, and then narrows to approximately 24–26 meters at the downstream edge of the property as Wilson Creek flows immediately north of East Wilson Creek Road. The intermediate bench Moderate hazard zone is logical, as it accommodates higher flows than can be conveyed in the primary channel, but this intermittent overbank flow potential reduces downstream across the subject property as the primary channel width substantially increases.

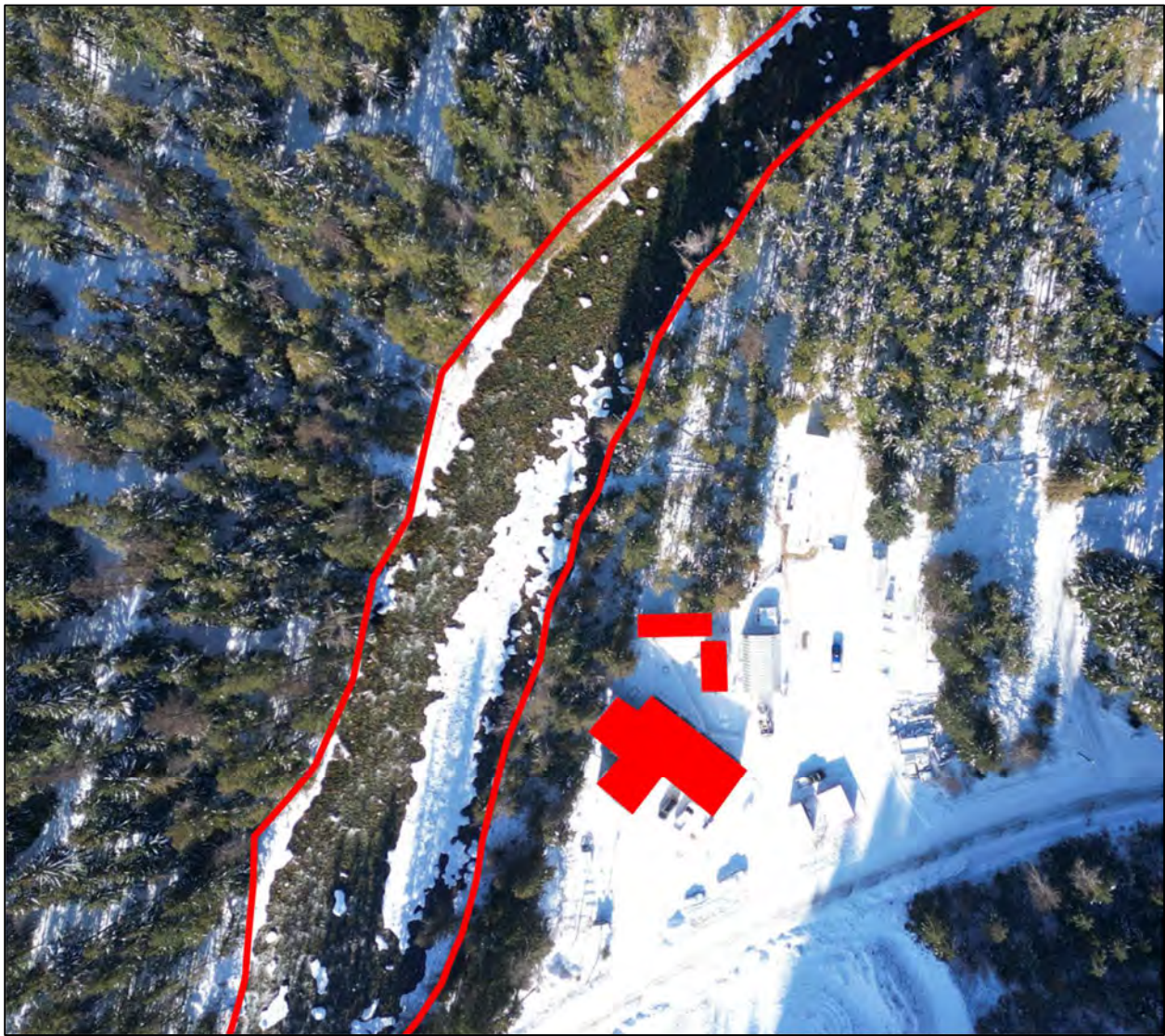


Figure 2.4: February 4th, 2025 aerial photograph of the subject property, with North approximately up in frame. Note approximate primary Wilson Creek channel banks delineated in red, widening across the area adjacent to the structures of interest (red hatching).

Elevation and Setback Measurements

GNSS measurements were taken at points along the natural boundary across the subject property's developments of interest. The ellipsoidal height values were averaged across this zone as 534.845 meters (± 0.032 meters), while the lowest habitable space elevation (interior floor level) of the structure was recorded at 537.912 meters (± 0.022 meters). Conservatively interpreting these measurements by adding the largest individual accuracy to the natural boundary average and subtracting the interior floor elevation accuracy results in a difference of 3.013 meters, marginally above the 3.0-meter requirement of RDCK Bylaw 2080, 2009.

GNSS measurements were also taken of key points along the near side of the primary residential structure relative to the natural boundary to determine the as-constructed offset. These offsets were found to range from approximately 11.2 meters to 21.3 meters. The governing (least) setback was observed at the two spread foundations supporting the roof overhang for the covered patio area, measured at 11.2 metres for the closest spread foundation column. The primary residential structure footprint minimum setback was as little as approximately 15.5 meters from the natural boundary, notably less than the 30-meter setback requirement considered applicable.

3. Site-Specific Wilson Creek Geohazards

Hazard Rating Interpretation

- **Low Composite Hazard Rating:** The subject property's designation within a "Low Composite Hazard Zone" indicates a Low likelihood of severe hydrogeomorphic events, such as debris flooding, avulsion, or deep inundation, occurring within a 200-year return period. In British Columbia, the 200-year return period is commonly adopted as the standard for flood hazard assessments, serving as a benchmark for regulatory purposes.
- **Modeled Impact Force:** The BGC report models an impact force of less than 1 kN/m² for the subject property during a 200-year event. This force is comparable to typical design wind loads, which often exceed 0.77 kN/m² (16 psf), suggesting that the anticipated hydrogeomorphic forces are comparable to the structural design parameters of standard residential construction.
- **Bank Erosion Considerations:** BGC Engineering Inc.'s 2020 Hydrogeomorphic Hazard Assessment identifies primary channel migration hazards predominantly within high-hazard zones along Wilson Creek's main channel. For the subject property, the 50th percentile bank erosion line for a 200-year return period is estimated at approximately 12.5 meters from the creek bank, based on data from Cross Section #2, located nearby upstream of the subject property. This estimation is considered conservative when applied to the subject property's specific location.

Notably, certain elements of the property's infrastructure, such as the patio's spread foundations, are situated within this 12.5-meter zone, potentially leading to structural compromise of the covered patio area in the event of significant erosion. However, the main residential structure's foundation is set back further, beyond this erosion line, reducing its susceptibility to such hazards.

BGC's report further suggests that primary channel migration hazards are concentrated within high-hazard zones along the main channel. Applying this observation to the subject property implies that anticipated erosion may be less than approximately 10 meters, which would not reach the nearest spread foundations of the covered patio.

In summary, while the overall risk remains low, it is recommended that the property owners incorporate the potential for spread foundation failures and patio roof collapse into their emergency planning. Additionally, the BGC report highlights the possibility of East Wilson Creek Road's embankment being undermined during significant erosion events, which could impact access to properties north of this location. Emergency preparedness plans should also consider scenarios where East Wilson Creek Road may be impassable for some time. It is noted that the property owners have access to an alternative route established through the adjacent property to the south via Denis Creek, connecting back to the highway approximately 1 km south of East Wilson Creek Road.

- **Emergency Preparedness Recommendations:** Given the potential for localized flooding and erosion, it is prudent for the property owners to develop an emergency preparedness plan. This plan should account for scenarios such as the temporary loss of access via East Wilson Creek Road due to embankment erosion, as well as the possible structural failure of the patio area spread foundations and roof. While the overall risk remains low, proactive planning can mitigate the impacts of unforeseen events. It is noted that the property owner has access to an alternative route through the adjacent property to the south via Denis Creek, which connects back to the highway approximately 1 km south of East Wilson Creek Road, providing an additional egress option if required.
- **Dynamic Nature of Hazard Assessments:** It is important to recognize that hazard assessments provide a snapshot in time based on current data and conditions. Steep creek environments are inherently dynamic, and channel conditions can evolve over time due to natural processes or anthropogenic influences. Regular monitoring and periodic reassessment are recommended to ensure that risk evaluations remain accurate and relevant.



4. Recommendations

4.1 Increase Flood Resistance Where Readily Possible

It is recommended that Structures 2 and 3 (as identified in Figure 2.2) be relocated to achieve a minimum 30-meter setback from the natural boundary and an elevation of 3.0 meters above the natural boundary, in accordance with the RDCK Floodplain Management Bylaw No. 2080, 2009. Alternatively, removing these structures from the property could be considered. Aligning the placement of these structures with the specified setback and FCL elevation would be expected to also generally conform with the findings of the BGC Engineering Inc. Hydrogeomorphic Hazard Assessment (2020).

4.2 Implementation of Restrictive Covenant on Title

To formalize the acknowledgment of existing flood hazards and to indemnify the Regional District of Central Kootenay (RDCK) from future liability, it is advisable to register a Restrictive Covenant under Section 219 of the Land Title Act against the property title. This covenant should include provisions that:

- Acknowledge that the existing structures are located within a designated floodplain, specifically within a Low Composite Hazard zone as identified in the BGC report and the RDCK Interactive Web-Mapping Service.
- State that the property owner assumes all risks related to potential flood or erosion-related damage associated with the structures that do not comply with RDCK Floodplain Management Bylaw No. 2080, 2009 (namely an unapproved setback distance from the natural boundary to the nearest support elements for the primary residential structure).
- Indemnify the RDCK and its representatives from any liability for future damages arising from natural hazard events affecting the property.
- Outline restrictions on future development or significant alterations, specifying that any such activities should be preceded by a Professional Engineering assessment and receive appropriate approvals to ensure they are appropriately mitigated from site-specific natural hazards.

This approach aligns with practices outlined in the "Flood Hazard Area Land Use Management Guidelines" by the Government of British Columbia, which recommend the use of restrictive covenants to manage flood hazards and ensure ongoing maintenance of flood protection measures.

4.3 Regulatory Context & Property Owner's Risk Acceptance

Existing Conditions vs. Compliance

The primary residential structure on the subject property is situated within the designated floodplain but falls within a low-hazard zone, as identified in the BGC report. Preliminary assessments indicate that the building's finished floor elevation is approximately 3.013 meters above the natural boundary, marginally exceeding the FCL requirement. However, the primary residential structure does not meet the 30-meter setback requirement, with minimum observed setbacks of approximately 11.2 meters.

Risk Transfer & Indemnification of RDCK

Given that our review of the BGC report, as well as our assessment of the property indicate a Low residual risk, the property owner may be able to formally accept the residual risk of property damage while ensuring that the RDCK is indemnified from future claims. Implementing a Restrictive Covenant, as outlined above, may suitably serve this purpose by documenting the assumed risks and indemnifying the RDCK.

In the context of engineering risk management in Canada, it is essential to assess both the probability and consequences of potential hazards. Given the patio's non-habitable designation and the low likelihood of occupant presence during adverse conditions, the life safety risk remains Very Low. Nonetheless, it is prudent to incorporate this scenario into emergency preparedness planning, ensuring that occupants are



aware of the potential structural vulnerabilities and the importance of avoiding the patio area during extreme weather events.

By acknowledging this specific risk and integrating it into a comprehensive emergency response plan, property owners can effectively manage and mitigate potential hazards associated with the patio structure during significant flood events.

4.4 Emergency Preparedness

In alignment with recommendations from the BGC report and best practices in flood-prone regions, it is essential for the property owners to develop a comprehensive emergency preparedness plan. Key considerations should include:

- **Potential Flood Scenarios:** Anticipate scenarios where floodwaters approach but remain below the interior habitable slab level. The garage area may experience flooding up to this level, and there is a possibility of overland flooding across significant portions of the southwestern property.
- **Structural Risks:** In the context of emergency preparedness, it is important to recognize the potential structural risk associated with the patio area. Specifically, there is a possibility that the spread footings supporting the deck could be undermined during significant flood events, potentially leading to the collapse of the patio roof. While this scenario is considered unlikely, it is prudent to plan for it conservatively.

Notably, the patio is classified as non-habitable space, which mitigates the direct life safety risk. Occupants are unlikely to be present in this area during extreme flood conditions, especially when water levels approach the interior slab surface and erosion near the patio foundations may be occurring. This behavioral consideration further reduces the immediate risk to life safety.

However, it is essential for property owners to formally acknowledge and accept the residual risk associated with potential structural damages. Implementing a Restrictive Covenant, as previously outlined, serves this purpose by documenting the assumed risks and indemnifying the Regional District of Central Kootenay (RDCK) from future claims.

By incorporating this specific risk into a comprehensive emergency preparedness plan, property owners can effectively manage and mitigate potential hazards associated with the patio structure during significant flood events. This approach aligns with best practices in flood risk management, emphasizing the importance of both structural and non-structural measures to reduce vulnerability and enhance resilience.

- **Access Considerations:** Be aware that East Wilson Creek Road's embankment may be undermined during significant erosion events, potentially affecting access to properties north of this location. Emergency plans should account for the possibility of the road being impassable for some time.
- **Safe Zones:** Identify higher ground areas on-site, generally described as the eastern portion of the property, which may serve as safer locations during design flood scenarios. Refer to the RDCK Interactive Web-Mapping Service and/or the BGC report drawings for more information on this portion of the subject property.

The Government of British Columbia's "Flood Preparedness Guide" provides valuable information on actions to take before, during, and after a flood to ensure safety and minimize damage. We strongly recommend the Owners familiarize themselves with this guide while considering the site-specific context to develop a suitably robust emergency preparedness plan.



4.5 Ongoing Monitoring

Regular monitoring of the property's structural integrity is crucial to identify and address potential issues proactively. Recommendations include:

- **Annual Inspections:** Conduct inspections of the foundation system, slabs, and other structural elements annually, preferably during late summer when water levels are lower.
- **Measurement Tools:** Utilize simple tools such as a laser level and tape measure to assess the structure's performance under actual service loading.
- **Professional Consultation:** Engage qualified Professional Engineer/s for detailed assessments if significant changes or concerns are identified during routine inspections.

While current evaluations indicate no immediate need for mitigative works, ongoing monitoring ensures that any emerging issues are promptly addressed.

4.6 Additional Possible Measures to Raise Flood Resistance of Development

While our current scope of work does not encompass the design of additional flood resistance measures for the primary residential structure, potential actions could be considered to enhance the property's resilience to flooding.

It is important to note that implementing mitigative measures would likely require detailed design and analysis by qualified professionals, as well as consideration of environmental regulations and potential permitting requirements.



Closure

Our assessment is based on limited post-construction data, without subsurface investigation. The conclusions presented herein rely on the assumption that foundation-bearing conditions are relatively uniform across the site and that subgrade soils were prepared in general conformance with best practices and are generally suitable to support the actual applied loading from the superstructure. Additionally, this assessment is based on owner-provided statements and photographs documenting site conditions during construction, which have been assumed to be accurate and representative of the entire foundation footprint. If subgrade conditions vary significantly from those observed, or if best practices for foundation preparation were not followed, foundation performance issues, including differential settlement or excessive movement, could develop over time.

The recommendations contained herein are limited to the geotechnical parameters observed and do not account for any anomalous subgrade conditions that were not visible or accessible at the time of our investigation. The soil conditions and geotechnical parameters presented are generally based on the scope and results of an authorized geotechnical investigation, which is conducted in accordance with Engineers and Geoscientists British Columbia (EGBC) regulations. In cases where our office has been retained for services during / following construction or an independent soil investigation has not been authorized to the degree recommended, our evaluations are based on soil parameters derived from local historic knowledge of similar soils and areas, as well as observations made during construction (e.g., from soils exposed during bulk excavations). Our office assumes no responsibility for deleterious effects of a project resulting from work outside of our direct responsibility, or from geotechnical conditions existing beyond the limits of available geotechnical site investigation information or beyond the defined scope or battery limits of the project. If you have any questions about recommendations on the degree of geotechnical site investigation required for a project, please do not hesitate to contact us.

Changes to design details, work procedures, and other project considerations may be necessary based on changed site conditions. It is the responsibility of the Client and/or Contractor to inform us if soil conditions are encountered that appear to deviate from the information presented in this report, and to reasonably notify us in advance of required inspections. If conditions are observed on site that differ from those presented in this report, we reserve the right to review the information and adjust the conclusions and recommendations of this report as necessary in accordance with EGBC regulations.

Due to time constraints and the client's commitment to submit reporting on or before February 15, 2025, our assessment was conducted within a limited timeframe. Consequently, we were unable to perform more extensive evaluations, such as spring freshet observations or additional fieldwork upstream and downstream of the site. While this report is sealed for the Regional District of Central Kootenay (RDCK) to utilize in their assessment, it is important to note that our conclusions are based on the information available within the given timeframe. We are prepared to undertake further investigations as required, and recommend that any future assessments and / or developments consider a comprehensive scope to ensure a thorough evaluation of potential geotechnical risks.

Respectfully submitted,



Ro- 2025.02.14

Nicholas Ellis, P.Eng.
Geotechnical Engineer



**Crowsnest
Engineering**

EGBC Permit to Practice No. 1002717
1025 Bridgeview Crescent, Castlegar BC



References (Chronological Order):

- Province of British Columbia Ministry of Environment, “Soil Resources of the Lardeau Map Area”, RAB Bulletin 15, 1980
- Naval Facilities Engineering Command, Soil Mechanics Design Manual, 7.01, 2005
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Appendices:

Appendix 1 – 2025.02.09 Plan Orthophoto with Natural Boundary and Structure – 260 East Wilson Creek Road.

Appendix 2 – 260 East Wilson Creek Road. Construction Drawing Set. 2022-01-07

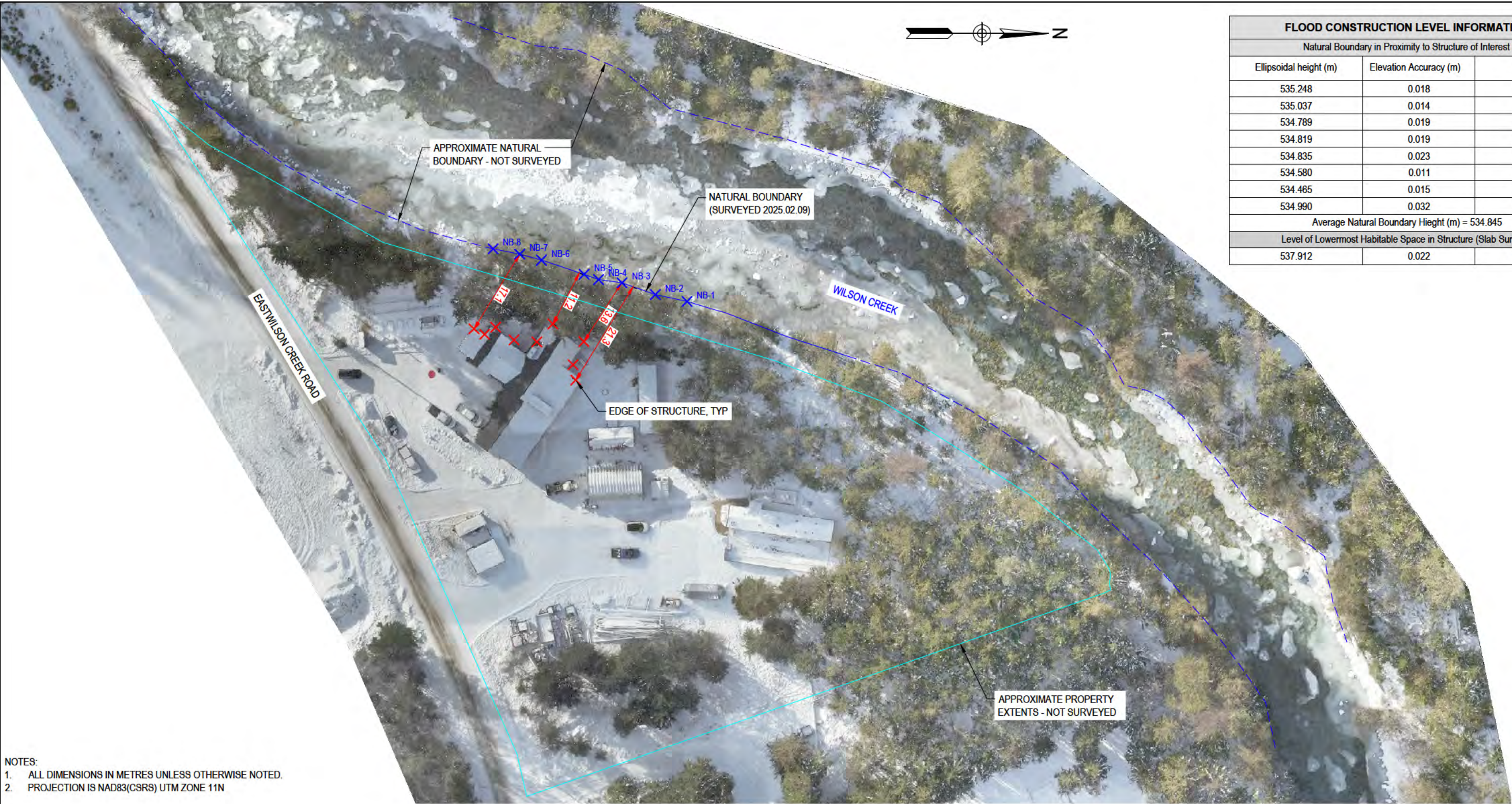


Appendix 1

2025.02.09 Plan Orthophoto Drawing with Natural Boundary and Structure

260 East Wilson Creek Road





FLOOD CONSTRUCTION LEVEL INFORMATION		
Natural Boundary in Proximity to Structure of Interest		
Ellipsoidal height (m)	Elevation Accuracy (m)	Name
535.248	0.018	NB-1
535.037	0.014	NB-2
534.789	0.019	NB-3
534.819	0.019	NB-4
534.835	0.023	NB-5
534.580	0.011	NB-6
534.465	0.015	NB-7
534.990	0.032	NB-8
Average Natural Boundary Height (m) = 534.845		
Level of Lowermost Habitable Space in Structure (Slab Surface)		
537.912	0.022	FLOOR

- NOTES:
1. ALL DIMENSIONS IN METRES UNLESS OTHERWISE NOTED.
 2. PROJECTION IS NAD83(CSRS) UTM ZONE 11N

PLAN ORTHOPHOTO WITH NATURAL
BOUNDARY AND STRUCTURE
1:750

REV.	DATE	DESCRIPTION
0	13FEB2024	ISSUED FOR REPORT



Crowsnest
Engineering

TITLE	260 East Wilson Creek Road Plan Orthophoto with Natural Boundary and Structure	REV.	0
SCALE	1:750	DRAWING NUMBER	2024-STEENHOFF-001-001

Appendix 2

260 East Wilson Creek Road

Construction Drawing Set

Issue 1

2022-01-07





Committee Report

Date of Report: November 24, 2025
Date & Type of Meeting: December 10, 2025, Rural Affairs Committee
Author: Sadie Chezenko, Planner 1
Subject: LAND USE BYLAW AMENDMENT
File: Z2505F
Electoral Area/Municipality F

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Regional Board to consider a land use bylaw amendment application in Electoral Area 'F' to rezone the subject property from Country Residential (R2) to Country Residential (R2) Site Specific. The zoning change is proposed to reduce the minimum lot size from 1 hectare to 0.8 hectares to facilitate a two-lot subdivision.

The proposed subdivision would double the property's development potential and create undersized lots, increasing the risk of groundwater contamination, sewage issues, and ecological degradation. Approving the amendment could encourage future similar applications, compounding these concerns. The subdivision is not required to build a second dwelling as the zoning already allows it.

Given this, staff recommend that no further action be taken regarding this application.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Britney Mace and Braeden Mace

Applicant: Britney and Braeden Mace

Property Location: 2315 West Road, 5 Mile, Electoral Area 'F'

Legal Description: LOT 2 DISTRICT LOT 7063 KOOTENAY DISTRICT PLAN NEP72348 (PID: 025-541-463)

Property Size: 1.6 hectares (4.1 acres)

Current Zoning: Country Residential (R2)

Current Official Community Plan Designation: Country Residential (CR)

Site Context

The subject property is located approximately ten minutes outside of Nelson on the Northshore in the Five Mile area as shown in Figures 1 and 2. The neighbourhood is located between mountains and the west arm of Kootenay Lake.

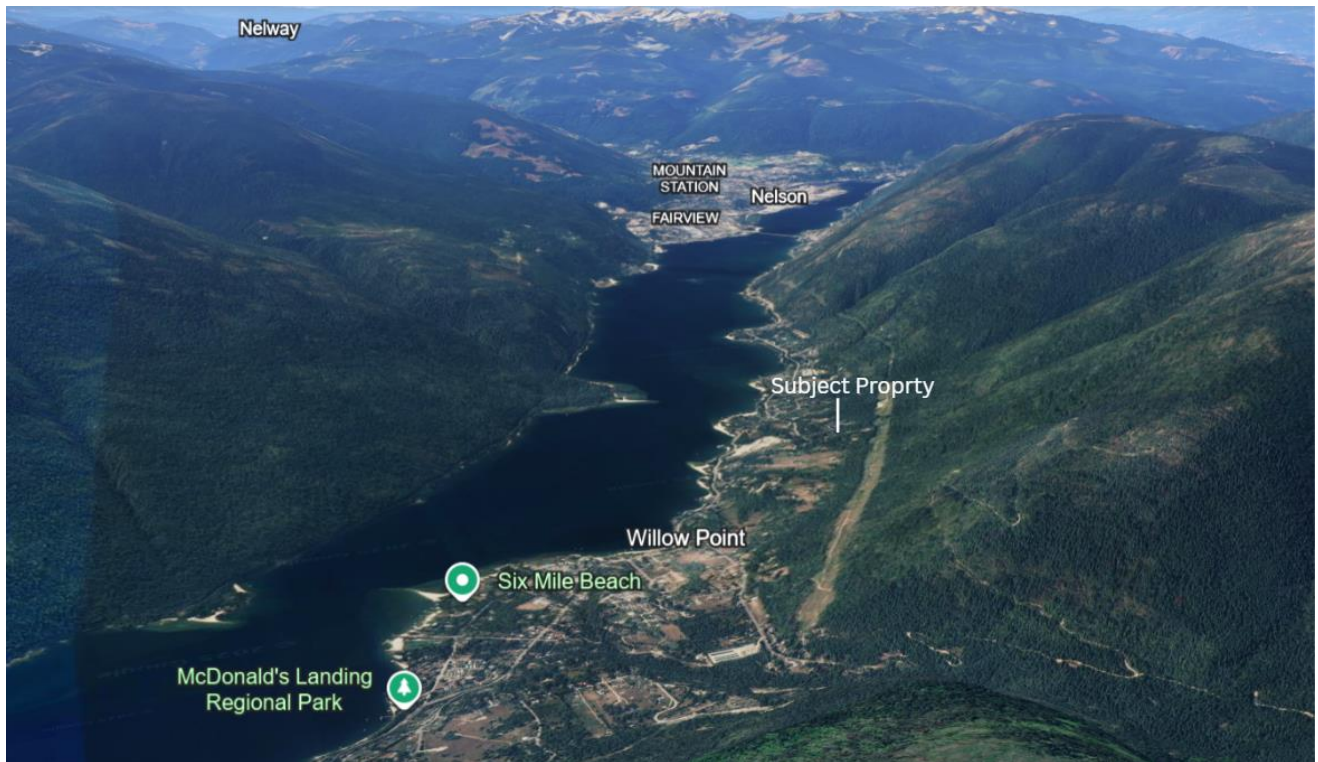


Figure 1: Context Aerial Imagery



Figure 2: Location Map

RDCK Mapping shows three watercourses within 1km of the property that descend the mountains into Kootenay Lake. The two most southerly watercourses are Shannon Creek and Crystal Creek but the third is unnamed. In

The map displays the Crystal Springs area within the Regional District of Central Kootenay. Key features include:

- Water Bodies:** Crystal Creek, Unnamed Creek, and Shannon Creek are shown in blue. The Kootenay River is visible on the right side.
- Roads:** Major roads include Highway 54, West Arm Kootenay Lake, and various local roads such as Crystal Springs Rd, Pez Rd, and Taylor Dr.
- Erosion Areas:** Yellow shaded regions indicate non-standard flooding and erosion areas, primarily along the Kootenay River and near Crystal Creek.
- Legend:**
 - Lakes and Rivers (Blue)
 - Streams and Shorelines (Light Blue)
 - Non Standard Flooding Erosion Area (Yellow)
 - Electorals Areas (Red outline)
 - RDCK Streets (Red line)
 - Cadastre - Property Lines (Black line)
- Map Scale:** 1:18,056
- Date:** November 17, 2015
- Regional District of Central Kootenay Logo:** Located in the bottom left corner.

Page | 4

Five Mile is a rural residential area with an existing mix of residential lots ranging in size from 0.2 hectares to over 4 hectares. The Five Mile area is primarily residentially zoned but also has some commercial and industrial land uses including a sand and gravel pit. The properties surrounding the subject property are residentially zoned and developed with single detached dwellings.

SURROUNDING LAND USES	
North:	Rural Residential (R3)
East:	Country Residential (R2)
South:	Country Residential (R2) and Suburban Residential F (R1F)
West:	Country Residential (R2)

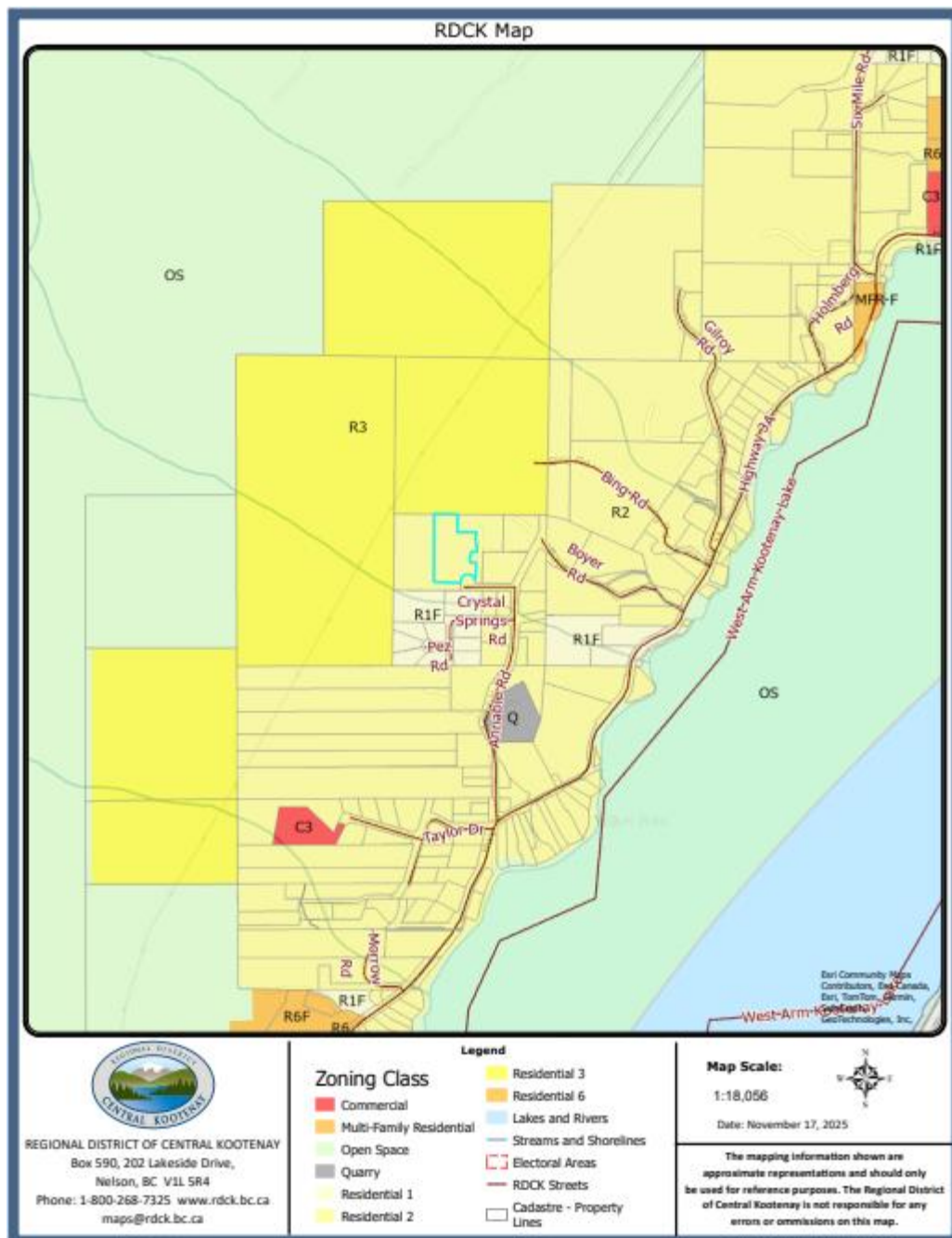


Figure 4: Zoning Map

The subject property was subdivided from the parent parcel in 2002 which created three residential lots that comply with the 1 hectare minimum lot area in accordance with the zoning bylaw. The parcel is relatively flat and treed and has an existing detached dwelling, accessory building and on-site servicing including a septic system and a well and an active license to divert water from Waterwheel Creek. The current owners acquired the parcel in late 2023.

Background and Development Proposal

The applicants are proposing to rezone the subject property from Country Residential (R2) to Country Residential (R2) Site Specific to facilitate the subdivision of their property into smaller lots than are currently allowed. The proposal is to reduce the minimum required lot size from 1.0 hectare to 0.8 hectares to facilitate the subdivision.

Staff have been in conversation with the applicants regarding different development options for their property since early 2024 including for the possibility of subdivision as well as the possibility of building a secondary suite or detached accessory dwelling unit (ADU) on the existing parcel. The applicants live in the existing home, and the second residence is intended to accommodate the applicant's father.

In early 2025, staff informed the owners that it would be unlikely that staff could recommend support for reducing the minimum lot size through a zoning amendment as the Interior Health Authority cautions that development of lots less than 1.0 hectare with independent on-site water and on-site sewage disposal systems is not a sustainable form of development.

A few months later, another zoning bylaw amendment, Z2506F, was approved by the RDCK Board. The purpose of that bylaw amendment was to facilitate a subdivision with undersized lots in Electoral Area 'F.' The applicants were aware of this application and saw that it was approved. Shortly after, they initiated their subdivision and bylaw amendment applications with the Ministry of Transportation and Transit (MOTT) and the RDCK respectively.

Initially when the bylaw amendment application was submitted, the applicants stated that the purpose of the subdivision application was to allow them to build a home for the applicant's father. At that time, staff clarified that they already had permission to build a second home on the property as the Country Residential (R2) zone permits the construction of an accessory dwelling unit (ADU) in addition to a single detached home.

The applicants explained that they would prefer to subdivide the property and build the new home on its own separate lot. They noted that if the applicant's father no longer needed the unit in the future, they would not want to rent it out or take on the responsibilities of being landlords. Having a separate parcel would allow them to sell the property instead of leaving the unit empty or renting it long-term. They noted that this outcome would also be better for them from a financial standpoint.

Although their goal is to build a home for the applicant's father, they emphasized that the subdivision is primarily about creating more favourable financial conditions and avoiding the need to manage a rental unit. A separate lot would address these concerns.

The proposed subdivision layout is shown in Figure 6. Only one of the proposed lots would have direct access to West Road. The other lot is proposed to be accessed via easement. This easement would have to be registered prior to subdivision. Other aspects such as servicing (septic and water) would also be required to be demonstrated as part of the subdivision process. Both parcels are proposed to be serviced by on-site water supply (well and surface water license) and on-site septic systems as shown in the plan below. The plan also shows the creeks running on and near the subject property.

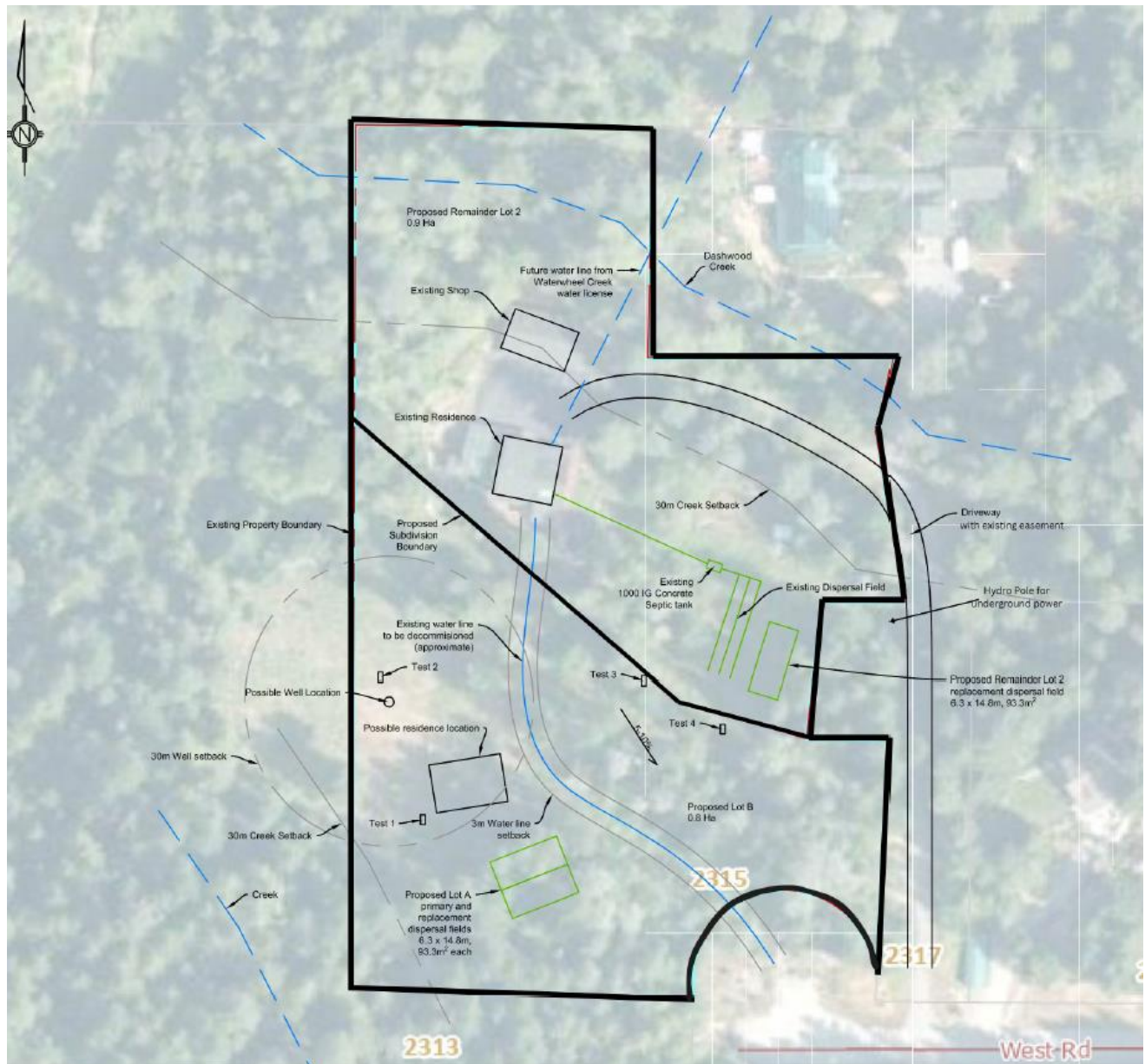


Figure 5: Proposed Subdivision

Planning Policy

Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011

Relevant General Residential Objectives

1. Encourage a variety of residential locations, types, tenures, and densities, including mixed use buildings in commercial areas.
2. Protect the existing quality of life and character of existing neighbourhoods
3. Allow safe residential access to residential areas and services
4. Encourage high quality design, building, development and landscaping standards that improve energy efficiency and maintain and enhance rural character

Relevant General Residential Policies

3. Will assess and evaluate proposed residential development based on the following criteria, in addition to the criteria found in the corresponding Residential policies where appropriate:
 - a. capability of accommodating on-site domestic water and sewage disposal; or community water and sewer
 - b. capability of the natural environment to support the proposed development, and its impact on important habitat and riparian areas
 - c. susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk
 - d. compatibility with adjacent land uses and designations, and how its form and character enhances the character of the rural area
 - e. proximity and access to existing road network, and other community and essential services

Relevant Rural, Country and Suburban Residential Policies

The Regional Board:

1. Considers that new Rural, Country, and Suburban Residential development may be created in the rural area, but that the development must respect the character of the rural area, and therefore, the Regional Board will use the following criteria, in addition to those listed under General Residential policies where appropriate, to assess future development:
 - a. location near parks or community facilities, and connected by pedestrian circulation to these amenities;
 - b. exhibits an attractive and safe streetscape by providing for adequate off-street parking requirements, on-site landscaping and screening, and appropriate signage;
 - c. respects lake and mountain views, and access to sunlight of adjacent properties; and,
 - d. provides access without constructing new roads or utility corridors through Environmental Reserves, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.

Relevant Growth Management Objectives

1. Manage and direct development to where it will have the most positive and least negative impacts on community networks, agricultural lands and the natural environment.
2. Ensure development is located in accordance with the long-term planning vision in areas suitable for new residential development and infrastructure in advance of individual or site-specific bylaw amendments and subdivision applications.
3. Encourage development in areas where infrastructure, amenities and services are already established, or could be established where appropriate and supported by the local community.
4. Utilize existing developed land with greater efficiency and to its full potential.

Relevant Growth Management Policies

That the Regional Board:

1. Encourages development to be contiguous to or within existing developed areas, taking into account topography, natural features, and natural hazards of the area, to capitalizing on existing infrastructure and community services while developing with the capacity of existing areas and minimize the length of infrastructure extensions
2. Encourages directing higher density development to municipalities or existing or proposed residential nodes where infrastructure, services and employment opportunities sustain higher densities.

Zoning Bylaw

The subject property is zoned Country Residential (R2) in RDCK Zoning Bylaw No. 1675, 2004. The current and proposed zoning are shown in the table below. The only proposed change to the current zone is to reduce the minimum lot size. As noted earlier in this report, the property owner already has permission to build an accessory dwelling unit (ADU) for the aging parent on the subject property.

Existing Zoning: Country Residential (R2)	Proposed Zoning: Country Residential (R2) Site-Specific
Permitted Uses Principal Uses: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Permitted Uses Principal Uses: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only
Relevant Development Regulations 1 The minimum lot size is 1.0 hectare	Relevant Development Regulations 1 The minimum lot size is 0.8 hectare

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

Pursuant to Planning Fees and Procedures Bylaw No. 2457, 2015 the applicant has paid the Land Use Bylaw amendment fee of \$1600.

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

Not applicable.

3.3 Environmental Considerations

The proposed subdivision cannot be completed without rezoning approval. If the rezoning/subdivision is approved, this will result in a higher development potential than was originally permitted. The resulting lots if approved would each be undersized and allow the construction of two residences each (4 total) as well as the other permitted accessory uses as outlined in the zoning regulations.

The Sewerage/Subdivision Best Practice Guideline published in 2017 by the Ministry of Municipal Affairs and Housing notes the following regarding subdivision, minimum lot sizes and servicing:

“Onsite systems are the appropriate sewage treatment infrastructure only where soil and groundwater conditions are suitable. Policies across jurisdictions such as Alberta and Ontario are

similar to B.C. in accepting a minimum parcel size of one hectare (2.5 acres) where a hydrogeological impact assessment is not completed prior to subdivision application.

One hectare is a widely accepted minimum parcel size that is considered to result in minimal risk to public and environmental health provided that it has been demonstrated via the initial site assessment that the site is not hydrogeologically sensitive. It has been accepted by approving authorities that attenuation processes within a one hectare lot will be sufficient to reduce nitrate-nitrogen to acceptable concentration in groundwater below adjacent parcels.

Sufficient attenuation processes may not be present in hydrogeologically sensitive environments. Minimum parcel sizes and discharge area sizes can vary based on soil type, depth and topography. Parcels which are serviced by individual onsite wells must be large enough to provide adequate distance between the onsite sewage system and the water supply so that the risk of contamination of the drinking water supply is limited. Adjacent land uses should also be considered to avoid potential negative cumulative impacts.”

The Interior Health Authority (IHA) cautions that the development of lots less than one hectare in size with independent on-site water systems and on-site sewage disposal systems is not a best practice for sustainable development. Specific comments regarding these impacts are outlined by Interior Health in the communication considerations section below. Specifically, IHA recommend that this proposed amendment not be approved.

The graphic in Figure 6 below shows lots near to the subject property. There are several lots which are larger than 1.0 ha and there are several lots which are under 1.0 ha already. This information is provided to illustrate how the pattern of previous development could increase the vulnerability of the aquifer in this area. The dates of the creation of these lots vary from as far back as the early 1900's to as recently as the late 1990s. There are no RDCK sewer systems or water systems in this area. There are also no improvement districts. There are two Water Users Communities (WUC) near the property. The nearest, Crystal Springs WUC is currently on a Boil Water Notice due to a positive total coliform and E. coli lab result. There is also the Shannon Creek WUC which is a little further away and has no such boil water notice. Historical development allowed smaller subdivisions before the risks and cumulative impacts were well understood and/or acted upon. The historical pattern of development makes it even more important to ensure that current development reflects best practices due to the cumulative impacts of that past development.

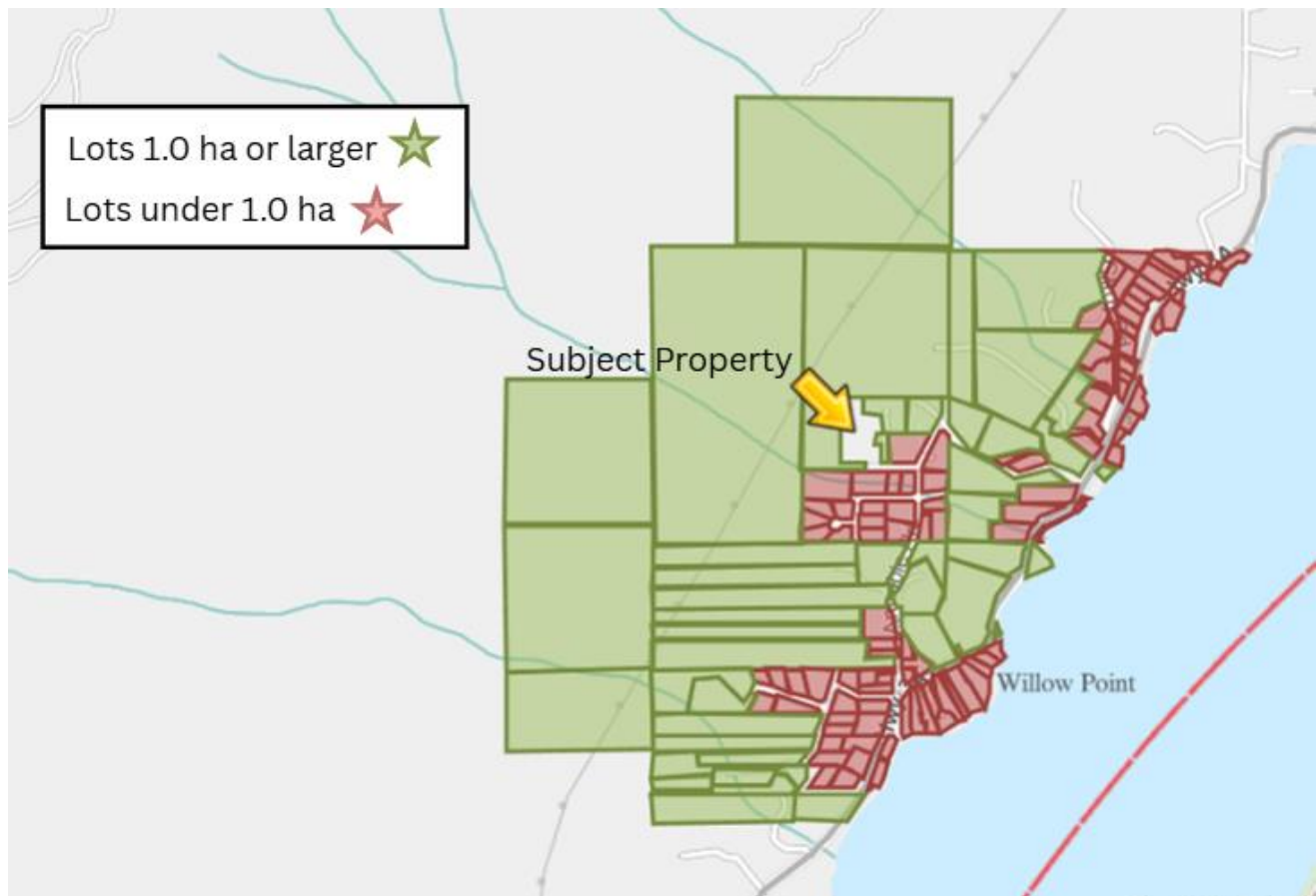


Figure 6: Existing Lot Sizes

3.4 Social Considerations:

None anticipated.

3.5 Economic Considerations:

The applicant is proposing to subdivide the lot partially for financial reasons.

3.6 Communication Considerations:

In accordance with Schedule 'C' of the Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, a 'Notice of Proposal' sign was placed in a visible location on the subject property and adjacent property owner notification was mailed to properties within 100 metres of the subject property. No responses were received from surrounding property owners. The following responses were received from external agencies, internal departments. Responses from First Nations are included in Attachment 'A'.

Archaeology Branch

Thank you for your referral regarding 2315 West Road, PID 025541463, LOT 2 DISTRICT LOT 7063 KOOTENAY DISTRICT PLAN NEP72348. Please review the screenshot of the property below (outlined in yellow) and notify me immediately if it does not represent the property listed in your referral.

Results of Provincial Archaeological Inventory Search

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

However, archaeological potential modelling for the area (shown as the purple areas in the screenshot below) indicates there is high potential for previously unidentified archaeological sites to exist on the property.

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

Archaeology Branch Advice

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

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

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

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

If there are no plans for land-altering activities on the property, no action needs to be taken at this time.

Rationale and Supplemental Information

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

How to Find an Eligible Consulting Archaeologist

An eligible consulting archaeologist is one who can hold a Provincial heritage permit to conduct archaeological studies. To verify an archaeologist's eligibility, ask an archaeologist if he or she can hold a permit in your area, or

contact the Archaeology Branch (250-953-3334) to verify an archaeologist's eligibility. Consulting archaeologists are listed on the BC Association of Professional Archaeologists website (www.bcapa.ca) and in local directories. Please note, the Archaeology Branch cannot provide specific recommendations for consultants or cost estimates for archaeological assessments. Please contact an eligible consulting archaeologist to obtain a quote.

Questions?

For questions about the archaeological permitting and assessment process, please contact the Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.

For more general information, visit the Archaeology Branch website at www.gov.bc.ca/archaeology.

Interior Health Authority

Thank you for the opportunity to review and provide comments for this proposed site specific Zoning Bylaw amendment that would allow a minimum parcel size of 0.8 hectares rather than 1 hectare for a R2 zoned parcel serviced by onsite drinking water and sewerage. My understanding is the intention is to subdivide the existing 1.66 hectare subject parcel into two approximately 0.83 hectare parcels in order to build a dwelling unit for an older family member. The permitted uses for the R2 zone are single detached or duplex housing which allows a secondary suite. In addition, there are eight accessory uses permitted including accessory dwelling unit and accessory tourist accommodation, which if developed would add to the amount of sewage being produced and needing to be managed on the parcel. The maximum number of dwelling units on R2 zoned parcels is two. The proposed subdivision would more than double the allowable density on the same amount of land from a principal dwelling unit plus duplex/accessory unit, which are smaller than principal, to a second principal unit plus duplex/accessory unit. The water service for the proposed parcels are a water license to a creek source and a proposed new drilled well. An Authorized Person under the Sewerage Systems Regulation has confirmed each proposed parcel has suitable land for primary and back-up sewerage dispersal areas for a principal dwelling on each parcel. I also noted there are two creeks, one along the north portion and the other to the southwest of property. Lastly, the rural residential neighbourhood of smaller parcels to the south of the property are serviced by onsite sewerage systems and a community water system; that is, the source water for these parcels is not from each individual parcel rather from farther away thereby maintaining distance between sewage and drinking water to minimize waterborne health hazards.

I recommend that this proposed site specific Zoning Bylaw amendment to reduce the minimum parcel size to 0.8 hectares not be approved. I recognize the importance of housing and for people to age close to family support. I also recognize the importance of protecting against environmental hazards produced by sewage. Both are important; as is finding the right balance between the two at the neighbourhood scale. The current zone already allows for a second dwelling, which accounts for the identified housing need and maintains the lower density that is more appropriate for managing onsite sewerage servicing. Therefore, at the community planning level maintaining the current R2 Zoning requirement best achieves the necessary balance.

The 1-hectare minimum parcel size, which is based on a typical 4-bedroom house, originated as a guideline value for maintaining at a rural neighbourhood scale enough space between each parcel's sewage and drinking water to be reasonably assured to protect against waterborne illness and have back-up land available to replace malfunctioning sewerage fields. Site constraints, such as the creeks and the proposed well, and further development, such as accessory buildings, driveways, pools, parking areas, etc. reduce the land area suitable for onsite sewerage dispersal fields. When more sewage is produced on the land than the soils can treat environmental health impacts result. For example, disease causing microbes and nitrates on the surface of the ground and in ground water, which can result in direct (e.g. waterborne illness) and indirect health hazards (e.g.

overgrowth of aquatic vegetation and algae in streams and lakes). When considering allowing parcel sizes less than 1-hectare it is important to consider future plans and capacity of the RDCK and the rural neighbourhood to have community drinking water and/or sewer systems.

If the proposal to reduce the minimum parcel size to 0.8 hectares is supported then I recommend further amending the site specific R2 zone by removing the permitted uses that produce additional sewage (i.e. accessory dwelling unit and accessory tourist accommodation), changing the maximum density to 1 dwelling unit or adding a restrictive covenant to the land title that restricts these uses. These options would approximately maintain the current allowable density while still allowing two principal dwellings on two separate parcels.

Please note that at the time of subdivision application we review whether each proposed parcel has the capacity to be self-sufficient in terms of onsite sewage and drinking water, and provide our recommendations to the Subdivision Approving Officer. This review is done on a proposed lot by lot basis and does not directly consider the cumulative impact to the neighbourhood/community level. This is the reason we advocate for Zoning to have minimum parcel sizes based on Liquid Waste Management Planning (LWMP) studies or 1-hectare minimums in absence of LWMP studies.

FortisBC

There are no FortisBC Inc (Electric) ("FBC(E)") facilities affected by this application. As such FBC(E) has no concerns with this circulation.

Ministry of Water, Lands and Resource Stewardship (Kootenay-Boundary Ecosystems Section)

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a "stream" [as defined in the [Water Sustainability Act \(WSA\)](#)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No "development" should occur within 15 m of the "stream boundary" of any "stream" [all as defined in the [Riparian Areas Protection Regulation \(RAPR\)](#)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act \(SARA\)](#) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee \(RISC\)](#) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific

[Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

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

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

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

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weed growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#) provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

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

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

10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Ministry of Transportation and Transit

Thank you for the opportunity to comment on the proposed Bylaw Amendment.

The Ministry has no concerns with the proposed amendment, and it's potential impact on our infrastructure.

3.7 Staffing/Departmental Workplace Considerations:

The application falls under the operational role of Planning Services.

3.8 Board Strategic Plan/Priorities Considerations:

One of the RDCK Board's Strategic Priorities is "Energy Efficiency and Environmental Responsibility." It states that the Board's objective is to diligently respond to the expectations of our residents by actively incorporating their perspectives and prioritizing environmental stewardship in all our actions. It states that the Board has the following areas of focus:

- Ensuring our watersheds are protected and well governed and;
- Proactively prepare for and mitigate the impacts of natural risks, (fire, floods, and slides) including preparedness at the community level

SECTION 4: SUMMARY

Planning Discussion

At the August Board Meeting the Board of Directors passed the following resolution:

447/25 That staff be directed to complete the required "Notice of Zoning Bylaw Amendment" prior to the September Rural Affairs Committee meeting and further, explore the legal possibility of the applicant placing restrictive covenants on both of the potential proposed new .83 hectare lots limiting future development to 1 residence with no accessory accommodation and to bring the application back to Rural Affairs Committee.

Staff explored the possibility of registering restrictive covenants to limit future residential development on the proposed lots in accordance with Board direction but did not find that this would be an advisable approach based on concerns around the covenant's legality and enforceability.

Maintaining a minimum lot size of 1.0 hectare is a best practice for protecting public health, water quality, and the long-term sustainability of rural and semi-rural development. An important function of public health protection is developing policy in waste management and other land-use planning initiatives to minimize, mitigate and/or prevent environmental threats to human health.

From a land use planning perspective, there is nothing unique about this proposal that would justify the reduction of the minimum lot size. In contrast, there are aspects of the property, area and existing development pattern which contribute to concerns about this proposal.

Ultimately, staff do not support this bylaw amendment for the following reasons:

- The proposed lots would be smaller than the 1.0 ha minimum, which is important for protecting public health, water quality, and sustainable rural development.
- The property is bordered by watercourses, which limit safe locations for buildings and septic systems and may shift over time, increasing long-term risk on smaller lots.
- Riparian areas around the creeks are ecologically sensitive and could be negatively impacted by increased residential development, soil disturbance, and vegetation removal.
- Subdivision would double the development potential, increasing risks of groundwater contamination, sewerage issues, and ecological harm.
- One lot would rely on easement access, which can lead to neighbor disputes and is not preferred for long-term planning.
- The area already has many undersized lots; approving another undersized lot through this application could encourage future similar applications, compounding environmental and servicing issues.
- Interior Health Authority does not support the application due to property-level and cumulative public health concerns.

- Existing zoning already allows a second dwelling (ADU, suite, or duplex), meaning subdivision is not necessary to allow the applicants father to age nearby.
- The proposal is not in alignment with the Boards strategic plan, specifically with respect to prioritizing environmental stewardship.
- Approving this amendment would signal that the Board is prioritizing one property owner's personal and financial interests over sustainable land-use practices that protect the broader community.

Options

Option 1

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025.

Option 2

That Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST, SECOND and THIRD reading by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Infrastructure pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

SECTION 5: RECOMMENDATIONS

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025.

Respectfully submitted,

Sadie Chezenko, Planner 1

CONCURRENCE

Nelson Wight – Planning Manager **Approved**

Sangita Sudan – General Manager of Development and Community Sustainability **Approved**

Stuart Horn – Chief Administrative Officer **Approved**

ATTACHMENTS:

Attachment A – Referral Responses

Attachment B – Draft Zoning Amendment Bylaw No. 3040, 2025



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

FN ID:

L-250506-Mace -

Consulting ID:

L-250506-Mace

Project Name

L-250506-Zoning Bylaw Amendment Application - Mace.

Consulting Organization:

Regional District of Central Kootenay

Proponent Organization:

Attention: Laura Christie

We are in receipt of the above referral. The proposed activity is located within syilx (Okanagan Nation) Territory and the snpink'tn (Penticton Indian Band) Area of Interest. All lands and resources within the vicinity of the proposed development are subject to our unextinguished Aboriginal Title and Rights.

snpink'tn has now had the opportunity to review the proposed activity. Our preliminary office review has indicated that the proposed activity is located within an area of cultural significance and, as such, has the potential to impact snpink'tn cultural heritage, rights and interests. When potential impacts to snpink'tn interests have been identified, snpink'tn requires that a Cultural Heritage Resource Assessment (CHRA) be undertaken by qualified snpink'tn Cultural Heritage Technicians in an effort to determine the nature and extent of any potential impacts.

Please contact Maryssa Bonneau, Natural Resources Referrals Coordinator at mbonneau@pib.ca to arrange within 30 days.

Please note that our participation in the referral and consultation process does not define or amend snpink'tn Aboriginal Rights and Title or does it limit the positions that we may take in future negotiations or court actions.



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

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

limləmt,

Maryssa Bonneau
Referrals Coordinator
snpink'tn (Penticton Indian Band)
Natural Resources
email: mbonneau@pib.ca
office: 250-492-0411
cell: 250-486-3241
address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8

9-May-2025 11:07 MDT

Weyt-k (Hello),

Shuswap Band is in receipt of the project information for: -Zoning Bylaw Amendment Application - Mace.

Thank you for providing the Shuswap Band with the opportunity to review and comment on the proposed Zoning Amendment Application Z2505F, submitted in relation to the subdivision of the property located at 2315 West Road in Electoral Area 'F'.

The proposed project area lies within the Shuswap Band's unceded Traditional Territory and our recognized Caretaker Area, which holds deep cultural, historical, and spiritual importance to our Nation. We appreciate being included in the review process and remain committed to supporting thoughtful and respectful land-use planning within these lands.

At the time of review, the Shuswap Band has not identified any direct impacts to rights and title associated with the proposed bylaw amendment. However, we wish to take this opportunity to highlight that the referral area exists within a region of high archaeological potential. This signals the possibility that undocumented cultural heritage values may be present within the landscape.

As such, we advise that for any future ground disturbance activities, full adherence to the Heritage Conservation Act (HCA) is required. Specifically, an Archaeological Overview Assessment (AOA) should be completed in advance, followed by a Preliminary Field Reconnaissance (PFR) and, if warranted, an Archaeological Impact Assessment (AIA) to identify, manage, and mitigate any potential impacts to cultural heritage resources.

Thank you once again for the opportunity to review this referral. The Shuswap Band looks forward to continued dialogue as part of ongoing efforts to ensure responsible development that respects Indigenous rights and values.

Kukwstsétsemc (Thank you).

Referrals Coordinator

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

ec: Barb Cote - Chief, Shuswap Band
Mark Thomas - Councilor, Shuswap Band
Richard Martin - Councilor, Shuswap Band
Braydi Rice – Director, Territorial Stewardship, Shuswap Band
Travis Yeats – Referrals Coordinator, Shuswap Band
Joshua Martin – Guardian Manager, Shuswap Band
Enola Eugene – Culture, Shuswap Band



Remembering where we came from...

Lower Similkameen Indian Band

Mailing Address: PO Box 100 Keremeos, BC V0X 1N0

Physical Address: 1420 Hwy 3, Camston BC

Phone: 250-499-5528 Fax: (250) 499-5538

Project Name: Zoning Bylaw Amendment Application - Mace
Consulting Org Contact: Laura Christie
Consulting Organization: Regional District of Central Kootenay
Date Received: 5-May-25
Project Type: Regional Districts/Municipalities
ATTENTION: Laura Christie

Re: Laura Christie, Referral #2037

12 May 2025

The Lower Similkameen Indian Band (LSIB) would like to acknowledge receipt of the above referral. We have conducted a desktop review of it.

The location of the project/activity to which the referral relates is within syilx Territory and may have impacts on inherent and constitutionally protected syilx Title and Rights, which LSIB holds as part of the syilx Nation. However, given the location of the project, we would support Osoyoos Indian Band (OIB) and Penticton Indian Band (PIB) in taking lead in further consultation and engagement on this project. Please keep us informed of any updates or changes to the project as this may change our assessment and our view on the need for further consultation with LSIB.

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

limlámpt | Thank you.

Kathleen Louie
Title and Rights Natural Resources Manager
Lower Similkameen Indian Band
kathleen.louie@lsib.net
250-499-5528 ext.135

Enclosure: Invoice to follow
CC: Chief Keith Crow, Lower Similkameen Indian Band



WESTBANK
FIRST NATION

Community. Leadership. Pride.

Referral Letter

WFN ID#: 611

WFN Lead-Officer: Teighan Keller

June 10, 2025

Your File: Z2505F

Laura Christie - Regional District of Central Kootenay

202 Lakeside Drive
Nelson BC V1L 5R4
Canada

SENT VIA EMAIL: planning@rdck.bc.ca, zgiacomazzo@rdck.bc.ca

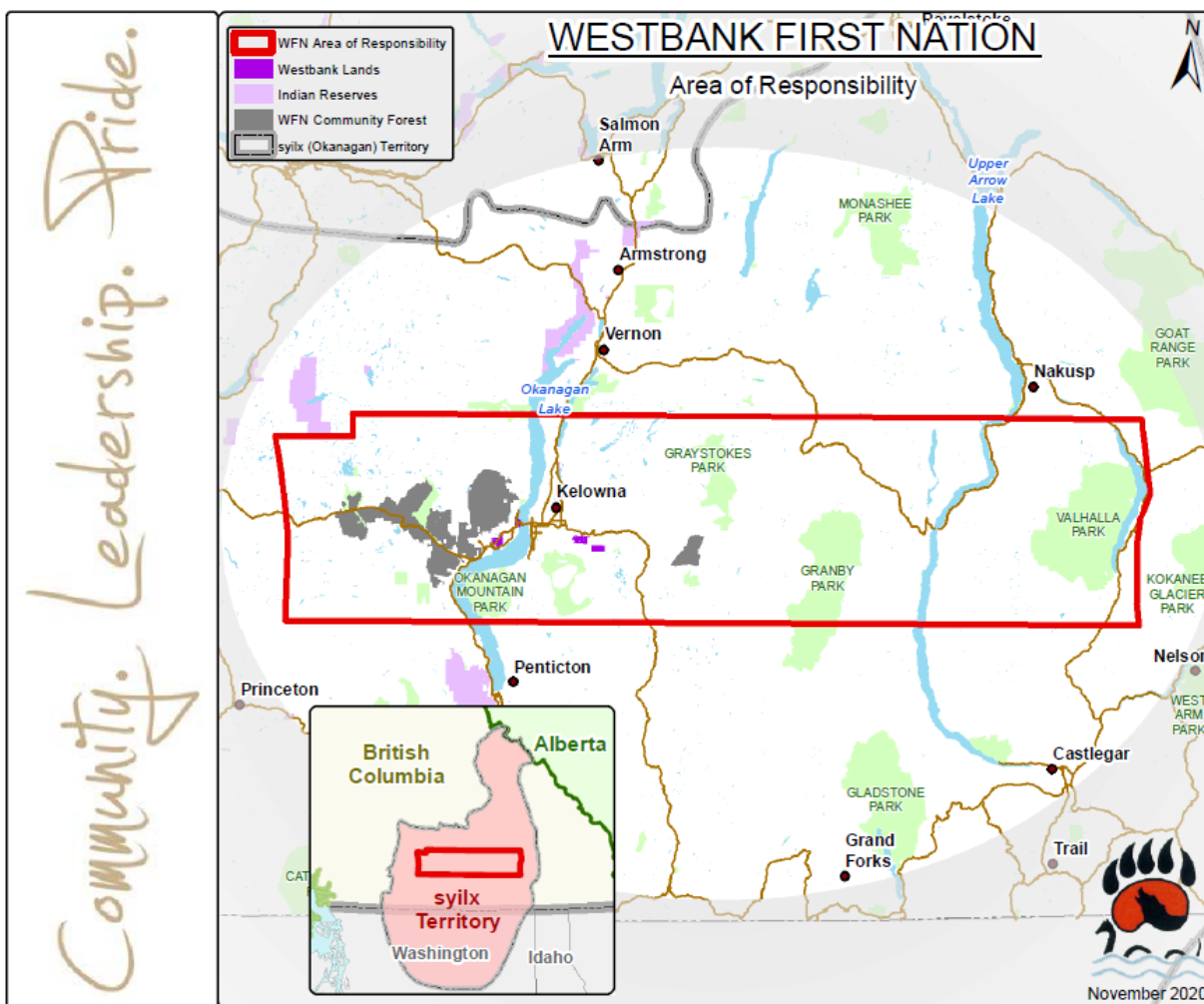
Dear Laura Christie - Regional District of Central Kootenay,

Re: Amendment to Zoning Bylaw No. 1675 – **Outside Westbank's Area of Responsibility**

We write further to your referral submission dated 2025-05-21 concerning the above-noted application.

Your letter represents an opportunity for Westbank First Nation (“Westbank”) to share important information about the syilx Okanagan Peoples. Westbank is one of the seven communities of the syilx Okanagan Peoples (also known as the Okanagan Nation) in Canada. The syilx Okanagan Peoples have established protocols and arrangements respecting the advancement and implementation of Rights and Title, both as individual communities and collectively. Each community of the syilx Okanagan Peoples has an established caretaker area of responsibility

within the syilx Territory. Westbank is recognized as the caretaker and the proper holder of syilx Rights and Title with respect to the Westbank Area of Responsibility (the “Westbank AOR”), as identified on the enclosed map.



As identified in your referral submission dated 2025-05-21 the Amendment to Zoning Bylaw No. 1675 takes place on lands or involves resources which fall outside of the Westbank AOR. Where proposed activities or decisions involving lands and resources in direct proximity to the Westbank AOR, we fully expect to be notified and provided the opportunity to engage to protect and promote the inherent Aboriginal rights and title of the syilx Okanagan Peoples and of Westbank and its members.

We place a high value on the responsible management and safeguarding of our resources, environment and watersheds as reflected in our *captikwł* - a collection of teachings about syilx Okanagan laws, customs, values, governance structures and principles that, together, define and inform syilx Okanagan rights and responsibilities to the land and to our culture. *captikwł* reminds us that everything is interwoven and connected. Similarly, the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”), which has been adopted by both the provincial and federal governments, recognizes “that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment”. Further, UNDRIP recognizes that each of our

communities has the right to self-determination, including the right to make informed decisions respecting our lands, resources, waters and the environment.

At this time, we encourage you to contact and seek input from one of the other six-member bands who are part of the Okanagan Nation - Lower Similkameen Indian Band, Okanagan Indian Band, Osoyoos Indian Band, Penticton Indian Band, Upper Nicola Indian Band and Upper Similkameen Indian Band.

If you have any questions about the content of this letter or wish to discuss it further, please have your officials contact Referrals Officer Teighan Keller at the Westbank First Nation Title and Rights office at 250.769.4999 to make the appropriate arrangements.

Respectfully,

WESTBANK FIRST NATION

INTERGOVERNMENTAL AFFAIRS AND TITLE & RIGHTS

201 - 515 HWY 97 S, KELOWNA, BC V1Z 3J2

Telephone: 250-769-4999 Fax: 250-768-0528

Administrative Summary of Application

Project Name	Amendment to Zoning Bylaw No. 1675
WFN ID	611
Issuing Agency file number(s)	Z2505F
Government statutes	Local Government Act
Project Type(s)	Land Use
Project Description	The purpose of this proposed zoning bylaw amendment is to facilitate a proposed subdivision that would result in two lots that would both be smaller than the 1 hectare minimum lot size requirement in the R2 zone. The applicant is therefore required to rezone the subject property to a “Site Specific R2” zone in order to allow the lots proposed through a subdivision application to be a minimum of 0.8 hectares.
Project Location	2315 West Road, 5 Mile, Electoral Area ‘F’
Area (ha)	1.65
Lead officer	Teighan Keller (WFN Referral Committee) (WFN - Title & Rights)
Applicant	Laura Christie - Regional District of Central Kootenay
Proponent	ZACHARI GIACOMAZZO
Publication due date	June 4, 2025
Publication complete date	May 21, 2025
Committee Review due date	June 4, 2025
Committee Review complete date	May 26, 2025
WFN Council Authorization due date	June 20, 2025
WFN Council Authorization complete date	June 10, 2025

Decision Letter due date	June 25, 2025
Decision Letter complete date	June 10, 2025
Monitoring and Negotiation complete date	June 10, 2025
Final Decision Letter (optional) complete date	June 10, 2025
Awaiting Response complete date	June 10, 2025

Referral Impact Summary

This section summarizes topics identified through Westbank First Nation’s review that are to be addressed by the Referral Issuant and Proponent. Upon receiving this report, please contact the Lead Referral Officer at Westbank First Nation in charge of this file to initiate engagement regarding these topics. Please be aware that any delays in a response from the Referral Issuant can result in delays to the overall referral process. For more information please see the [Westbank First Nation Crown Lands Referral Directive](#), available on the [WFNConnect](#) Knowledge Base.

Potential Impacts on Title & Rights

Please Note: As outlined in the Westbank First Nation Referral Directive:
The purpose of this Directive is to establish procedures for assessing Applications that may have an impact on the *syilx* Title and Rights of Westbank or the *syilx* Peoples.

The *syilx* Peoples hold *syilx* Title and Rights throughout *syilx* Territory, which are recognized and affirmed by section 35 of the Constitution Act, 1982, and which have never been ceded, surrendered or relinquished by the *syilx* Peoples. Within *syilx* Territory, Westbank shares in the responsibility to take care of *syilx* Territory and, in accordance with the *syilx* Decision-Making Protocol, Westbank is the caretaker of the lands in and about the area depicted as the Westbank Area of Responsibility.

POTENTIAL IMPACT

Referral Impact Response

This section summarizes the engagement processes undertaken to address topics, if any, raised by Westbank First Nation in the Preliminary Response. It highlights any Outstanding Issues that still need to be addressed and provides the Westbank First Nation Council decision regarding the proposed works, along with any mitigation measures, conditions, and relevant rationale, if applicable.

WFN Review Status Review Completed, WFN Decision Made

WFN Decision Approve Application with Condition(s)

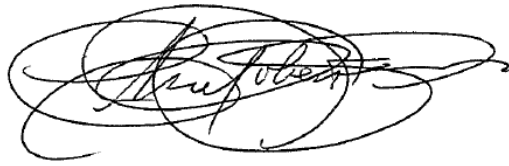
Rationale/Condition (1) The proposed activity is located within the syilx (Okanagan) Territory. All lands and resources within the vicinity of this referral are subject to unextinguished syilx Title and Rights. At this time, Westbank First Nation is deferring the project to the Penticton Indian Band for their review as the project falls outside of the Westbank First Nation Area of Responsibility.

Please Note: Where applicable, Westbank First Nation expects to be continuously updated on any status and scope change of this application, as well as on any direct consultation with the engagement entities or info-sharing with the proponent.

WFN CHIEF & Council – Approval of Final Report

WFN AUTHORIZED SIGNATORIES

Approved By




ȳilmix^{wm} (Chief) Robert Louie



səx^{wk}wínmaʔm̐ (Councillor) Jordan Coble



səx^{wk}wínmaʔm̐ (Councillor) Sara Tronson



səx^{wk}wínmaʔm̐ (Councillor) Angie Derrickson



səx^wk^wínmaʔm̐ (Councillor) Andrea Alexander

Please Note: Westbank First Nation receives and responds to referrals in accordance with the Westbank First Nation Crown Land Referral Directive, Westbank First Nation Archaeology Directive, Westbank First Nation Constitution and the Westbank First Nation Self-Government Agreement. This report intends to capture information sharing and communication between the Federal, Provincial, Regional and Municipal Governments as well as the proponents, and communities involved. This report may contain sensitive and confidential information, and thus may not be duplicated, distributed or shared without prior consent of the Westbank First Nation.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3040, 2025

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

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

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

APPLICATION

- 1 That Schedule 'E' of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, be amended by changing the Zoning Designation of LOT 2 DISTRICT LOT 7063 KOOTENAY DISTRICT PLAN NEP72348 (PID: 025-541-463) from Country Residential (R2) to Country Residential (R2) 'Site-Specific', as shown in the attached Map (Schedule 'A') to authorize a reduction of the minimum lot size from 1 hectare to 0.8 hectares for this lot only to facilitate a two lot subdivision.
- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 1 This Bylaw may be cited as **"Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025."**

READ A FIRST TIME this 11 day of December, 2025.

READ A SECOND TIME this 11 day of December, 2025.

READ A THIRD TIME this 11 day of December, 2025.

[Controlled Highway or Exceeds 4500 sq.m] APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Infrastructure

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

[Name of Board Chair], Board Chair

[Name of CO], Corporate Officer

Proposed Zoning
Bylaw 3040, 2025
Schedule A

R3

Bing Rd

From: Country Residential (R2)
To: Country Residential (R2) Site Specific
PID: 025-541-463

R2

Boyer Rd

West Rd

Crystal Springs Rd

R1F




Pez Rd

Annable Rd





R1F

Q



-  Subject Property
-  Property Lines
-  Road

Zoning Class

-  Quarry (Q)
-  Suburban Residential F (R1F)
-  Country Residential (R2)
-  Rural Residential (R3)



0 50 100
Metres

June 25, 2025
PCS: NAD83 UTM Zone11N

The map data shown are approximate representations for reference 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 the use of this map.



Committee Report

January 21, 2025

SSMUH Zoning Alignment

Author:	Sadie Chezenko, Planner 1
File Reference:	\\files\rdck\10\5110\20\Provincial Housing Changes\2025 Zoning Amendments
Electoral Area/Municipality:	A, B, C, D, F, G, I, J, K
Services Impacted	Planning and Land Use S104

1.0 STAFF RECOMMENDATION

That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025* being a bylaw to amend the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3049, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2025* until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025* being a bylaw to amend the *Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3052, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3054, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

2.0 BACKGROUND/HISTORY

In June and July 2024, the RDCK Board adopted amendments to its zoning bylaws to comply with provincial legislative changes regarding small scale multi-unit housing (SSMUH) in BC. These amendments only applied to zoned areas of the RDCK, specifically zoned portions of Areas A, B, C, D, F, G, I, J and K.

The amendments adopted in 2024 allowed a maximum of two dwelling units on each residentially or agriculturally zoned lot.¹ The permitted forms were single detached homes, duplexes, secondary suites and/or accessory dwelling units (ADU) depending on the lot's size, zoning and location as shown in the table below:

¹ Note that this does not include lots where multi-unit housing or manufactured home parks are permitted, such as R5 and R6 zones. There are different density allowances for these zones.





Lot Type	Dwelling Forms Permitted				Possible Configurations
	Single Detached Home (SDH)	Duplex	Secondary Suite (SS)	Accessory Dwelling Unit (ADU)	
Residential lots under 1.0 ha	Yes	Yes	Yes	No	 1 SDH + SS <u>or</u> 1 Duplex
Residential lots 1.0 ha or larger	Yes	Yes	Yes	Yes	 1 SDH + SS <u>or</u> 1 SDH + ADU <u>or</u> 1 Duplex
Agricultural lots 1.0 ha or larger and not located in the Creston Valley	Yes	No	Yes	Yes	 1 SDH + SS <u>or</u> 1 SDH + ADU
Agricultural lots under 1.0 ha and any sized agricultural lots located in the Creston Valley	Yes	No	Yes	No	 1 SDH + SS

Table 1: Permitted Housing

As can be seen in the table above, there were no zones which were permitted to have two Single Detached Homes (SDHs).

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

Since the amendments were adopted in 2024, staff noticed that the zoning bylaws were not written in such a way as to restrict lots from having two single detached homes. As noted above, this was contrary to the intent of the 2024 amendments. This error needs to be corrected and is the main reason for the current proposed amendments.

In addition to the correction noted above, staff also noticed some minor opportunities to increase the clarity of the bylaw and enhance consistency across bylaws to make them more user-friendly, specifically regarding formatting and terminology.

3.1 Alignment to Board Strategic Plan

The Board's Strategic Plan identifies the following Area of Focus:

"Simplify land use planning while respecting our unique challenges to ensure our ability to provide water and other infrastructure is maintained."

Addressing the issue of unintended additional housing forms and density and refining the bylaw to make it more clear helps to meet this Area of Focus by ensuring that land use planning is simplified and supports sustainable servicing objectives.

3.2 Legislative Considerations

Provincial Bill 44: Housing Statutes (Residential Development) Amendment Act

In 2023, the BC Legislature passed several pieces of legislation that changed the local government land use planning framework for housing specifically to accommodate small-scale multi-unit housing (SSMUH). This included Bill 44 Housing Statutes (Residential Development) Amendment Act.

In order to comply with Bill 44, the RDCK was required to allow at least two housing units in restricted zones² and was given the option of determining what form the additional unit(s) would be. The options were as follows:

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

RDCK Zoning Bylaws

RDCK zoning bylaw amendments to comply with Bill 44 were adopted in June and July of 2024 and are as follows:

- Bylaw 2953 (Amended Area A Club) – Resolution 339/24
- Bylaw 2954 (Amended Area B Club) – Resolution 340/24
- Bylaw 2955 (Amended Area C Club) – Resolution 411/24
- Bylaw 2956 (Amended Area D Club) – Resolution 413/24
- Bylaw 2957 (Amended Area G Club) – Resolution 343/24
- Bylaw 2958 (Amended Area FIJK Zoning Bylaw) – Resolution 415/24

Zoning bylaw amendments that were adopted by the RDCK in 2024 addressed the requirements of Bill 44 for local governments to permit two housing units in restricted zones. The intent of the 2024 amendments was to allow the form of the second unit to be determined depending on the lots size, zoning and location as shown in Table 1.

² Restricted Zones are zones that would be otherwise restricted to single detached and duplex housing

3.3 What Are the Risks

The zoning bylaws do not restrict applicable lots from being developed with two single detached homes, contrary to the intent of the amendments that the RDCK Board adopted in 2024. This error needs to be corrected to align the bylaws with the intent of the previously adopted amendments.

The unintended permission for additional single detached homes has not been contemplated by the RDCK Board, planning staff, other RDCK departments, provincial ministries, utilities, water providers or First Nations. It has not been investigated or evaluated for its impact on important land use planning objectives, specifically regarding potential health hazards and the impacts to servicing, agriculture and the form and character of communities.

From the land use planning perspective, this is concerning, particularly with respect to agriculturally zoned properties in the Creston Valley and for lots under 1.0 hectare where the intent of the amendments was to not permit even an accessory dwelling unit³. These allowances could have negative impacts on agricultural land. They could also create servicing challenges with respect to the provision of water/disposal of sewage and if not addressed which could contribute to health hazards.

There may be additional concerns from other referring agencies and First Nations that exist but are currently unknown. It is unclear what additional risks may exist from those other perspectives as the permission for two single detached homes was not contemplated as part of the initial 2024 zoning amendments.

4.0 PROPOSED SOLUTION

It is proposed that a new development regulation be added into each applicable zone to clarify that only one single detached home is permitted per lot. The specific wording varies depending on the bylaw, but the intent is the same for each and can be viewed in the concurrence table attached to this report.

For residential zones, the development regulation is typically as follows:

- *“Only one Single Detached Housing or Duplex Housing is permitted per lot.”*

For Agricultural zones, the development regulation is typically as follows:

- *“Only one Single Detached Housing is permitted per lot.”*

In addition, other minor amendments to terminology and formatting were also included. The purpose of these other amendments was to enhance the clarity of the bylaw and the consistency across bylaws. The full suite of these minor changes can be viewed in the concurrence table.

An example of how the proposed changes will appear in the bylaws are shown below in Figure 1.

³ Accessory Dwelling Units (ADUs) are *detached* dwellings that remain accessory to principal uses and are limited in size – typically to 90m²

Example: Area B Country Residential (R2) Zone

18.0 COUNTRY RESIDENTIAL (R2)	18.0 COUNTRY RESIDENTIAL (R2)
<p>Permitted Uses</p> <ol style="list-style-type: none"> Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only: <ul style="list-style-type: none"> Dwellings: <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing Accessory Uses: <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>Development Regulations</p> <ol style="list-style-type: none"> The minimum lot size is 1.0 hectare. The maximum density is 2 Dwelling Units. The minimum lot size for a parcel subdivided for a relative under Section 514 of the <i>Local Government Act</i>, with the approval of the Interior Health Authority, shall be 0.8 hectares. The maximum site coverage permitted shall be 50 percent of the lot area. The keeping of farm animals shall comply with the requirements of section 16.0 (79). Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate further subdivision of the lot or adjacent lots. Removed by Bylaw 2748. The maximum height of any accessory building or structure shall not exceed 8 metres. The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres. The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres. 	<p>Permitted Uses</p> <ol style="list-style-type: none"> Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only: <ul style="list-style-type: none"> Principal Uses: <ul style="list-style-type: none"> • Duplex Housing • Single Detached Housing Accessory Uses: <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit, <i>subject to Section 15(108)</i> - 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>Development Regulations</p> <ol style="list-style-type: none"> The minimum lot size is 1.0 hectare. The maximum density is 2 Dwelling Units. 2c. Only one Single Detached Housing or Duplex Housing is permitted per lot. The minimum lot size for a parcel subdivided for a relative under Section 514 of the <i>Local Government Act</i>, with the approval of the Interior Health Authority, shall be 0.8 hectares. The maximum site coverage permitted shall be 50 percent of the lot area. The keeping of farm animals shall comply with the requirements of section 16.0 (79). Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate further subdivision of the lot or adjacent lots. Removed by Bylaw 2748. The maximum height of any accessory building or structure shall not exceed 8 metres. The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres. The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

Figure 1: Example of Current Bylaw and Proposed Bylaw

In this sample zone, the following changes were made:

- The development regulation “Only one Single Detached Housing or Duplex Housing is permitted per lot” was added.
- The heading “Principal Uses” was added to clarify what is considered an accessory use and what is considered a principal use.
- The principal uses are put into alphabetical order.
- The accessory dwelling unit section number was added to direct readers on where find more information on these units and their requirements.

Together the amendments as proposed improve the simplicity and clarity of the bylaw and align the bylaws with the intent of the 2024 amendments.

4.1 Financial Considerations of the Proposed Solution

The proposed bylaw amendments are a one-time project to align the zoning bylaws with the intent of the 2024 adopted amendments related to Bill 44 and to make minor improvements to the formatting and terminology of the bylaws.

The Government of British Columbia provided the RDCK with \$279,143.00 through the Capacity Funding for Local Government Housing Initiatives Program to help support local governments meet the new legislative requirements regarding housing. This funding may be spent on any planning and implementation activities or costs (including incremental staff and administration costs provided they relate directly to the eligible activities) that local governments need to undertake to successfully meet the legislative requirements such as those related to Bill 44. Examples of eligible projects include zoning bylaw updates.

The completion of this project will include the standard work associated with processing bylaw amendments and any other work the Board may direct staff to undertake if required. Staff anticipate that this project will be completely funded through Provincial funding.

4.2 Risks with the Proposed Solution

None anticipated.

4.3 Resource Allocation and Workplan Impact

This project is primarily being completed by one Planner 1 and is anticipated to be completed by Spring 2025. The Official Community Plan (OCP) policy alignment related to SSMUH will not be completed until the zoning amendments have been adopted by the Board. The alignment must be completed before June 30, 2027. It is not expected that other projects will be delayed as a result of this project.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

Public Benefit

The proposed changes help to simplify the bylaw and make interpretation of zoning regulations easier for the public to understand. In addition, the amendments align the bylaws with the intent of the 2024 adopted amendments ensuring that two single detached homes would not be permitted in applicable zones, contributing to agricultural, servicing, access, and form and character objectives as well as limiting health risks.

Stakeholder Engagement

Staff referred this application to RDCK Departments and Directors, Provincial Ministries, Improvement Districts, Utilities, First Nations, Advisory Planning and Heritage Commissions (APHCs) and the Creston Valley Agricultural Advisory Commission. The following responses were received in response to the proposed zoning bylaw amendments. Additional longer responses are attached to this report as Attachment C.

Area A Advisory Planning and Heritage Commission

That the Area A Advisory Planning Commission NOT SUPPORT the Bylaw Amendment Referral Form – Amendments to Zoning Bylaw for Area A Comprehensive Land Use Bylaw No. 2315, 2013; AND FURTHER, the Commission would like to have more time to do further research regarding residential density changes and/or look at options that aren't limited by Bill 44.

Area B Advisory Planning and Heritage Commission

That the Area B Advisory Planning Commission SUPPORT the Bylaw Amendment Referral Form – Amendments to Zoning Bylaw for Area 'B' Comprehensive Land Use Bylaw No. 2315, 2013.

Area C Advisory Planning and Heritage Commission

That the Area C Advisory Planning Commission SUPPORT the Bylaw Amendment Application for the Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013.

Area D Advisory Planning and Heritage Commission

That the Area D Advisory Planning and Heritage Commission SUPPORT the Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025 to further implement the requirements of Provincial Bill 44 – Housing Statutes (Residential Development) Amendment Act.

Area G Advisory Planning and Heritage Commission

That the Area G Advisory Planning and Heritage Commission SUPPORT the Electoral Area G Land Use Amendment Bylaw No. 3054, 2025 to amend the Official Community Plan to implement the requirements of Provincial Bill 44 – Housing Statutes (Residential Development) Amendment Act.

Area I Advisory Planning and Heritage Commission

That the Area I Advisory Planning and Heritage Commission SUPPORT the Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 to further implement the requirements of Provincial Bill 44 – Housing Statutes (Residential Development) Amendment Act.

Area J Advisory Planning and Heritage Commission

That the Area J Advisory Planning and Heritage Commission SUPPORT the Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 to further implement the requirements of Provincial Bill 44 – Housing Statutes (Residential Development) Amendment Act.

Bourke Creek Improvement District

Bourke Creek Improvement District (9 mile Nelson) currently is not taking on any more water licenses. We are at max capacity. Any new development would have to be on well water.

Creston Valley Agricultural Advisory Commission

That the Creston Valley Agricultural Advisory Commission SUPPORT the Bylaw Amendment Referral Form – Amendments to Zoning Bylaw affecting agricultural zones in Electoral Area ‘A’ Comprehensive Land Use Bylaw No. 2315, 2013, Electoral Area ‘B’ Comprehensive Land Use Bylaw No. 2316, 2013, Electoral Area ‘C’ Comprehensive Land Use Bylaw No. 2317, 2013

Interior Health

Thank you for the opportunity to review and provide comments to these proposed text amendments. I have no concerns.

Lower Similkameen Indian Band

The Lower Similkameen Indian Band (LSIB) would like to acknowledge receipt of the above referral. We have conducted a desktop review of it. The location of the project/activity to which the referral relates is within syilx Territory and may have impacts on inherent and constitutionally protected syilx Title and Rights, which LSIB holds as part of the syilx Nation. However, given the location of the project, we would support Okanagan Indian Band (OKIB), Osoyoos Indian Band (OIB), Westbank First Nation (WFN) and Penticton Indian Band (PIB) in taking lead in further consultation and engagement on this project. Please keep us informed of any updates or changes to the project as this may change our assessment and our view on the need for further consultation with LSIB.

Ministry of Transportation and Transit

MOTT has no concerns with the text amendments. Thank you for sending this our way for review.

RDCK Emergency Program

The RDCK Emergency Program’s interests are unaffected by these amendments.

RDCK Water Services - Environmental Coordinator, Utilities

Water services has no concerns with these bylaw amendments. The wording changes do not impact water services as no changes are being made to standards.

RDCK Water Services - Water Services Liaison

Thank you for the opportunity to comment on planning referrals related to amendments to all Zoning, Official Community Plan bylaws and Comprehensive Land Use Bylaws.

The Utilities Department appreciates the work the Planning Department has done on these amendments to date.

Please note the following as the Utilities Department's response.

- The Utilities Department operates 18 water systems in the Regional District.
- All Electoral Areas except for Area 'I' have District owned water systems varying between 6 and 652 active connections.
- All development within Regional District owned water systems are subject the following two bylaws:
 - Regional District of Central Kootenay Water Bylaw No. 2824, 2022
 - Regional District of Central Kootenay Utilities Rates, Fees and Charges Bylaw No. 2825, 2022
- In July 2024 the Regional Board approved the 2024 Water and Wastewater Acquisition Plan and rescinded the long-standing moratorium on the acquisition of water and wastewater systems that had been in place since August 2011: <https://www.rdck.ca/environmental-service/environmental-services/water/becomeardckwaterservice/>
- The 2024 *Water and Wastewater Systems Acquisition Plan* and 2024 *Water and Wastewater Systems Acquisition Policy* outline the process by which existing community water and sewer systems would be considered as Regional District owned utilities (see link above to access these documents).
- There is a significant water shortage in the Erickson Water Distribution System due to high agricultural demand on the source water of Arrow Creek.
- The Utilities Department has secured senior grant funding to install water meters throughout the Erickson Water Distribution System and work has commenced.
- The Creston Valley Alternative Water Supply Feasibility Study has been completed and is available here: <https://engage.rdck.ca/cvstudy>
- A Natural Asset Management Plan is underway and near completion for Quartz Creek which is the source water for the Ymir Water System in Electoral Area G.
- The Utilities Department works with the Sustainability Department on a continual basis to identify ways to increase resilience of all water sources to climate change.
- The Utilities Department would welcome the opportunity to discuss how the above projects may assist in accommodating increased density in the Regional District over time.

Skwlax te Secwepemculecw

Skwlax Cultural Heritage Protection Dept has no concerns at this time.

4.5 Leveraging Technology

Not applicable.

4.5 Measuring Success

The timely adoption of bylaw amendments suitable to the RDCK Board that address above noted issues would mark success for this project.

5.0 ALTERNATIVE SOLUTION

Directors for Areas A and D noted that they had concerns with the previously adopted 2024 amendments, specifically regarding the limiting of residential lots to a maximum of two dwelling units. They expressed a desire for Electoral Areas A and D to return to the density provisions permitted under the previous bylaw for residential zones only (not agricultural zones). Generally, for residential lots, this was a "1 Principal Use per X hectare of site area" model. For example, the Area A Country Residential (R2) zone previously permitted 1 Principal Use per 1.0 hectare of site area.

Given those Directors' concerns, an option to direct staff to prepare amendments in line with their request is provided for Electoral Areas A and D. This would be done in addition to the current proposed amendments as written for the remaining electoral areas. For Areas A and D, staff would ensure that the revised amendments brought back as part of the alternative solution would meet the requirements of Bill 44, for example, ensuring that all restricted zones permit at least one secondary suite.

5.1 Financial Considerations of the Alternative Solution

The alternative solution would require more staff time and administrative costs due to the additional work required. It is anticipated that this additional work could be completely funded through Provincial funding.

5.2 Risks with the Alternative Solution

The alternative solution will lead to more complexity and less alignment of zoning regulations in the region, which could contribute to confusion for the public and developers. It will also lead to less alignment between Electoral Areas A, B and C, which have identified that their preferred approach to land use planning is to work together in a sub-regional framework.

In addition, the density changes requested for Electoral Areas A and D raise concerns with respect to achieving good land use planning outcomes particularly around servicing (water supply and sewage disposal), access and environmental sustainability.

The total site area (the density metric of the alternative solution) does not necessarily equate to area of the property that can be reasonably developed. It does not consider the specific features of the property that affect development such as water availability, sewerage capacity, steep slopes, watercourses or areas of high environmental value. Allowing density of use via site area versus lot area can lead to inappropriate and haphazard development or even the overdevelopment of properties which can contribute to cumulative health risks and/or negative environmental impacts.

5.3 Resource Allocation and Workplan Impact

This alternative solution would primarily be completed by one Planner 1 and would be completed by Spring 2026. This option will take longer than the proposed solution due to the need to accommodate the revised preparation and referral of bylaws and the other tasks associated with processing these revisions. In line with the proposed solution, the Official Community Plan (OCP) policy alignment related to SSMUH will not be completed until the zoning amendments have been adopted by the Board. The alignment must be completed before June 30, 2027. It is not expected that other projects will be delayed as a result of this project.

5.4 Public Benefit and Stakeholder Engagement of Alternative Solution

Stakeholder Engagement

Portions of the stakeholder engagement of the alternative solution would need to be completed again. Specifically, the alternative amendments to the zoning bylaws of Areas A and D would be prepared and sent on referral to other agencies and First Nations prior to being brought back to the Board for initial readings.

Public Benefit

The alternative solution would allow some landowners to have increased flexibility to develop multiple dwellings on their properties without the oversight of a bylaw amendment or subdivision application. While this would provide greater flexibility for some individuals, it would come at the expense of the broader public interest to ensure good land use planning and development practices.

5.5 Measuring Success

The timely adoption of bylaw amendments suitable to the RDCK Board that address above noted issues would mark success for this project.

6.0 OPTIONS CONSIDERED BUT NOT PRESENTED

Not applicable.

7.0 OPTIONS SUMMARY

Staff are providing the RAC and Board with two options to proceed with these amendments.

The first option is to grant first, second and third reading for all proposed bylaws as they are prepared in this package.

The second option has two components. First, it is to direct staff to revise the amending bylaws for Electoral Areas A and D to the alternative solution as noted in this report. Second, it is to grant first, second and third reading for the proposed bylaws for Electoral Areas B, C, F, G, I, J, K as they are prepared in this package.

Both options are consistent for Electoral Areas B, C, F, G, I, J, K. Option 2 provides the alternative option requested by the Directors for Electoral Areas A and D.

Staff are recommending that the Board move forward with Option 1 as these amendments support good planning outcomes around servicing, access and environmental sustainability and they help to simplify land use planning in the region.

Options

Option 1: Grant First, Second and Third Reading for all proposed bylaws and withhold adoption until approval from the Ministry of Transportation and Transit (MOTT) has been received.

Recommendations:

1. That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025* being a bylaw to amend the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3049, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

2. That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

3. That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

4. That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025* being a bylaw to amend the *Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3052, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

5. That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

6. That *Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3054, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

Option 2: Direct staff to revise amendments for Electoral Area's A and D with the alternative solution. Grant First, Second and Third Reading for the remaining proposed bylaws as prepared and withhold adoption until approval from MOTT has been received.

Recommendations:

1. That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025* be revised to the alternative solution.
2. That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

3. That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

4. That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025* be revised to the alternative solution.
5. That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

6. That *Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3054, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

8.0 RECOMMENDATIONS

That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025* being a bylaw to amend the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3049, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025* being a bylaw to amend the *Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3052, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

That *Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* is hereby given FIRST and SECOND and THIRD READING by content.

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3054, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

Respectfully submitted,
Sadie Chezenko
Planner 1

CONCURRENCE

Nelson Wight – Planning Manager **Approved**

Sangita Sudan – General Manager of Development and Community Sustainability Services **Approved**

Stuart Horn – Chief Administrative Officer **Approved**

ATTACHMENTS:

Attachment A – Amending Bylaws

Attachment B – Concurrence Table

Attachment C – Referral Responses

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

The minimum lot size shall be required as follows:
 - D. That a new Section 19(2)(C) Suburban Residential (R1) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

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

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

- F. 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.

- G. 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)

- H. That a new Section 20(2)(C) Country Residential (R2) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- I. 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 Dwelling Unit, subject to Section 18(108)
- Accessory Tourist Accommodation

- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Small Scale Wood Product Manufacturing
- Temporary Guest Accommodation
- Temporary Farmworker Housing

- J. That a new Section 21(2)(C) Rural Residential (R3) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- K. 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 Dwelling Unit, subject to Section 18(108)
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Portable Sawmills
- Temporary Guest Accommodation
- Temporary Farmworker Housing

- L. That a new Section 22(2)(C) Rural Resource (R4) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- M. That Section 24(1) Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Multi-Unit Housing
- Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 18(108)
Accessory Tourist Accommodation
Home Based Business
Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails)
Maintenance and Utility Buildings

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

Only one Single Detached Housing is permitted per lot.

P. 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)

Q. 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, 2025.**”

READ A FIRST TIME this 13 day of January , 2026

READ A SECOND TIME this 13 day of January ,2026

READ A THIRD TIME this 13 day of January , 2026

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 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 15(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

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

The minimum lot size shall be required as follows:

- D. That a new Section 17(2)(C) Suburban Residential (R1) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- E. 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 15(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)

- F. That a new Section 18(2)(C) Country Residential (R2) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- G. 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 15(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

- H. That a new Section 19(2)(C) Rural Residential (R3) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- I. 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 Dwelling Unit, subject to Section 15(108)
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Portable Sawmills
- Temporary Farmworker Housing

- J. That a new Section 20(2)(C) Rural Resource (R4) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- K. That Section 22(1) Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Multi-Unit Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to Section 15(108)
- Accessory Tourist Accommodation
- Home Based Business

- L. 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)

- M. 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.

- N. 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)

- O. 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.

- P. 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)

- Q. 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, 2025**”

READ A FIRST TIME this 13 day of January , 2026

READ A SECOND TIME this 13 day of January ,2026

READ A THIRD TIME this 13 day of January , 2026

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 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

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

The minimum lot size 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

D. That a new Section 18(2)(C) Suburban Residential (R1) Development Regulations be inserted as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

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

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

F. 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.

G. 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)

H. That a new Section 19(2)(C) Country Residential (R2) Development Regulations be inserted as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

I. 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

J. That a new Section 20(2)(C) Rural Residential (R3) Development Regulations be inserted as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

K. 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 Dwelling Unit, subject to section 17(107)
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Portable Sawmills

Temporary Farmworker Housing

- L. That a new Section 21(2)(C) Rural Resource (R4) Development Regulations be inserted as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- M. That Section 23(1) Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Multi-Unit Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to section 17(107)
- Accessory Tourist Accommodation
- Home Based Business

- N. 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)

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

The minimum lot size shall be 4 hectares

P. 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.

Q. 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)

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

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

S. 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.

T. 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)

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

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

V. 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, 2025”**

READ A FIRST TIME this 13 day of January , 2026

READ A SECOND TIME this 13 day of January ,2026

READ A THIRD TIME this 13 day of January , 2026

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

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
- Accessory Dwelling Unit see Section 22(46)
- Bed and Breakfast Accommodation see Section 22(22)
- Home-based Business see Section 22(21)
- Horticulture
- Keeping of Farm Animals see Section 22 (35)
- Vacation Rentals see Section 22(23)

J. That a new Section 23(2)(b) Town-Site Residential (R1) Development Regulations be added as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1

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
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)

M. That a new Section 24(2)(b) Country Residential (R2) Development Regulations be inserted as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1

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

Minimum lot size for Subdivision - 1.0 hectares

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
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. That a new Section 25(2)(b) Rural Residential (R3) Development Regulations be inserted as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1

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

Minimum lot size for Subdivision - 1.0 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, 2025**”

READ A FIRST TIME this 13 day of January, 2026

READ A SECOND TIME this 13 day of January, 2026

READ A THIRD TIME this 13 day of January, 2026

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. 3053

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 Division 7 Reduction of Minimum Lot Areas be amended as follows:

Reduction of Minimum Lot Sizes

B. That Section 603(3) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

The minimum lot size for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

C. That Section 623(3) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Despite section 623(2) secondary suites are permitted on all lots.

D. That Section 700 Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit, subject to Section 623

Accessory Tourist Accommodation

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Farm Products

- E. That a new Section 701(C) Suburban Residential (R1) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- F. That Section 800 Ootischenia Suburban Residential (R1A) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

- G. That a new Section 801(1)(C) Ootischenia Suburban Residential (R1A) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- H. That Section 900 Suburban Residential F (R1F) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

- I. That a new Section 901(1)(C) Suburban Residential F (R1F) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- J. That Section 1000 Suburban Residential K (R1K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

- K. That a new Section 1001(1)(C) Suburban Residential K (R1K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- L. That Section 1100 Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

- M. That a new Section 1101(5)(B) Country Residential (R2) Permitted Uses be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- N. That Section 1200 Country Residential I (R2I) Permitted Uses be amended as follows:

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

- O. That a new Section 1201(2)(B) Country Residential I (R2I) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- P. That Section 1300 Country Residential K (R2K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Farm Product
- Temporary Guest Accommodation as per Section 1303

- Q. That a new Section 1301(5)(B) Country Residential K (R2K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- R. That Section 1400 Country Residential SA (R2SA – South Arrow) Permitted Uses be amended as follows:

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
- Temporary Guest Accommodation as per Section 1402

- S. That a new Section 1401(5)(B) Country Residential SA (R2SA – South Arrow) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- T. That Section 1500 Rural Residential (R3) 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
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

U. That a new Section 1501(4)(B) Rural Residential (R3) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

V. 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

W. That a new Section 1601(2)(B) Rural Residential I (R3I) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

X. That Section 1700 Rural Residential K (R3K) 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
- Small Scale Wood Product Manufacturing subject to Section 1702
- Temporary Guest Accommodation subject to Section 1703

- Y. That a new Section 1701(5)(B) Rural Residential K (R3K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- Z. That Section 1800 Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Single Detached Housing
- Horticulture
- Kennels
- 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

- AA. That a new Section 1801(4)(B) Rural Resource (R4) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

BB. That Section 1900 Rural Resource K (R4K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills
- Temporary Guest Accommodation as per Section 1902

CC. That a new Section 1901(4)(B) Rural Resource K (R4K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

DD. That Section 2000 Rural Resource (R4SA – South Arrow) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills
- Temporary Guest Accommodation as per Section 2002

- EE. That a new Section 2001(4)(B) Rural Resource (R4SA – South Arrow) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- FF. That Section 2200 Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Multi-Unit Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit, subject to Section 623

Accessory Tourist Accommodation

Home Based Business

Horticulture

- GG. That Section 2300 High Density Residential (R6F) Permitted Uses be amended as follows:

Principal Uses:

Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures

Secondary Suite

- HH. That Section 2301(1) High Density Residential (R6F) Development Regulations be amended as follows:

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

- II. That Section 2400 Multi-Unit Residential – F (MFR-F) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Multi-Unit Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures

Accessory Dwelling Unit, subject to Section 623

Accessory Tourist Accommodation

Day Care Facility

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Farm Products

JJ. That Section 2500 Seasonal Residential (R7) Permitted Uses be amended as follows:

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

KK. That a new Section 2501(1)(C) Seasonal Residential (R7) Permitted Uses be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

LL. That Section 2600 Heritage Residential I (HRI) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

MM. That a new Section 2601(1)(C) Heritage Residential I (HRI) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

NN. That Section 2700 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

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)

OO. That a new Section 2701(1)(C) Agriculture 1 (AG1) Development Regulations be added
as follows:

Only one Single Detached Housing is permitted per lot.

PP. That Section 2800 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
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)

QQ. That a new Section 2801(1)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

RR. That Section 2900 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

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)

SS. That a new Section 2901(1)(C) Agriculture 3 (AG3) 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 **"Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025"**

READ A FIRST TIME this 13 day of January , 2026

READ A SECOND TIME this 13 day of January ,2026

READ A THIRD TIME this 13 day of January , 2026

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. 3054

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

WHEREAS it is deemed expedient to amend the Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and amendments thereto.

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

APPLICATION

- 1** That Electoral Area 'G' Land Use Bylaw No. 2452, 2018 Schedule 'B' Zoning Bylaw be amended as follows:

- A. That Section 18(13) General Regulations, Permitted and Prohibited Uses be amended as follows:

The minimum lot size for a lot subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the lot is located unless otherwise stated.

- B. That Section 18(16) General Regulations, Density Regulations be amended as follows:

Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum lot size required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.

- C. That Section 18(17) General Regulations, Density Regulations 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 will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:

- D. That Section 18(18) General Regulations, Density Regulations be amended as follows:

The minimum lot size for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- E. That Section 18(19) General Regulations, Density Regulations be amended as follows:

Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

- F. That Section 19(1) Town-Site Residential (R1) Permitted Uses be amended as follows:

Principal Uses

- Duplex Housing
- Multi-Unit Housing
- Single Detached Housing

Accessory Uses

- Accessory Building or Structures
- Accessory Dwelling Unit, subject to section 18(37)
- Accessory Tourist Accommodation
- Home-based Business
- Horticulture
- Keeping of Farm Animals

- G. That Section 19(11) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum lot size for subdivision:

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

Principal Uses

- Duplex Housing
- Single Detached Housing

Accessory Uses

- Accessory Building or Structures
- Accessory Dwelling Unit, subject to section 18(37)
- Accessory Tourist Accommodation
- Accessory Camping Accommodation
- Home-based Business
- Horticulture
- Keeping of Farm Animals

- I. That a new Section 20(2)(b) Country Residential (R2) Development Regulations be added as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot – 1

- J. That Section 20(11) Country Residential (R2) Development Regulations be amended as follows:

Minimum lot size for subdivision – 1.0 hectares

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

Principal Uses

- Cabin
- Duplex Housing
- Horticulture
- Portable Sawmill
- Single Detached Housing

Accessory Uses

- Accessory Building or Structures
- Accessory Dwelling Unit, subject to section 18(37)
- Accessory Tourist Accommodation
- Accessory Camping Accommodation
- Home-based Business
- Horticulture
- Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age)
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Small Scale Wood Product Manufacturing

L. That a new Section 21(2)(b) Rural Residential (R3) Development Regulations be added as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot – 1

M. That Section 21(3) Rural Residential (R3) Development Regulations be amended as follows:

Minimum lot size for Accessory Kennel Operations – 4.0 hectares

N. That Section 21(17) Rural Residential (R3) Development Regulations be amended as follows:

Minimum lot size for subdivision – 2.0 hectares

O. Section 21(18) Rural Residential (R3) Development Regulations be amended as follows:

Minimum lot size for subdivision (site specific) for portion of Subsidy Lot 43 DL 1242 KD Plan NEPX59 Exc. Plans 16532 and 18785 (PID 012-953-385) 1.0 hectares

P. That Section 22(1) Remote Residential (R4) Permitted Uses be amended as follows:

Principal Uses

- Cabin
- Duplex Housing
- Horticulture

Portable Sawmill
Single Detached Housing
Accessory Uses
Accessory Building or Structures
Accessory Dwelling Unit, subject to section 18(37)
Accessory Tourist Accommodation
Accessory Camping Accommodation
Home-based Business
Horticulture
Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age)
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis

Q. That a new Section 22(2)(b) Remote Residential (R4) Development Regulations be added as follows:

Maximum number of Single Detached Housing or Duplex Housing permitted per lot – 1

R. That Section 22(3) Remote Residential (R4) Development Regulations be amended as follows:

Minimum lot size for Accessory Kennel Operations – 4.0 hectares

S. That Section 22(17) Remote Residential (R4) Development Regulations be amended as follows:

Minimum lot size for subdivision – 4.0 hectares

T. That Section 23(10) Multi-Unit Residential (R5) Development Regulations be amended as follows:

Minimum lot size for subdivision:

U. That Section 24(2) General Commercial (C1) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

V. That Section 24(9) General Commercial (C1) Development Regulations be amended as follows:

Minimum lot size for subdivision:

W. That Section 25(2) Tourist Commercial (C2) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

- X. That Section 25(9) Tourist Commercial (C2) Development Regulations be amended as follows:

Minimum lot size for subdivision:

- Y. That Section 25(B)(2) Artisan Tourist Commercial (C3) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

- Z. That Section 25(B)(9) Artisan Tourist Commercial (C3) Development Regulations be amended as follows:

Minimum lot size for subdivision:

- AA. That Section 26(2) Light Industrial (M1) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 1.0 hectare

- BB. That Section 26(10) Light Industrial (M1) Development Regulations be amended as follows:

Minimum lot size for subdivision - 1.0 hectare

- CC. That Section 27(2) Medium Industrial (M2) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 2.0 hectare

- DD. That Section 27(10) Medium Industrial (M2) Development Regulations be amended as follows:

Minimum lot size for subdivision - 2.0 hectare

- EE. That Section 28(2) Heavy Industrial (M3) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 2.0 hectares

- FF. That Section 28(11) Heavy Industrial (M3) Development Regulations be amended as follows:

Minimum lot size for subdivision - 2.0 hectares

- GG. That Section 29(2) Community Service (CS) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

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

Minimum lot size for subdivision

II. That Section 30(2) Agriculture (AG) Development Regulations be amended as follows:

Minimum site area for each Non-Farm Use

JJ. That a new Section 30(2)(C) Agriculture (AG) Development Regulations be added as follows:

Maximum number of Single Detached Housing permitted per lot – 1

KK. That Section 30(16) Agriculture (AG) Development Regulations be amended as follows:

Minimum lot size for subdivision

LL. Section 31(2) Parks and Recreation (PR) Development Regulations be amended as follows:

Minimum site area for each Principal Use

MM. That Section 31(9) Parks and Recreation (PR) Development Regulations be amended as follows:

Minimum lot size for subdivision

NN. That Section 32(2) Public Utility (U) Development Regulations be amended as follows:

Minimum site area for each Principal Use

OO. That Section 32(9) Public Utility (U) Development Regulations be amended as follows:

Minimum lot size for subdivision

PP. That Section 33(2) Quarry (Q) Development Regulations be amended as follows:

Minimum site area for each Principal Use

QQ. That Section 33(8) Quarry (Q) Development Regulations be amended as follows:

Minimum lot size for subdivision

RR. That Section 34(2) Environmental Reserve (ER) Development Regulations be amended as follows:

Minimum site area for each Principal Use

SS. That Section 34(7) Environmental Reserve (ER) Development Regulations be amended as follows:

Minimum lot size for subdivision

TT. That Section 35(2) Resource Area (RA) Development Regulations be amended as follows:

Minimum site area for each Principal Use

UU. Section 35(7) Resource Area (RA) Development Regulations be amended as follows:

Minimum lot size for subdivision

VV. That Section 36(2) Forest Reserve (FR) Development Regulations be amended as follows:

Minimum site area for each Principal Use

WW. That Section 36(7) Forest Reserve (FR) Development Regulations be amended as follows:

Minimum lot size for subdivision

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

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘G’ Land Use Amendment Bylaw No. 3054, 2025.**”

READ A FIRST TIME this 13 day of January , 2026

READ A SECOND TIME this 13 day of January , 2026

READ A THIRD TIME this 13 day of January , 2026

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

Concurrence Table

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 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:	AMEND The minimum lot size shall be required as follows:	Removed unnecessary terms
Section 19(2)(C) Suburban Residential (R1) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

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 - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only)	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 Temporary Guest Accommodation Portable Sawmills (for processing of materials harvested on-site only)	Clarifies which uses are principal rather than accessory, puts words into alphabetical order, connects reader to the accessory dwelling unit general regulations section, and connects reader to the relevant general regulations section for that use
Section 20(2)(C) Country Residential (R2) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

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 - Temporary Farmworker Housing 	<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 18(108) Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing Temporary Guest Accommodation Temporary Farmworker Housing 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order, connects reader to the accessory dwelling unit general regulations section, connects reader to the relevant general regulations section for that use
Section 21(2)(C) Rural Residential (R3) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 22(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>Micro Cultivation, Cannabis</p>	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order, connects reader to the accessory dwelling unit general regulations section, and connects reader to the relevant general regulations section for that use

Concurrence Table

	<p>Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Guest Accommodation - Temporary Farmworker Housing 	<p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists</p> <p>Single Detached Housing</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Agricultural Produce Portable Sawmills Temporary Guest Accommodation Temporary Farmworker Housing 	
Section 22(2)(C) Rural Resource (R4) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 24(1) Multi-Unit Residential (R6) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing - Multi-Unit Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Multi-Unit Housing Single Detached Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> 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, connects reader to the accessory dwelling unit general regulations section

Concurrence Table

	<ul style="list-style-type: none"> - Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails) - Maintenance and Utility Buildings 	<p>Home Based Business Recreation Facilities (including club houses, courts, trails, water based facilities, playgrounds and trails) Maintenance and Utility Buildings</p>	
<p>Section 25(1) Agriculture 1 (AG1) 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: <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only </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 Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite</p>	<p>Clarifies which uses are principal rather than accessory and fixed formatting</p>

Concurrence Table

	<ul style="list-style-type: none"> - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
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	<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</p> <p>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)</p> <p>Accessory Uses: <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business </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)</p> <p>Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business</p>	Clarifies which uses are principal rather than accessory and fixed formatting

Concurrence Table

	<ul style="list-style-type: none"> - 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>Farm Product Processing of farm product from another parcel in the Regional 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 26(2)(C) Agriculture 2 (AG2) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing is permitted per lot.</p>	Clarifies principal dwelling density

Concurrence Table

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 on all lots.	AMEND Despite section 108(b) secondary suites are permitted on all lots.	Simpler language
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 15(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:	AMEND The minimum lot size shall be required as follows:	Consistent use of terms
Section 17(2)(C) Suburban Residential (R1)		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

Development Regulations			
Section 18(1) Country Residential (R2) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only) 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Single Detached Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 15(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) 	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)(C) Country Residential (R2) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
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>	<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 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order, connects reader to the accessory dwelling unit general regulations section and removes clerical error of listing temporary guest accommodation as a permitted accessory use

Concurrence Table

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing 	<p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 15(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 	
Section 19(2)(C) Rural Residential (R3) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
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 	<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, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section

Concurrence Table

	<ul style="list-style-type: none"> - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Farmworker Housing 	Accessory Dwelling Unit, subject to Section 15(108) Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Agricultural Produce Portable Sawmills Temporary Farmworker Housing	
Section 20(2)(C) Rural Resource (R4) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 22(1) Multi-Unit Residential (R6) Permitted Uses	Dwellings: <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing - Multi-Unit Housing Accessory Uses: <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business 	AMEND Principal Uses: Duplex Housing Multi-Unit Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 15(108) Accessory Tourist Accommodation Home Based Business	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 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	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.	Clarifies which uses are principal rather than accessory

Concurrence Table

	<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)</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) 	<p>Kennel</p> <p>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)</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)(c) Agriculture 1 (AG1) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 24(1) Agriculture 2	Agriculture	<p>AMEND</p> <p>Principal Uses:</p>	Clarifies which uses are principal rather than accessory

Concurrence Table

<p>(AG2) Permitted Use</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> <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) 	<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> <p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <p>Accessory Buildings or Structures</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Farm Product Processing of farm product from another parcel in the Regional 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>	
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Concurrence Table

		Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
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	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	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	Clarifies which uses are principal rather than accessory

Concurrence Table

	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)	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 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

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
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) 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 Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	AMEND The minimum lot size 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	Removed unnecessary terms

Concurrence Table

Section 18(2)(C) Suburban Residential (R1) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
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	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only) 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Single Detached Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> 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) 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section

Concurrence Table

Section 19(2)(C) Country Residential (R2) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 20(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <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 <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills - Small Scale Wood Product Manufacturing -Temporary Farmworker Housing 	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Horse Riding Stables and Boarding Stables</p> <p>Horticulture</p> <p>Kennels</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nurseries, Greenhouses and Florists</p> <p>Single Detached Housing</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings or Structures</p> <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>	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section

Concurrence Table

Section 20(2)(C) Rural Residential (R3) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 21(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 Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics <p>Accessory Uses:</p> <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 	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Horse Riding Stables and Boarding Stables</p> <p>Horticulture</p> <p>Kennels</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nurseries, Greenhouses and Florists</p> <p>Single Detached Housing</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings or Structures</p> <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 Agricultural Produce</p> <p>Portable Sawmills</p> <p>Temporary Farmworker Housing</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
Section 21(2)(C) Rural Resource (R4)		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

Development Regulations			
Section 23(1) Multi-Unit Residential (R6) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing - Multi-Unit Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Multi-Unit Housing Single Detached Housing <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Home Based Business 	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 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>Standard 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> <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 	Clarifies which uses are principal rather than accessory.

Concurrence Table

	<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) 	<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) 	
Section 24(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares	<p>AMEND</p> <p>The minimum lot size shall be 4 hectares</p>	Consistent use of terms
Section 24(2)(C) Agriculture 1 (AG1) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing is permitted per lot.</p>	Clarifies principal dwelling density

Concurrence Table

Section 25(1) Agriculture 2 (AG2) 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>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 - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use 	<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> <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 	Clarifies which uses are principal rather than accessory.
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Concurrence Table

	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 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.

Concurrence Table

	<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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Concurrence Table

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 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 Regulations, Reduction of Minimum Lot Areas	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots	Consistent use of terms

Concurrence Table

	application as long as no new lot created is smaller than any previously existing lot.	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, Reduction of Minimum Lot Areas	The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND 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.	Consistent use of terms

Concurrence Table

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	Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Vacation Rentals see Section 22(23)	AMEND Principal Uses Duplex Housing Single Detached Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Vacation Rentals see Section 22(23)	Put into alphabetical order
Section 23(2)(b) Town-Site Residential (R1)		NEW	Clarify principal dwelling density

Concurrence Table

Development Regulations		Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	
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 Residential (R2) Permitted Uses	Principal Uses Single Detached Housing Duplex Housing Horticulture Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	AMEND Principal Uses Duplex Housing Horticulture Single Detached 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) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	Put into alphabetical order

Concurrence Table

Section 24(2)(b) Country Residential (R2) Development Regulations		NEW Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	Clarify principal dwelling density
Section 24(9) Country Residential (R2) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms
Section 25(1) Rural Residential (R3) Permitted Uses	Principal Uses Single Detached Housing Duplex Housing Horticulture Outdoor Recreational Activities Parks Resource Based Activities Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	AMEND Principal Uses Duplex Housing Horticulture Outdoor Recreational Activities Parks Resource Based Activities Single Detached 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) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	Put into alphabetical order
Section 25(2)(b) Rural Residential (R3)		NEW	Clarify principal dwelling density

Concurrence Table

Development Regulations		Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	
Section 25(9) Rural Residential (R3) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms
Section 26(9) Town-Site Commercial (C1) 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 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

Concurrence Table

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 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 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)	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms

Concurrence Table

Development Regulations			
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

Concurrence Table

Amendments to Electoral Area 'G' Land Use Bylaw No. 2452, 2018 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 18(13) General Regulations, Permitted and Prohibited Uses	The minimum lot area for a lot subdivided under Section 514 of the Local Government Act shall be the minimum lot area of the zone in which the lot is located unless otherwise stated.	AMEND The minimum lot size for a lot subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the lot is located unless otherwise stated.	Consistent use of terms
Section 18(16) General Regulations, Density Regulations	Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum lot area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum lot size required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.	Consistent use of terms
Section 18(17) General Regulations, Density Regulations	Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:	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 will be reduced where the proposed subdivision involves any one of the following and meets regional health authority requirements:	Consistent use of terms
Section 18(18) General Regulations, Density Regulations	The minimum lot area for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Consistent use of terms

Concurrence Table

Section 18(19) General Regulations, Density Regulations	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 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 19(1) Town-Site Residential (R1) Permitted Uses	Principal Uses Single Detached Housing Duplex Housing Multi-Unit Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home-based Business Horticulture Keeping of Farm Animals	AMEND Principal Uses Duplex Housing Multi-Unit Housing Single Detached Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit, subject to section 18(37) Accessory Tourist Accommodation Home-based Business Horticulture Keeping of Farm Animals	Put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 19(11) Town-Site Residential (R1) Development Regulations	Minimum lot area for subdivision:	AMEND Minimum lot size for subdivision:	Consistent use of terms
Section 20(1) Country Residential (R2) Permitted Uses	Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation	AMEND Principal Uses Duplex Housing Single Detached Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit, subject to section 18(37)	Put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals	Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals	
Section 20(2)(b) Country Residential (R2) Development Regulations		NEW Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	Clarifies principal dwelling density
Section 20(11) Country Residential (R2) Development Regulations	Minimum lot area for subdivision – 1.0 hectares	AMEND Minimum lot size for subdivision – 1.0 hectares	Consistent use of terms
Section 21(1) Rural Residential (R3) Permitted Uses	Principal Uses Cabin Single Detached Housing Duplex Housing Horticulture Portable Sawmill Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home- based Business Horticulture Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age) Micro Cultivation, Cannabis	AMEND Principal Uses Cabin Duplex Housing Horticulture Portable Sawmill Single Detached Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit, subject to section 18(37) Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture	Put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing	Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing	
Section 21(2)(b) Rural Residential (R3) Development Regulations		NEW Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	Clarifies principal dwelling density
Section 21(3) Rural Residential (R3) Development Regulations	Minimum lot area for Accessory Kennel Operations – 4.0 hectares	AMEND Minimum lot size for Accessory Kennel Operations – 4.0 hectares	Consistent use of terms
Section 21(17) Rural Residential (R3) Development Regulations	Minimum lot area for subdivision – 2.0 hectares	AMEND Minimum lot size for subdivision – 2.0 hectares	Consistent use of terms
Section 21(18) Rural Residential (R3) Development Regulations	Minimum lot area for subdivision (site specific) for portion of Subsidy Lot 43 DL 1242 KD Plan NEPX59 Exc. Plans 16532 and 18785 (PID 012-953-385) 1.0 hectares	AMEND Minimum lot size for subdivision (site specific) for portion of Subsidy Lot 43 DL 1242 KD Plan NEPX59 Exc. Plans 16532 and 18785 (PID 012-953-385) 1.0 hectares	Consistent use of terms
Section 22(1) Remote Residential (R4) Permitted Uses	Principal Uses Cabin Single Detached Housing Duplex Housing Horticulture	AMEND Principal Uses Cabin Duplex Housing Horticulture	Put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Portable Sawmill Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Small Scale Wood Product Manufacturing	Portable Sawmill Single Detached Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit, subject to section 18(37) Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum 10 dogs over 1 year of age) Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis	
Section 22(2)(b) Remote Residential (R4) Development Regulations		NEW Maximum number of Single Detached Housing or Duplex Housing permitted per lot - 1	Clarifies principal dwelling density
Section 22(3) Remote Residential (R4) Development Regulations	Minimum lot area for Accessory Kennel Operations – 4.0 hectares	AMEND Minimum lot size for Accessory Kennel Operations – 4.0 hectares	Consistent use of terms
Section 22(17) Remote Residential (R4) Development Regulations	Minimum lot area for subdivision – 4.0 hectares	AMEND Minimum lot size for subdivision – 4.0 hectares	Consistent use of terms

Concurrence Table

Section 23(10) Multi-Unit Residential (R5) Development Regulations	Minimum lot area for subdivision:	AMEND Minimum lot size for subdivision:	Consistent use of terms
Section 24(2) General Commercial (C1) Development Regulations	Minimum lot area for each Principal Use:	AMEND Minimum site area for each Principal Use:	Consistent use of terms
Section 24(9) General Commercial (C1) Development Regulations	Minimum lot area for subdivision:	AMEND Minimum lot size for subdivision:	Consistent use of terms
Section 25(2) Tourist Commercial (C2) Development Regulations	Minimum lot area for each Principal Use:	AMEND Minimum site area for each Principal Use:	Consistent use of terms
Section 25(9) Tourist Commercial (C2) Development Regulations	Minimum lot area for subdivision:	AMEND Minimum lot size for subdivision:	Consistent use of terms
Section 25(B)(2) Artisan Tourist Commercial (C3) Development Regulations	Minimum lot area for each Principal Use:	AMEND Minimum site area for each Principal Use:	Consistent use of terms
Section 25(B)(9) Artisan Tourist Commercial (C3)	Minimum lot area for subdivision:	AMEND Minimum lot size for subdivision:	Consistent use of terms

Concurrence Table

Development Regulations			
Section 26(2) Light Industrial (M1) Development Regulations	Minimum lot area for each Principal Use – 1.0 hectare	AMEND Minimum site area for each Principal Use – 1.0 hectare	Consistent use of terms
Section 26(10) Light Industrial (M1) Development Regulations	Minimum lot area for subdivision - 1.0 hectare	AMEND Minimum lot size for subdivision - 1.0 hectare	Consistent use of terms
Section 27(2) Medium Industrial (M2) Development Regulations	Minimum lot area for each Principal Use – 2.0 hectare	AMEND Minimum site area for each Principal Use – 2.0 hectare	Consistent use of terms
Section 27(10) Medium Industrial (M2) Development Regulations	Minimum lot area for subdivision - 2.0 hectare	AMEND Minimum lot size for subdivision - 2.0 hectare	Consistent use of terms
Section 28(2) Heavy Industrial (M3) Development Regulations	Minimum lot area for each Principal Use – 2.0 hectares	AMEND Minimum site area for each Principal Use – 2.0 hectares	Consistent use of terms
Section 28(11) Heavy Industrial (M3) Development Regulations	Minimum lot area for subdivision - 2.0 hectares	AMEND Minimum lot size for subdivision - 2.0 hectares	Consistent use of terms
Section 29 (2) Community	Minimum lot area for each Principal Use:	AMEND	Consistent use of terms

Concurrence Table

Service (CS) Development Regulations		Minimum site area for each Principal Use:	
Section 29 (9) Community Service (CS) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 30(2) Agriculture (AG) Development Regulations	Minimum lot area for each Non-Farm Use	AMEND Minimum site area for each Non-Farm Use	Consistent use of terms
Section 30(2)(C) Agriculture (AG) Development Regulations		NEW Maximum number of Single Detached Housing permitted per lot - 1	Clarifies principal dwelling density
Section 30(16) Agriculture (AG) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 31(2) Parks and Recreation (PR) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms
Section 31(9) Parks and Recreation (PR) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 32(2) Public Utility (U) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms

Concurrence Table

Section 32(9) Public Utility (U) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 33(2) Quarry (Q) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms
Section 33(8) Quarry (Q) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 34(2) Environmental Reserve (ER) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms
Section 34(7) Environmental Reserve (ER) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms
Section 35(2) Resource Area (RA) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms
Section 35(7) Resource Area (RA) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	Consistent use of terms

Concurrence Table

Section 36(2) Forest Reserve (FR) Development Regulations	Minimum lot area for each Principal Use	AMEND Minimum site area for each Principal Use	Consistent use of terms
Section 36(7) Forest Reserve (FR) Development Regulations	Minimum lot area for subdivision	AMEND Minimum lot size for subdivision	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
Division 7	Reduction of Minimum Lot Areas	AMEND Reduction of Minimum Lot Sizes	Consistent use of terms
Section 603(3) General Regulations, Reduction of Minimum Lot Areas	The minimum lot area for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	The minimum lot size for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Consistent use of terms
Section 623(3) General Regulations, Reduction of Minimum Lot Areas	Notwithstanding section 623(b) secondary suites are permitted on all lots.	AMEND Despite section 623(2) secondary suites are permitted on all lots.	Simpler language and corrected numbering
Section 700 Suburban Residential (R1) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses:	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	
Section 701(C) Suburban Residential (R1) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 800 Ootischenia Suburban Residential (R1A) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 801(1)(C) Ootischenia Suburban Residential (R1A) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 900 Suburban	Dwellings: Single Detached Housing	AMEND Principal Uses:	Clarifies principal uses, put into alphabetical order and connects readers

Concurrence Table

Residential F (R1F) Permitted Uses	Duplex Housing One-Family Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	to accessory dwelling unit general regulations section
Section 901(1)(C) Suburban Residential F (R1F) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1000 Suburban Residential K (R1K) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1001(1)(C) Suburban		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

Residential K (R1K) Development Regulations			
Section 1100 Country Residential (R2) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1101(5)(B) Country Residential (R2) Permitted Uses		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1200 Country Residential I (R2I) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Accessory Uses: Accessory Buildings and Structures	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	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	
Section 1201(2)(B) Country Residential I (R2I) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1300 Country Residential K (R2K) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Product Temporary Guest Accommodation as per Section 1303	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Product Temporary Guest Accommodation as per Section 1303	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1301(5)(B) Country		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

Residential K (R2K) Development Regulations			
Section 1400 Country Residential SA (R2SA – South Arrow) Permitted Uses	<p>Dwellings:</p> <p>Single Detached Housing</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Temporary Guest Accommodation as per Section 1402</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Single Detached Housing</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Temporary Guest Accommodation as per Section 1402</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1401(5)(B) Country Residential SA (R2SA – South Arrow) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 1500 Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <p>Single Detached Housing</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Veterinary Clinics</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Single Detached Housing</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	<p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills for processing of material harvested on site only</p>	<p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills for processing of material harvested on site only</p>	
Section 1501(4)(B) Rural Residential (R3) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 1600 Rural Residential I (R3I) Permitted Uses	<p>Dwellings:</p> <p>Single Detached Housing</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Keeping of Farm Animals</p> <p>Sale of Site Grown Farm Products</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Horticulture</p> <p>Single Detached Housing</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Portable Sawmills for processing of material harvested on site only	Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	
Section 1601(2)(B) Rural Residential I (R3I) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1700 Rural Residential K (R3K) 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 Small Scale Wood Product Manufacturing subject to Section 1702 Temporary Guest Accommodation subject to Section 1703	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 Small Scale Wood Product Manufacturing subject to Section 1702 Temporary Guest Accommodation subject to Section 1703	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1701(5)(B) Rural		NEW	Clarifies principal dwelling density

Concurrence Table

Residential K (R3K) Development Regulations		Only one Single Detached Housing or Duplex Housing is permitted per lot.	
Section 1800 Rural Resource (R4) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Single Detached Housing Horticulture Kennels 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	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 1801(4)(B) Rural Resource (R4) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1900 Rural Resource K	Dwellings: Single Detached Housing	AMEND Principal Uses:	Clarifies principal uses, put into alphabetical order and connects readers

Concurrence Table

(R4K) Permitted Uses	<p>Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 1902</p>	<p>Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 1902</p>	to accessory dwelling unit general regulations section
Section 1901(4)(B) Rural Resource K (R4K) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 2000 Rural Resource (R4SA – South Arrow) Permitted Uses	<p>Dwellings: Single Detached Housing Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics</p>	<p>AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Single Detached Housing</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	<p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills</p> <p>Temporary Guest Accommodation as per Section 2002</p>	<p>Veterinary Clinics</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Sale of Site Grown Farm Products</p> <p>Portable Sawmills</p> <p>Temporary Guest Accommodation as per Section 2002</p>	
Section 2001(4)(B) Rural Resource (R4SA – South Arrow) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 2200 Multi-Unit Residential (R6) Permitted Uses	<p>Dwellings:</p> <p>Single Detached Housing</p> <p>Duplex Housing</p> <p>Multi-Unit Housing</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Horticulture</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Duplex Housing</p> <p>Multi-Unit Housing</p> <p>Single Detached Housing</p> <p>Accessory Uses:</p> <p>Accessory Buildings and Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Horticulture</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

Section 2300 High Density Residential (R6F) Permitted Uses	Dwellings: Single Detached Housing Accessory Uses: Accessory Buildings and Structures Secondary Suite	AMEND Principal Uses: Single Detached Housing Accessory Uses: Accessory Buildings and Structures Secondary Suite	Clarifies principal uses
Section 2301(1) High Density Residential (R6F) Development Regulations	The minimum lot size for the following uses shall be required as follows:	The minimum site area for the following uses shall be required as follows:	Consistent use of terms
Section 2400 Multi-Unit Residential – F (MFR-F) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Multi-Unit Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	AMEND Principal Uses: Duplex Housing Multi-Unit Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 2500 Seasonal Residential (R7) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Accessory Uses: Accessory Buildings and Structures	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products	Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products	
Section 2501(1)(C) Seasonal Residential (R7) Permitted Uses		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 2600 Heritage Residential I (HRI) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Farm Products	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
Section 2601(1)(C) Heritage Residential I (HRI) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

<p>Section 2700 Agriculture 1 (AG1) 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 Single Detached Housing Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Home Based Business - Portable Sawmills for processing of material harvested on site only - Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</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 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</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>
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Concurrence Table

		Temporary Farm Worker Housing (may require ALC non adhering residential use approval)	
Section 2701(1)(C) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density
Section 2800 Agriculture 2 (AG2) 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 Single Detached Housing Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)	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 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	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	<ul style="list-style-type: none"> - Home Based Business - Portable Sawmills for processing of material harvested on site only - Temporary Farm Worker Housing (may require ALC non adhering residential use approval) 	<p>parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)</p> <p>Home Based Business</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	
Section 2801(1)(C) Agriculture 2 (AG2) Development Regulations		<p>NEW</p> <p>Only one Single Detached Housing is permitted per lot.</p>	Clarifies principal dwelling density
Section 2900 Agriculture 3 (AG3) 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>Single Detached Housing</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p> <p>Veterinary Clinic (may require ALC non-farm use approval)</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>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p>	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	<p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Home Based Business - Portable Sawmills for processing of material harvested on site only - Temporary Farm Worker Housing (may require ALC non adhering residential use approval) 	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <p>Accessory Buildings or Structures</p> <p>Accessory Dwelling Unit, subject to Section 623</p> <p>Accessory Tourist Accommodation</p> <p>Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)</p> <p>Home Based Business</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Temporary Farm Worker Housing (may require ALC non adhering residential use approval)</p>	
<p>Section 2901(1)(C)</p> <p>Agriculture 3 (AG3)</p> <p>Development Regulations</p>		<p>NEW</p> <p>Only one Single Detached Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>

August 14, 2025

 Reply to the attention of Michael McBurnie
 ALC Planning Review: 105170

 Sadie Chezenko
 Planner, Regional District of Central Kootenay
 PlanDept@rdck.bc.ca

Re: Comprehensive Land Use Bylaw Amendments, Electoral Areas 'A', 'B', 'C', 'D', 'F', 'G', 'I', 'J', and 'K'

Thank you for forwarding a package of the proposed bylaw amendments for review and comment by the Agricultural Land Commission (the "ALC" or "Commission"). The package is comprised of six Comprehensive Land Use and Zoning bylaws which amend the existing zoning for Electoral Areas 'A', 'B', 'C', 'D', 'F', 'G', 'J', and 'K'.

This is the second referral related to bylaw updates for these electoral areas. In July, ALC staff received a referral for amendments to the Official Community Plans for these electoral areas. This referral focuses on the Zoning for these electoral areas.

The bylaws affected are:

Amendment Bylaw	Land Use Bylaw
Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025	Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013
Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025	Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013
Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025	Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013
Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025	Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016
Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025	Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004
Electoral Area 'G' Land Use Amendment Bylaw No. 3054, 2025	Electoral Area 'G' Land Use Bylaw No. 2452, 2018

Similar to the July referral, ALC staff understand that the amendments are minor updates to wording aimed at clarifying and modernizing the wording of the bylaws and that there are no substantive changes that affect ALR land. ALC staff have no comments on the proposed changes.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at [REDACTED]

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION



Michael McBurnie, Regional Planner

Enclosure: Referral of Comprehensive Land Use Bylaw Amendments, Electoral Areas 'A', 'B', 'C', 'D', 'F', 'G', 'I', 'J', and 'K'

CC: Ministry of Agriculture – Attention: Reed Bailey

105170m2



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

Consulting ID:

PIB 2025 - RDCK SSMUH

Project Name

PIB 2025 - RDCK SSMUH-RDCK Additional Text Amendments - SSMUH.

Consulting Organization:

Regional District of Central Kootenay

2-Sep-2025 23:54 UTC

Attention: Sadie Chezenko

RE: 40 (forty) day extension

Thank you for the above application that was received on 7-Aug-2025.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, snpink'tn (Penticton Indian Band) will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

syilx (Okanagan Nation) Title includes snpink'tn right to proactively use and manage our resources. In Tsilhqot'in, the Supreme Court of Canada emphasizes the need to seek the consent of the title-holding Aboriginal group, and warns, without consent for a project, the proponent risks having the project cancelled. The obligation to seek free, prior and informed consent is further required by the United Nations Declaration on the Rights of Indigenous People (UNDRIP). UNDRIP requires that Indigenous peoples shall be consulted and cooperated with in good faith in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

Please note that not receiving a response regarding a referral from snpink'tn in the pre-application, current or post-application stage does not imply our support for the project.



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

I appreciate your co-operation.

limləmt,

Caroline Stewart
Office Administrator
snpink'tn (Penticton Indian Band)
Natural Resources

address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

Consulting ID:

PIB 2025 - RDCK SSMUH

Project Name

PIB 2025 - RDCK SSMUH-RDCK Additional Text Amendments - SSMUH.

Consulting Organization:

Regional District of Central Kootenay

2-Sep-2025 23:54 UTC

Attention: Sadie Chezenko

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

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

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



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

Invoice Number: PIB 2025 - RDCK SSMUH
Referrals Processing Fee
Sub Total \$ 500.00
Tax \$ 0.00
Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

We accept cash and cheque via mailing as well as EMT. Our mailing address is 841 Westhills Drive Penticton BC, V2A OE8. Our EMT is [REDACTED]

Please have 'ATTN: Natural Resources File # PIB 2025 - RDCK SSMUH PC:132 ' in the notes if you are using EMT or if you are using another method, please supply the referral number with it .

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

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

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

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

limlæmt,

Caroline Stewart
Office Administrator



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

snpink'tn (Penticton Indian Band)
Natural Resources

address: 841 Westhills



Referral Letter

WFN ID#: 751

WFN Lead-Officer: Brayden Holenstein

September 5, 2025

Your File: RDCK Additional Text Amendments SSMUH

Regional District of Central Kootenay

202 Lakeside Drive
Nelson BC V1L 6B9
Canada

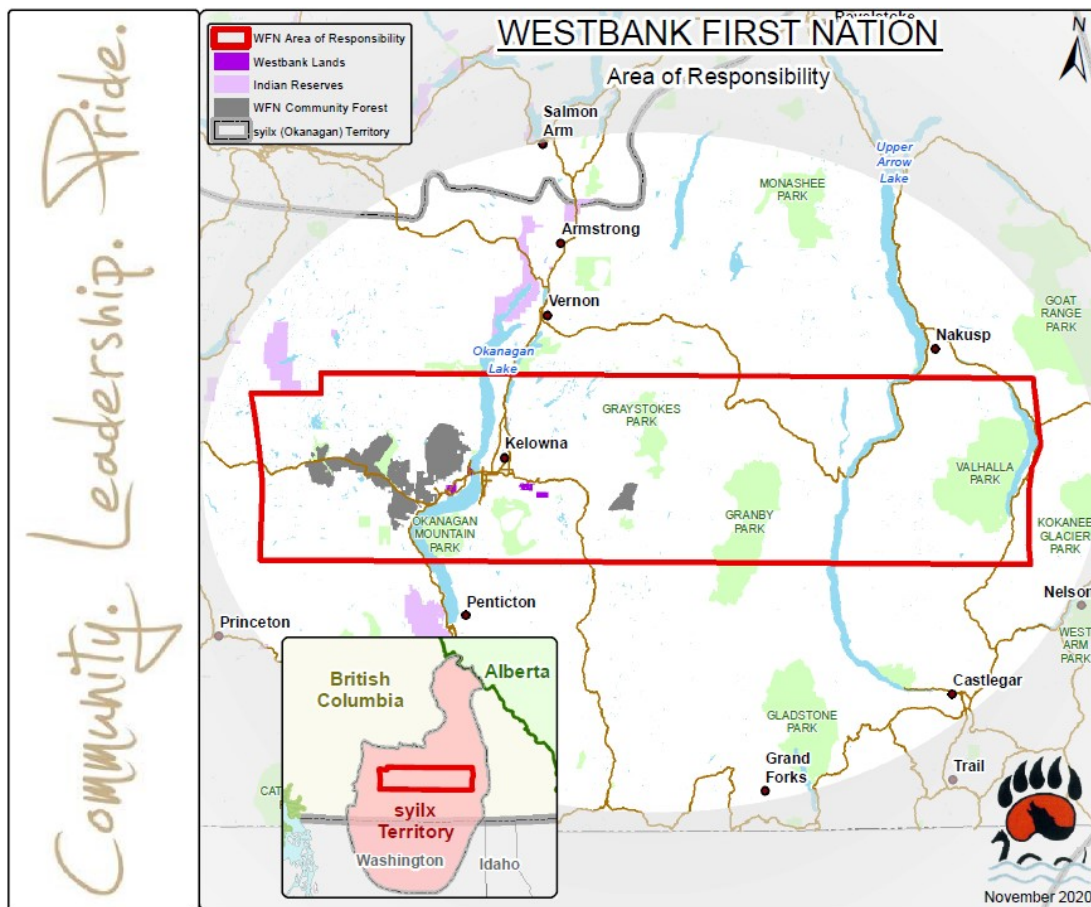
SENT VIA EMAIL: planning@rdck.bc.ca

Dear Regional District of Central Kootenay,

Re: RDCK Bylaw Amendments (text/wording) Re: Provincial Bill 44 – **Westbank First Nation Consent**

We write further to your referral submission dated 2025-08-18 concerning the above-noted application. As you are aware, the activity falls within the territory of the syilx Okanagan Peoples. Westbank First Nation (“Westbank”) is one of the seven communities of the syilx Okanagan Peoples (also known as the Okanagan Nation) in Canada. The syilx Okanagan Peoples have established protocols and arrangements respecting the advancement and implementation of Rights and Title, both as individual communities and collectively. Each community of the syilx Okanagan Peoples has an established caretaker area of responsibility within the syilx Territory. Westbank is recognized as the caretaker and the proper holder of

syilx Rights and Title concerning the Westbank Area of Responsibility (the “Westbank AOR”), as identified on the enclosed map.



Regarding the above-referenced activity, Westbank advises that we have completed a review of the proposed activity in accordance with the Westbank First Nation Crown Lands Referral Directive and the Westbank First Nation Archaeology Directive. The Westbank Council has approved the application, allowing the proposed activity to proceed as presented, provided that the work commences within the indicated time frame listed in the application. Our consent is predicated upon the position that there will be no material or significant changes to the activity as proposed to Westbank within the time frame listed in the application. This approval only applies to this specific aspect of the proposed activity. Any future regulatory authorizations relating to this activity require additional consultation with Westbank. For greater certainty, this consent does not apply to any additional works or new aspects of this activity after it has become operational.

We take this opportunity to highlight that we place a high value on the responsible management and safeguarding of our resources, environment and watersheds as reflected in our *captikwł* - a collection of teachings about syilx Okanagan laws, customs, values, governance structures and principles that, together, define and inform syilx Okanagan rights and responsibilities to the land and our culture. *captikwł* reminds us that everything is interwoven and connected. Similarly, the United Nations Declaration on the Rights of

Indigenous Peoples (“UNDRIP”), which has been adopted by both the provincial and federal governments, recognizes “that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment”. Further, UNDRIP recognizes that we have the right to self-determination, including the right to make informed decisions respecting our lands, resources, waters and the environment. With this in mind, please be advised that our participation in the referral and consultation process does not define or amend the inherent Aboriginal rights and title of the syilx Okanagan Peoples and of Westbank and its members, or limit any priorities afforded to Aboriginal rights and title, nor does it limit the positions that Westbank may take in future negotiations or court actions.

We trust you will take appropriate action to respect our rights, however, in the absence of that we will pursue whatever means necessary to protect our interest, right and title. If you have any questions, please contact Referrals Officer Brayden Holenstein at the Westbank First Nation Title and Rights office at [REDACTED]

Respectfully,

WESTBANK FIRST NATION

INTERGOVERNMENTAL AFFAIRS AND TITLE & RIGHTS

201 - 515 HWY 97 S, KELOWNA, BC V1Z 3J2
[REDACTED] [REDACTED]

Administrative Summary of Application

Project Name	RDCK Bylaw Amendments (text/wording) Re: Provincial Bill 44
WFN ID	751
Issuing Agency file number(s)	RDCK Additional Text Amendments SSMUH
Government statutes	Local Government Act
Project Type(s)	Zoning
Project Description	The purpose of the current proposed amendments is to further implement the requirements of Provincial Bill 44 by clarifying principal dwelling densities in restricted zones and ensuring consistent formatting and terminology across bylaws. The current proposed amendments do not alter the intent of the amendments adopted last year. Instead, they refine the bylaws to ensure alignment with the purpose of the previously adopted bylaws.
Project Location	All zoned areas of the RDCK.
Area (ha)	1881661.52
Project start date	August 31, 2025
Lead officer	Brayden Holenstein (WFN Referral Committee) (WFN - Title & Rights)
Applicant	Regional District of Central Kootenay
Proponent	Regional District of Central Kootenay
Publication due date	September 2, 2025
Committee Review due date	September 6, 2025
Committee Review complete date	August 20, 2025
WFN Council Authorization due date	September 24, 2025

WFN Council Authorization complete date	September 5, 2025
Decision Letter due date	September 29, 2025
Decision Letter complete date	September 5, 2025
Monitoring and Negotiation complete date	September 5, 2025
Final Decision Letter (optional) complete date	September 5, 2025
Awaiting Response complete date	September 5, 2025

Referral Impact Summary

This section summarizes topics identified through Westbank First Nation’s review that are to be addressed by the Referral Issuant and Proponent. Upon receiving this report, please contact the Lead Referral Officer at Westbank First Nation in charge of this file to initiate engagement regarding these topics. Please be aware that any delays in a response from the Referral Issuant can result in delays to the overall referral process. For more information please see the [Westbank First Nation Crown Lands Referral Directive](#), available on the [WFNConnect](#) Knowledge Base.

Potential Impacts on Title & Rights

Please Note: As outlined in the Westbank First Nation Referral Directive:
The purpose of this Directive is to establish procedures for assessing Applications that may have an impact on the *syilx* Title and Rights of Westbank or the *syilx* Peoples.

The *syilx* Peoples hold *syilx* Title and Rights throughout *syilx* Territory, which are recognized and affirmed by section 35 of the Constitution Act, 1982, and which have never been ceded, surrendered or relinquished by the *syilx* Peoples. Within *syilx* Territory, Westbank shares in the responsibility to take care of *syilx* Territory and, in accordance with the *syilx* Decision-Making Protocol, Westbank is the caretaker of the lands in and about the area depicted as the Westbank Area of Responsibility.

POTENTIAL IMPACT

Referral Impact Response

This section summarizes the engagement processes undertaken to address topics, if any, raised by Westbank First Nation in the Preliminary Response. It highlights any Outstanding Issues that still need to be addressed and provides the Westbank First Nation Council decision regarding the proposed works, along with any mitigation measures, conditions, and relevant rationale, if applicable.

WFN Review Status Review Completed, WFN Decision Made

WFN Decision Approve Application without Condition(s)

Please Note: Where applicable, Westbank First Nation expects to be continuously updated on any status and scope change of this application, as well as on any direct consultation with the engagement entities or info-sharing with the proponent.

WFN CHIEF & Council – Approval of Final Report

WFN AUTHORIZED SIGNATORIES

Approved By



ȳilmix^{wm} (Chief) Robert Louie



səx^{wk}wínmaʔm (Councillor) Jordan Coble



səx^{wk}wínmaʔm (Councillor) Sara Tronson



səx^{wk}wínmaʔm (Councillor) Angie Derrickson



səx^wk^wínmaʔm (Councillor) Andrea Alexander

Please Note: Westbank First Nation receives and responds to referrals in accordance with the Westbank First Nation Crown Land Referral Directive, Westbank First Nation Archaeology Directive, Westbank First Nation Constitution and the Westbank First Nation Self-Government Agreement. This report intends to capture information sharing and communication between the Federal, Provincial, Regional and Municipal Governments as well as the proponents, and communities involved. This report may contain sensitive and confidential information, and thus may not be duplicated, distributed or shared without prior consent of the Westbank First Nation.



Planning Services Quarterly Report

New Applications and Referrals (October to December 2025)

Development Permit Applications

Electoral Area	File Number	Applicant	Proposal	Status
E	DP2510E	Western Pacific Marine	Replacing the freshwater line at Balfour Ferry terminal	Cancelled
D	DP2511D	Jacoe	Rebuild accessory structure within 30 m of Kootenay Lake	In-progress
F	DP2512F	Purcell Timberframes Ltd	Commercial DP for revisions to original development permit from 2021	In-progress

Development Variance Permit Applications

Electoral Area	File Number	Applicant	Proposal	Bylaw	Status
I	V2507I	Johnston	To vary Section 602 (7) of Bylaw 1675 to support subdivision application	1675	In-progress
F	V2508F	Maki	To vary the gross floor area of an indoor riding arena	1675	In-progress

Referrals

Accretion Applications (Referred from Surveyor General)

Electoral Area	File Number	Applicant	Proposal
E	R2541E	Deschamps & Gagnon	Accretion application for 2 parcels on Kootenay Lake
A	R2543A	Wozney	Accretion application for parcel on Kootenay Lake
E	R2544E	Kalinski	Accretion application for parcel on Kootenay Lake
A	R2546A	Truscott	Accretion application for parcel on Kootenay Lake
D	R2549D	Campell Creek Developments (pending receipt of Surveyor General's email)	Accretion application for parcel on Kootenay Lake

Agricultural Land Reserve Applications (Referred from the Agricultural Land Commission)

Electoral Area	File Number	Applicant	Proposal	Status
B	A2509B	Goddard	Subdivision	In-progress
B	A2510B	Wiebe	Subdivision	In-progress

Crown Applications (Referred by the Province)

Electoral Area	File Number	Applicant	Intended Use
B	R2550B	Creston Valley Disc Golf Association	Development of an 18 hole public disc golf course and public perimeter walking trail on Crown land

Forestry Applications (Referred by Forestry Companies)

Electoral Area	File Number	Applicant	Intended Use
B	R2538B	Creston Community Forest	Wildfire Risk Reduction Project: CP 35 Block 18, south of Kitchener
JG	R2539JG	Atco Wood Products	Referral blocks in the East and West Beavervale Creek area
B	R2545B	Tanglewood Forestry Consultants	Referral for Woodlot Licence W1778 in the Jensen Creek area
ALL	R2551ALL	Ministry of Forests, Kootenay Boundary Region	Forestry referral to provide input on Forest Landscape Planning (FLP)

Industrial Applications (Referred by Industrial Companies)

Electoral Area	File Number	Applicant	Intended Use
K	R2542K	Columbia Basin Broadband Corporation	Industrial Canada Referrals (IR) for a telecommunications facility on the Needles (west) side of the Needles Cable Ferry

Mines Applications (Referred by the Province)

Electoral Area	File Number	Applicant	Intended Use
G	R2547G	Homegold Resources Ltd.	Notice of Work for Mineral Exploration- Surface

K	R2548K	Lus	Notice of Work for surface placer mine
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Municipal Applications (Referred from Local Governments)

Electoral Area	File Number	Applicant	Intended Use
CRE	R2540CRE	Town of Creston	Review and provide comment on Official Community Plan Amendment Bylaw

Subdivision Applications (Referred from the Ministry of Transportation and Transit)

File Number	Applicant	Lots
S2536J	Rysen	Conventional 2 lot
S2537HS	435862 B.C. LTD	Conventional 2 lot
S2538HN	Martin & Blackshaw	Conventional 2 lot
S2539F	Pozin	Boundary adjustment between 2 lots
S2540E	Cloutier	Conventional 2 lot
S2541HS	Mainroad Properties	Conventional 2 lot
S2542J	Cooke	Conventional 2 lot
S2543G	Burrage	Boundary adjustment between 2 lots
S2544J	Kolman	Conventional 3 lot
S2545I	Makonin	Boundary adjustment between 2 lots

Summary of Applications and Referrals (Q4: October 1 to December 31)

October 1 to December 31		Electoral Area											
	VAR	A	B	C	D	E	F	G	H	I	J	K	Total
Development Permit		0	0	0	1	1	1	0	0	0	0	0	3
Development Variance		0	0	0	0	0	1	0	0	1	0	0	2
Board of Variance		0	0	0	0	0	0	0	0	0	0	0	0
Temporary Use Permit		0	0	0	0	0	0	0	0	0	0	0	0
Bylaw Amendment		0	0	0	0	0	0	0	0	0	0	0	0
Floodplain Exemption		0	0	0	0	0	0	0	0	0	0	0	0
Strata Title Conversions		0	0	0	0	0	0	0	0	0	0	0	0
Soil Removal & Deposit Permit		0	0	0	0	0	0	0	0	0	0	0	0
Manufactured Home Park		0	0	0	0	0	0	0	0	0	0	0	0
ALR Applications													0
Inclusion		0	0	0	0	0	0	0	0	0	0	0	0
Subdivide		0	2	0	0	0	0	0	0	0	0	0	2
Non-Farm Use		0	0	0	0	0	0	0	0	0	0	0	0
Non-Adhering Residential Use		0	0	0	0	0	0	0	0	0	0	0	0
Accretion Referrals		2	0	0	1	2	0	0	0	0	0	0	5
Crown Land Referrals		0	1	0	0	0	0	0	0	0	0	0	1
Mines Act Referrals		0	0	0	0	0	0	1	0	0	0	1	2
Forestry Referrals	2	0	2	0	0	0	0	0	0	0	0	0	4
Municipal Referrals	1	0	0	0	0	0	0	0	0	0	0	0	1
LCRB Referrals		0	0	0	0	0	0	0	0	0	0	0	0
Industrial Referrals		0	0	0	0	0	0	0	0	0	0	1	1
Subdivision Referrals		0	0	0	0	1	1	1	3	1	3	0	10
All Application Types	3	2	5	0	2	4	3	2	3	2	3	2	31

Summary of Applications and Referrals (January 1 to December 31, 2025)

January 1 to December 31		Electoral Area											
	VAR	A	B	C	D	E	F	G	H	I	J	K	Total
Development Permit		4	0	0	2	2	3	0	1	0	0	0	12
Development Variance		0	2	0	0	0	2	1	0	1	1	1	8
Board of Variance		0	0	0	0	0	0	0	0	0	0	0	0
Temporary Use Permit		0	0	0	0	0	0	1	0	0	0	0	1
Bylaw Amendment		0	1	0	0	0	3	2	0	0	1	0	7
Floodplain Exemption		0	1	0	0	0	0	1	1	0	0	0	3
Strata Title Conversions		0	0	0	0	0	0	0	0	0	0	0	0
Soil Removal & Deposit Permit		0	0	0	0	0	0	0	0	0	0	0	0
Manufactured Home Park		0	0	0	0	0	0	0	0	0	0	0	0
ALR Applications													0
Inclusion		0	0	0	0	0	0	0	0	0	0	0	0
Subdivide		0	2	0	1	0	0	0	0	0	0	3	6
Non-Farm Use		0	3	0	0	0	0	0	0	0	0	1	4
Non-Adhering Residential Use		0	0	0	0	0	0	0	0	0	0	0	0
Accretion Referrals		6	0	0	1	5	1	0	0	0	0	0	13
Crown Land Referrals	1	0	1	0	3	2	0	0	2	1	0	1	11
Mines Act Referrals	0	1	0	0	0	0	0	1	0	0	2	1	5
Forestry Referrals	6	2	6	1	1	0	0	0	0	0	0	2	18
Municipal Referrals	6	0	0	0	0	0	0	0	0	0	0	0	6
LCRB Referrals		0	0	0	0	0	0	1	0	0	0	0	1
Industrial Referrals		0	0	0	0	0	0	1	0	0	0	1	2
Subdivision Referrals		3	7	2	1	3	3	5	7	7	5	2	45
All Application Types	13	16	23	3	9	12	12	13	11	9	9	12	142

ALC Decisions 2023-2025

(Note: Applications withdrawn prior to Board consideration were not included in this spreadsheet)

File Number	Applicant	Type	Proposal	CVAAC Recomm.	RDCK Staff Resolution	RDCK Board Resolution	ALC Decision
A2302B	Murphy	Subdivision	3 lot subdivision of 2 existing lots including boundary adjustment to accommodate a dwelling built over a lot line	Support	Partial Support/Not Support and forward to the ALC	Support and forward to ALC	Refused
A2303I	Conroy	Subdivision	2 lot subdivision	n/a	Not Support and not forward to the ALC	No Comment and forward to ALC	Refused
A2304K	Yaremcio	Subdivision	2 lot subdivision	n/a	Not Support and not forward to the ALC	Not Support and not forward to ALC	n/a
A2305AC	Ogilvie	Subdivision	Boundary adjustment to create better farming conditions	Support	Support and forward to the ALC	Support and forwarded to the ALC	Approved
A2306B	Ducharme	Non-Farm Use	To legalize a commercial lumber sales business that had been in operation for three years	Not Support	Not Support and not forward to the ALC	Support and forward to ALC	n/a
A2308A	Kokanee Springs Resort	Inclusion	Include a 0.60-hectare portion of land in the ALR to provide a “no net loss” of ALR land and to satisfy a condition of an ALC Non-farm Use Application that was approved on October 24, 2022.	n/a	Support and forward to the ALC	Support and forward to ALC	Approved
A2310Hs	Evin	Subdivision	2 lot subdivision	n/a	Not Support	Support and forward to ALC	Refused
A2401G	Measures	Non-Adhering Residential Use (NARU)	To convert a portion of an existing horse barn to a secondary residence with a floor area of 90m2. ALC approval is required to authorize a secondary residence that is within a building that is larger than 90 m2.	n/a	Support and forward to the ALC	Support and forward to the ALC	Approved

A2402B	Blackmore	Non-Farm Use	The applicant is proposing to place, crush and process 252,150 m3 of rock on a 0.94ha portion of the property within the ALR.	Support	Not Support and not forward to the ALC	Not Support and not forward to the ALC	n/a
A2404Hs	Perepolkin	Subdivision	2 lot subdivision	n/a	Not Support	Support and forward to ALC	Refused
A2502K	Dansan Holdings LTD	Subdivision	2 lot subdivision to subdivide the existing lot based on the right of way for Highway 6 which would create a 3.7 ha and a 3.1 ha lot on either side of the Highway.	n/a	Not Support and not forward to the ALC	Not Support and not forward to the ALC	n/a
A2503K	Pittman (Columbia Basin Broadband Corporation)	Non-Farm Use	The proposal is to install a telecommunications shelter on the site in order to allow residents of the area to access high speed internet.	n/a	Support and forward to the ALC	Support and forward to the ALC	Approved
A2504D	Trueman	Subdivision	2 lot subdivision	n/a	Not support	Support and forward to the ALC	*under review*
A2505B	Marar Orchards LTD	Non-Farm Use	Construct commercial kitchen and sell grab and go prepared meals out of their existing farmstand	n/a	Support and forward to the ALC	Support and forward to the ALC	Approved
A2506B	Hagenfeldt (Baille Grohman)	Non-Farm Use	The property owners have submitted this ALC Non-Farm Use application to recognize existing outdoor food and beverage service areas that were established without ALC approval	Support	Support and forward to the ALC	Support and forward to the ALC	*under review*
A2507K	Fortunes Landing on Arrow Lakes LTD	Subdivision	Boundary adjustment between two lots	n/a	Support and forward to the ALC	Support and forward to the ALC	*under review*
A2508B	Tilling	Non-Farm Use	To legalize a coffee shop that was in operation for four years	Support	Not Support and not forward to the ALC	Support and forward to the ALC	*under review*
A2509B	Goddard	Subdivision	Lot consolidation and boundary adjustment as well as the subdivision of one lot into two. 5	Not Support	*under review*		

			parcels total proposed to become 4 parcels total.				
A2510B	Weibe	Subdivision	2 lot subdivision		*under review*		



RAC Report

Update on Funding Third Parties with Community Works Funds

Author:	Mike Morrison, Senior Manager of Corporate Administration
File Reference:	05-1850
Electoral Area/Municipality:	ALL ELECTORAL AREAS
Services Impacted	N/A

1.0 PURPOSE OF REPORT

At the April 2025 Board meeting the following resolution was adopted :

213/25 That the Board direct staff to investigate and report back on options for the Board to support third party Community Works applications through RDCK services.

The purpose of this report is to update Directors on the recent history with third party CWF applications.

2.0 BACKGROUND AND UPDATE

In Nov. 2025 the Rural Affairs Committee received a report outlining recent changes to the Community Works Fund program specifically related to the funder's new restriction on local governments using Community Works Funds (CWF) to fund third party projects. That report is included as background information as Attachment A.

Three of the four requirements for funding third party projects are proving to be challenging for the RDCK to meet for third parties. These requirements and recent interpretations and application of the requirements in relation to RDCK-proposed third party projects are summarized as follows:

1. *Board or council has identified the project as a regional or municipal priority within a long-term capital investment plan;*

Until recently UBCM had shown some flexibility on this requirement, with a connection to a broadly worded objective within an Official Community Plan or a Recreation Master Plan in some cases being a sufficient linkage to the planning requirement. This appears to have changed, and we must adhere to three requirements to meet the current standard:

1. The specific project or asset must be identified within a plan
2. The plan must be a document produced by the RDCK or another local government
3. The plan must show long-term capital investments

UBCM has confirmed that the RDCK would satisfy these requirements with an approach that includes both of the following:

1. RDCK initiates and creates local area recreation or water plans that identify specific third-party projects as local priorities. None of these plans currently exist or have been directed by the Board at this time.
2. Identify revenues and expenditures for all Community Works Funds within the RDCK Five- Year Financial Plan that is updated annually with current-year approved projects. This would likely be shown within an allocation service.

2. Board or council has not prioritized the 3rd party project over a local government owned priority project;

UBCM requires that any third-party project approval be accompanied by a Board resolution that includes a statement to the effect of this requirement. To date, no projects have moved forward for approval with this requirement being considered by the Board. The intent of the requirement is that the Board compare local government funding needs against the proposed third-party project and only advance third party projects that reflect Board priorities. UBCM has confirmed that funding third parties through CWF does not have a direct negative impact on the scoring for competitive grant applications. However, directors should note that the current Strategic Priorities Fund (SPF) intake is significantly oversubscribed and that local governments that have available CWF to put towards the projects they applied to the SPF for will likely be factor in project awards.

3. The project is supported by asset management planning

Historically it has been very difficult for third party CWF recipients to demonstrate they have met a reasonable standard for asset management planning. These asset management plans are reviewed by staff, not UBCM, so there has been some discretion that staff applied in the past. However, the new RDCK/UBCM funding agreement has stronger requirements for asset management. Third parties applying for CWF funding will soon be required to submit their asset management plans on UBCM-approved templates based on Asset Management BC standards. This requirement alone will make access to CWF very challenging for many smaller organizations.

The Asset Management Commitments the RDCK is contractually obligated to by way of Schedule F of the agreement are as follows:

- *Reporting on continuous improvement of Asset Management practices over the duration of the Agreement, including reporting through the Ministry of Municipal Affairs Local Government Data Entry (LGDE) System,*
- *Development and implementation of Long-term Financial Plans*
- *Ongoing Asset Management education and training, and*
- *Implementing asset management performance measurement.*

4. The project meets the minimum outcomes reporting criteria as identified below. Any project that receives more than \$25,000 of CWF funding must complete annual outcomes reporting which will include the following information:

o Population directly served by the project

o First Nation Population directly served by the project

o Output metric

o Outcome metric

Staff do not believe this requirement will be a significant barrier to third party recipients however there have been historic challenges in getting third parties to adequately quantify their project outcomes and submit the required reporting in a timely fashion.

Other Requirements

As noted in the Dec 2024 report to RAC the RDCK, as the signatory to the UBCM agreement, retains the legal responsibility to ensure third party adherence to the obligations of Ultimate Recipients as they are defined within the agreement. Continuing to fund third parties under the new UBCM/RDCK agreement would impose due diligence obligations upon the RDCK to ensure the funded third party adheres to RDCK procurement policies. Based on staff's experience with this requirement with other Province grant funds this would introduce significant risks for the RDCK and could place significant time demands on staff.

The administrative burden of CWF program administration is already substantial for third -party projects. Layering in the new requirements would add demands upon staff time, and at historic volumes of third-party applications it would not be possible to meet our obligations with current staffing resources.

Current trends

Since Dec. 2024 staff have consulted with UBCM on every third-party project that enters our application process. We have observed increasingly stringent interpretations from UBCM over the past year and insistence on the RDCK providing proof of the requirements being met prior to approving a project.

To highlight the challenges facing the RDCK in continuing to fund third party projects consider the recent example of the Sproule Creek bridge replacement. The Pulpit Rock Trails Society has a stewardship agreement with the Province for the Sproule Creek trail, on which some bridges require repair. The society approached the RDCK to fund the bridge project with CWF. The project is supported by the Area F Director and aligns quite strongly with the objectives in the RDCK's Parks and Trails Strategy, though this trail is not mentioned specifically within that strategy. In order to receive CWF funding the following steps would need to occur in sequence before UBCM will approve the project:

1. RDCK Parks completes a prioritization matrix to attach to the Parks and Trails Strategy that names the assets and includes a high-level asset management assessment, and which assigns a relative priority to the project. Parts of this work may be already planned by the RDCK Parks group.
2. The project is specifically identified within the RDCK Five Year Financial Plan.
3. The RDCK, the Province and the Society enter into a Memorandum of Understanding that identifies roles and responsibilities for each party and confirms that the society and the Province will meet the specific requirements of the UBCM /RDCK agreement.

4. The society completes asset management planning in accordance with Asset Management BC standards.
5. The Society submits a formal funding application for project to the RDCK.
6. The RDCK Board awards the funding subject to UBCM approval and confirms by resolution that the project is not being funded over an RDCK priority.
7. The project documentation is submitted to UBCM for approval.
8. Following UBCM approval the RDCK enters into agreement with the Society and initiates contractually obligated due diligence.

Going forward, fulfilling the required steps to achieve approval for third party projects would involve significant effort on the part of applicants, stakeholders, and staff. Realistically, the new requirements will be very difficult to achieve for any third party and staff expect that most prospective third parties seeking CWF would not be interested in expending the effort required to receive the funding. Effectively this may mean that CWF is going to internal projects only going forward. Considering that we currently cannot meet the plan requirements for any third-party project, it would likely be 2027 at the earliest before the RDCK could fund any third parties with CWF.

In the meantime, the following circumstances will shape the near future considerations for upcoming CWF expenditure:

- Completion of RDCK asset management plans will identify funding shortfalls for replacement of RDCK-owned assets
- Expansion of eligible project categories within the 2024 funding agreement, such as those related to disaster mitigation, fire halls, and housing planning provide new outlets for CWF funds.
- Recreation planning processes currently underway may identify new infrastructure project priorities.
- Contribution of designated electoral area CWF to regional projects may increase

UBCM staff have informally noted that regional district funding of CWF to third parties have dropped significantly over the past year in response to the changes within the 2024 funding agreement. Additionally, they are seeing some regional districts initiating processes to either create new services or bring third party assets into existing regional district services in order to maintain eligibility for CWF funding.

It is also worth noting that UBCM appears to be stepping up enforcement of their eligibility requirements. A recent UBCM audit determined that the 2024 Nelson Cycling Club Trail Enhancement and Upgrade project funded with Areas E and F-designated CWF was not eligible for funding on the basis that project expenses were related to maintenance of existing trails rather than building new infrastructure. Consequently, \$28,956 will be withheld from the RDCK's next CWF payment from UBCM, to be shared equally between Areas E and F.

3.0 NEXT STEPS AND TIMELINE

No actions are planned at this time. Through 2025 staff have been communicating the UBCM requirements to prospective third parties seeking CWF. This has resulted in far fewer third-party applications than in the past, and we expect this trend to continue with recent confirmation from UBCM staff that the requirements listed in this report will be firmly interpreted going forward. This will be clearly communicated to prospective third party applicants by way of an update page on the RDCK website providing a plain-language summary of the requirements and associated processes.

The Board may consider directing staff to undertake actions that would support the RDCK's likelihood of success in awarding CWF grants to third parties in the future. Specifically, this means an analysis of the impacts and benefits of creating local area recreation and water plans and the inclusion of CWF disbursement within the RDCK Financial Plan.

Respectfully submitted,

Mike Morrison, Senior Manager of Corporate Administration/ Corporate Officer

CONCURRENCE

Uli Wolf General Manager of Environmental Services **Approved**

Yev Malloff – Chief Financial Officer **Approved**

Stuart Horn – Chief Administrative Officer **Approved**

Attachment A – 2024-12-01 RAC Report- Community Works Fund Eligibility



Committee Report

Date of Report: 12-01-2024
Date & Type of Meeting: 12-11-2024 Rural Affairs Committee
Author: Mike Morrison, Manager of Corporate Administration / Corporate Officer
Subject: Changes to Community Works Fund Eligibility
File: 05-1850-20
Electoral Area/Municipality: All Electoral Areas

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to explain recent changes to eligibility for the Community Works Fund (CWF) program funding for non-RDCK infrastructure projects.

SECTION 2: BACKGROUND/ANALYSIS

In August 2024 the Board approved entering into the 2024-2034 CWF Agreement with the Union of British Columbia Municipalities (UBCM) who administers the fund in BC under contract with Canada under the Canada Community Building Fund.

The CWF program was originally designed as a municipal infrastructure program, and within BC it evolved differently to meet the unique needs of regional districts. Specifically, the funding of third party projects in areas where there may not be regional district infrastructure is unique to BC. UBCM staff identified that around 300 third party projects are funded annually in BC, whereas in all other provinces combined there has been only one third party project funded in the past ten years. In any given year the RDCK would account for roughly between 5%- 15% of the BC total. Since the inception of the CWF program 203 of the 308 (or 66%) of CWF projects funded by the RDCK have been delivered by third parties.

Like other regional districts, the RDCK has historically allocated out the funds to each electoral area. Prior to 2014, much of the RDCK's CWF funds went to greenhouse gas and energy efficiency projects as this was Canada's focus for the program. In this period some funds were pooled funds for internal projects, but in areas with little or no RDCK infrastructure UBCM permitted the funds to be used for third party projects such energy upgrades at community halls. When the list of eligible project categories expanded significantly in the 2014 - 2024 funding agreement, UBCM intended that this change would redirect CWF funding toward regional district-owned projects to better align with Canada's intent for the program. Many of the projects funded under the new categories went to third parties. The continued proliferation of smaller, low \$ value, third party projects in BC was flagged by Infrastructure Canada and changes to UBCM's delivery of the program to address these concerns were included within the 2024-2034 funding agreement.

In November 2024 UBCM denied funding to third party CWF applications submitted by the RDCK that otherwise met the eligibility requirements. UBCM staff identified the following requirements in the CWF Program Guide as the basis for the denial:

Projects relating to an asset not owned by a local government must be approved through a board or council resolution on which identifies the project meets the following criteria:

- 1. Board or council has identified the project as a regional or municipal priority within a long-term capital investment plan;***
- 2. Board or council has not prioritized the 3rd party project over a local government owned priority project;***
- 3. The project is supported by asset management planning***
- 4. The project meets the minimum outcomes reporting criteria as identified below. Any project that receives more than \$25,000 of CWF funding must complete annual outcomes reporting which will include the following information:***

- o Population directly served by the project***
- o First Nation Population directly served by the project***
- o Output metric***
- o Outcome metric***

The new requirements described above were introduced within the CWF Program Guide (updated June 2024) and are specifically intended to nudge regional districts to allocate their CWF funding to regional district-owned projects. Third party projects can still be funded but they must be tied to a regional district planning process, meet a reasonable test to ensure they are not prioritized over regional district projects, and be supported by asset management planning. A very small proportion of the third party-owned projects the RDCK has funded through CWF would qualify under the new rules. UBCM has noted to staff that these new requirements are mandatory, and that continuing to fund projects that do not meet the new criteria would be grounds for compliance measures against the RDCK.

Additionally within the UBCM Funding agreement there was a change to the definition of Ultimate Recipient. Prior to 2024 only a local government could be considered an Ultimate Recipient. The definition was changed to allow other parties to be considered Ultimate Recipients. UBCM confirmed that any third party funded by the RDCK would be considered an Ultimate Recipient and be required to meet all of the obligations of an Ultimate Recipient. The RDCK, as the signatory of the agreement with UBCM, would retain legal responsibility for meeting the contractual obligations. In practice, these risks are managed through the funding agreements which pass through UBCM's requirements to the third party. However there are due diligence obligations upon the RDCK to verify that the third parties meet UBCM's requirements.

Staff also note that there are new requirements in the UBCM/ RDCK CWF funding agreement for Ultimate Recipients to adhere to RDCK procurement policies, the asset management best practices identified by UBCM, and the UBCM communications protocols. If the RDCK were to continue CWF funding to third parties as it has done in the past it would be very challenging to achieve proper oversight on these three items with our current staff resources. Further, the new definition of Ultimate Recipient requires that any third party funded through CWF "delivers a service typical of local government", which adds to eligibility considerations for third party projects.

These new requirements affect all regional districts. UBCM has not provided clear guidance regarding specific and objective standards that must be attained in relation to the new eligibility requirements for a proposed third party project to receive CWF funding. For example these requirements can be interpreted in different ways. As an example- it is not yet clear what standard of proof is required to show that the third party project hasn't been

prioritized over and RDCK project. Staff expect clearer guidance will be provided by UBCM as regional districts adjust to the new requirements. Going forward - project eligibility will be considered by UBCM on a case-by-case basis and they have encouraged RDCK staff to consult with UBCM early when we are approached by third parties for proposed CWF projects. Generally speaking, we can expect the following relevant considerations regarding third party eligibility:

- RDCK Grant-In –Aid services funded through taxation may be given special consideration for meeting the new requirements or possibly considered as internal RDCK projects ;
- Master plans for RDCK services that include capital projects delivered by third parties would satisfy the UBCM requirement for capital investment plans. Where these plans are not in place, the Board could direct that they be developed;
- Third party water infrastructure projects may be given special consideration on the basis of strong ties to CWF program goals, the alignment with ‘typical local government services’, and these projects often being supported by asset management planning. While the Board has made some commitments to support non –RDCK water systems these could be formalized to better align with UBCM requirements;
- Many of the third parties historically receiving funding through the RDCK CWF program will become ineligible for future funding through this program;

The changes to CWF eligibility will impact how rural Directors may approach the allocation of assigned CWF funds over the coming years. The following circumstances are relevant:

- The upcoming completion of formal RDCK asset management plans will identify infrastructure priorities eligible for CWF funding;
- Recreation planning processes currently underway may identify new infrastructure project priorities;
- Expansion of eligible project categories within the 2024 funding agreement, such as those related to disaster mitigation, fire halls, and housing planning provide new outlets for CWF funds;

Going forward, staff will undertake the following actions:

1. Develop an initial screening matrix for use with proposed third party CWF applications for the purpose of establishing conformance with the new UBCM requirements prior to a full application being prepared.
2. Update the Community Works Fund agreement template for third party projects that the RDCK uses with third parties to align with the new requirements in the 2024 UBCM/ RDCK agreement and to effectively manage risk for the RDCK. While staff expect that the template will be used less frequently it still must be updated.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:

☐ Yes
☒ No

Debt Bylaw Required:

☐ Yes
☒ No

Financial Plan Amendment:

☐ Yes
☒ No

Public/Gov’t Approvals Required:

☒ Yes
☐ No

None specifically at this time. Changes to the CWF program eligibility may result in funding being prioritized for RDCK infrastructure projects. RDCK financial risk exposure will be reduced with more stringent eligibility requirements.

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

Staff propose that RDCK Policy 300-09-06 Community Works Fund (attached to this report) be updated to reflect the new requirements. This policy is out of date and does not reflect the current standard for RDCK policy. An updated policy would be helpful for all parties involved in the granting process and provide clarity on program requirements.

3.3 Environmental Considerations

None at this time

3.4 Social Considerations:

The changes to the CWF program will limit opportunities for community groups to access funding for projects that benefit the community. This will be perceived negatively by the groups that have been eligible for funding in the past.

3.5 Economic Considerations:

Many of the community groups funded through the CWF program in the past develop infrastructure that helps drive tourism-related economic development. Specifically, the outdoor recreation and sports sectors will be negatively impacted by these changes.

3.6 Communication Considerations:

The changes to funding eligibility are being imposed by the funder and are not the choice of the RDCK Board. Directors are asked to be mindful of the changes to the CWF program when discussing grant funding opportunities with community groups. Given that the CWF program will no longer be an option for many groups, Directors may wish to consider funding projects through the Community Development or Discretionary Grant program.

3.7 Staffing/Departmental Workplan Considerations:

A reduction in the number of third party CWF applications will reduce workload on the Grants Coordinator by estimated 2-3 hours per week and allow that position to focus on other administrative priorities.

3.8 Board Strategic Plan/Priorities Considerations:

The changes to the CWF program support the following Area of Focus in the Board's strategic plan:

Use RDCK asset management plans to finance asset replacement over defined periods.

The changes to the CWF program will create barriers to delivering on the following Area of Focus in the Board's strategic plan:

Work with societies and organizations to support recreational assets.

SECTION 4: OPTIONS & PROS / CONS

No practical options exist for the RDCK at this time other than to achieve compliance with the new requirements. UBCM considers the new requirements to be mandatory and non-compliance could jeopardize future funding to the RDCK. To mitigate long-term impacts to groups affected by the changes the Board could initiate planning processes that identify third party infrastructure as RDCK priorities.

SECTION 5: RECOMMENDATIONS

That the Board direct staff to prepare updates to RDCK Policy 300-09-06- Community Works Fund to reflect recent changes to program requirements and that the draft policy be brought forward for Rural Affairs Committee consideration in 2025

Respectfully submitted,

Mike Morrison,
Manager of Corporate Administration / Corporate Officer

CONCURRENCE

CAO – Stuart Horn Digitally approved
CFO – Yev Malloff Digitally approved
GM of Environmental Services- Uli Wolf Digitally approved

ATTACHMENTS:

Attachment A - RDCK Policy 300-09-06- Community Works Fund



Committee Report

Date of Report: January 7, 2026
Date & Type of Meeting: January 21, 2026 Rural Affairs Committee
Author: Monique St Louis, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – RDCK – FIRE HALL STRUCTURAL UPGRADES
File: 1850-20-CW-318b
Electoral Area/Municipality B, G, J

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the Community Works Fund application submitted by RDCK for the project titled “RDCK-Fire Hall Structural Upgrades” in the total amount of \$76,450 and that funds be disbursed from Community Works Funds:

Electoral Area B (Canyon/Lister) in the amount of \$14,487.50
Electoral Area G (Ymir) in the amount of \$27,862.50
Electoral Area J (Ootishchenia) in the amount of \$19,612.50
Electoral Area J (Robson, Raspberry) in the amount of \$14,487.50 (**Total Area J: \$34,100.00**)

SECTION 2: BACKGROUND/ANALYSIS

Please see Attachment A for more information

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Financial Plan Amendment:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Debt Bylaw Required:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Public/Gov’t Approvals Required:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

This application is the responsibility of Areas B, G and J and no other areas are being asked to contribute to the project. The Directors are supportive of the application. Should this project be funded, the below Community Works funds will be remaining:

- Area B will have **\$1,018,211**
- Area G will have **\$ -85,272** currently.
 - Remaining 2025 CW deposit in Dec of \$39,227 will bring it to: **\$ -46,045.**
 - 2026 Oct & Dec deposits of \$39,227 each will bring the balance to: **\$32,409** for 2026.
- Area J will have **\$533,961**

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

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program

guidelines. Staff is of the opinion that this project falls within the broad program category of “Fire Hall and Fire Stations”.

3.3 Environmental Considerations

N/A

3.4 Social Considerations:

N/A

3.5 Economic Considerations:

The proposed project costs are eligible based on Community Works funding criteria. The project will create work for local professionals and contractors.

3.6 Communication Considerations:

None at this time

3.7 Staffing/Departmental Workplace Considerations:

N/A

3.8 Board Strategic Plan/Priorities Considerations:

This project is aligned with the Board’s strategic priority to *Manage our assets and service delivery in a fiscally responsible manner.*

SECTION 4: OPTIONS & PROS / CONS

N/A

SECTION 5: RECOMMENDATIONS

That the Community Works Fund application submitted by the RDCK for the RDCK-Fire Hall Structural Upgrades in the total amount of \$76,450 be approved and that funds be disbursed from Community Works Funds:

Electoral Area B in the amount of \$14,487.50

Electoral Area G in the amount of \$27,862.50

Electoral Area J in the amount of \$34,100.00

Respectfully submitted,
Monique St Louis, Grants Coordinator

CONCURRENCE

Manager of Corporate Administration/Corporate Office – Mike Morrison **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – Community Works Fund Application – RDCK-Fire Hall Structural Upgrades



Regional District of Central Kootenay

Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4
250-352-6665 1-800-939-9300 Email info@rdck.bc.ca

Community Works Fund Application (Appendix-A) Gas Tax Program Services – CWF Funding (UBCM)			
"The Project"		Fire Hall Structural Upgrades	
Date of Application		2026/01/01	
Applicant Information			
Name of Organization	Regional District of Central Kootenay		
Address	202 Lakeside Dr		
City, Prov. Postal	Nelson, BC, V1L 6B9		
Phone No.	250 551 7367	Fax No.	N/A
Organization's Email	JBradley@rdck.bc.ca		
Name of Contact	Jeannine Bradley	Contact's Email	JBradley@rdck.bc.ca
Director in Support of Project			
Name of Director(s)		Area(s)/Municipality	Amount Requested
See Appendix B		See Appendix B	\$ 76,450.00
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy/mm/dd)	
2026/01/01		2027/08/31	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)		See Appendix B	
Registered Owners of Land(s)		Regional District of Central Kootenay	
Crown Land Tenure/License No./Permit No.(s)		N/A	
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Have you applied and received a building permit?		<input type="checkbox"/> Yes, Permit No. _____ <input checked="" type="checkbox"/> No	
If No, please explain: New permits will be applied for.			

Application Content	
<p>Must include all of the following:</p> <p>1.0 - Description of the Project including management framework</p> <p>1.1 - Project timeline and supporting documents</p> <p>2.0 - Project budget</p> <p>3.0 - Accountability Framework Financial statements that adhere to Project accountability</p>	
1.0	<p>Description of the Project including management framework</p> <p>The Fire Service within the RDCK oversees fire protection across 18 separate service areas. The project is part of RDCK's plan to upgrade fire hall infrastructure throughout the region to ensure that fire halls remain fully capable of serving their local communities effectively.</p> <p>In 2022, the Board approved the installation of vehicle exhaust extraction systems in the bays of 17 fire halls to reduce particulate accumulation and associated health hazards. During the permitting process for this project, structural assessments were completed which revealed that components of several fire halls were not in compliance with the BC Building Code (BCBC), requiring remediation before the exhaust systems could be installed. Since fire halls are classified as 'post-disaster' buildings under the BCBC, an architect's involvement is required to address the necessary upgrades.</p> <p>In 2025, the RDCK applied for CW funds to support architectural assessments of the firehalls. This was later revised, simplifying the acceptance process for 13 fire halls and enabling the 4 fire halls expected to require structural upgrades to proceed directly into design. An architect was engaged to complete schematic design services for the four fire halls; this application will fund the next phase of work, relating to detailed design and tender administration of these upgrades. A separate application will be submitted in the future, relating to the construction administration and construction services.</p> <p>The project deliverables will include an Issue-For-Tender drawing and specification set for each fire hall, ready to tender for construction. This work will ensure that all fire halls meet the required standards for both safety and functionality.</p>
(If needed, please provide additional information on separate page)	

1.1 Project Costs including Timeline and Supporting Documents

This project will be partially funded by remaining funds approved under Community Work Fund #318. A breakdown of the additional Community Work Fund requested per fire hall and area is outlined in Appendix C. The requested Community Works Fund will cover:

- Design and tender administration consulting fees for architect and mechanical, electrical and structural engineers;
- Project management fees;
- Contingency.

Administration costs related to the Community Work Fund application will be covered by service funds.

The project costs and funding are identified within the 2026 Financial Plan.

Work will commence by February 2026 and is expected to be completed by July 2026, aiming to source funding and commence construction in summer/fall 2026.

(If needed, please provide additional information on separate page)

1.2 Project Impact

By addressing the existing structural non-compliances, the project takes steps to ensure that fire halls remain safe, compliant with building codes, and capable of effectively serving their local areas.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

Outcomes include:

- Development of structural upgrades design drawings and specifications to support remediation of identified non-compliances, and close outstanding building permits.
- Completion of structural upgrades tender process.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

The project team includes:

Grant Hume, Regional Deputy Fire Chief
 Jeannine Bradley- Project Manager, RDCK
 RDCK Fire Department Chiefs

(If needed, please provide additional information on separate page)

2.0 Project Budget

List anticipated and confirmed Project revenue and expenses that have been deemed necessary for the implementation of the Project. Schedule B outlines eligible costs for eligible recipients (see attached).

Project Revenue

(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Revenue	Value (\$)
See following page		\$
		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 0.00

Project Expenses

(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
See following page		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 0.00

Project Revenue (continued) (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
Structural Upgrades Detailed Design a	Community Work Fund (this application)	\$ 76,450.00
Structural Upgrades Detailed Design a	Community Work Fund #318 (previously approved)	\$ 140,000.00
CWF Administration	S130 Fire Protection-Area B (Canyon Lister)	\$ 200.00
CWF Administration	S145 Fire Protection – Area J (Ootischenia)	\$ 200.00
CWF Administration	S138 Fire Protection-Area J (Robson, Raspberry)	\$ 200.00
CWF Administration	S136 Fire Protection – Area G (Ymir)	\$ 200.00
		\$
		\$
		\$
	Total Project Revenue	\$ 217,250.00
Project Expenses (continued) (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
Canyon Lister - Design, Tender Admin	Consulting (arch., mech., elec., struct.) services	\$ 39,750.00
Ootischenia - Design, Tender Admin	Consulting (arch., mech., elec., struct.) services	\$ 43,850.00
Robson - Design, Tender Admin	Consulting (arch., mech., elec., struct.) services	\$ 39,750.00
Ymir - Design, Tender Admin	Consulting (arch., mech., elec., struct.) services	\$ 50,450.00
Canyon Lister - Project Management (10%)	Project Management	\$ 3,975.00
Ootischenia - Project Management (10%)	Project Management	\$ 4,385.00
Robson - Project Management (10%)	Project Management	\$ 3,975.00
Ymir - Project Management (10%)	Project Management	\$ 5,045.00
Canyon Lister - Contingency (15%)	Contingency	5,962.50
Ootischenia - Contingency (15%)	Contingency	\$ 6,577.50
Robson - Contingency (15%)	Contingency	\$ 5,962.50
Ymir - Contingency (15%)	Contingency	\$ 7,567.50
		\$
		\$
		\$
		\$
	Total Project Expenses	\$ 217,250.00

2.1 Additional Budget Information Quote rationale to be reviewed by RDCK Chief Administrative Officer		
<div style="text-align: right; font-size: small;">(If needed, please provide additional information on separate page)</div>		
3.0 Accountability Framework		
The eligible recipient will ensure the following: <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - 		
4.0 Schedule of Payments		
The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments: <ul style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. 		
5.0 Acknowledgement of Requirements		
Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.		
By signing below, the recipient agrees to prepare and submit a Project completion report outlining Project outcomes that were achieved and information on the degree to which the Project has contributed to the above mentioned objectives. The Project completion report must include details of project revenue s and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 5 years) is to be submitted to the RDCK prior to October 31 st of each year detailing the beneficial impacts on the community as a result of the completed Project.		
Authorized Signature for Proponent	Name	Date
	Grant Hume	

APPENDIX B - SITE SPECIFIC INFORMATION

Fire Hall	Name of Director	Area	Legal Description of Land(s)
Canyon Lister	Roger Tierney	B	Lot A, DL 812, KD, Plan EPP78263
Ootishenia	Henny Hannegraaf	J	Lot A, DL 4598, KD, Plan EPP78088
Robson	Henny Hannegraaf	J	Block 3, DL 301A, KD, Plan NEP1197
Ymir	Hans Cunningham	G	Lot 6, Block 18, DL 1242, KD, Plan NEP640

APPENDIX C - COMMUNITY WORK FUND REQUEST BREAKDOWN

Summary by fire hall:

Fire Hall	Area	Service	Amount Requested
Canyon Lister	B	S130 Fire Protection-Area B (Canyon Lister)	\$ 14,487.50
Ootishenia	J	S145 Fire Protection – Area J (Ootishenia)	\$ 19,612.50
Robson	J	S138 Fire Protection-Area J (Robson, Raspberry)	\$ 14,487.50
Ymir	G	S136 Fire Protection – Area G (Ymir)	\$ 27,862.50
Total			\$ 76,450.00