



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Addenda

Date: Wednesday, February 18, 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

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 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 February 18, 2026 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

7 - 23

The January 21, 2026 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

7. PLANNING & BUILDING

7.1 NOTICE ON TITLE - SMAGH ORCHARDS

24 - 27

File No.: 3135-20- B-786.02542.000
3020 Erickson Rd, Erickson
(J & B Smagh Orchards Ltd)
Electoral Area B

The Committee Report dated January 15, 2026 from Erik Stout, Building and Bylaw Manager, re: Notice on Title - Smagh Orchards, 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 3020 Erickson Rd, Erickson, BC, Electoral Area B, legally described as BLOCK 13, PLAN NEP730A, DISTRICT LOT 812, KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199; 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.

7.2 NOTICE ON TITLE - REMOVAL - DEANS

28 - 29

File No.: 3130-20-H-707.21489.020-BP029152
5705 Cedar Creek Rd, Winlaw
(Timothy Doves, Kailey Deans, Travis Doves)
Electoral Area H

The Committee Report dated February 9, 2026 from Erik Stout, Manager of Building and Bylaw re: Cancellation of Notice on Title, has been

received.

RECOMMENDATION:

That the Corporate Officer be authorized to remove the Notice on Title relating to 5705 CEDAR CREEK RD, Electoral Area H, currently owned by TIMOTHY JOHN DOWES, KAILEY MICHELLE DEANS AND TRAVIS GARRETT DOWES, property legally described as PARCEL Z (SEE K15960), DISTRICT LOT 3464, KOOTENAY DISTRICT PLAN 1023, PID 016-054-059, the RDCK Building Department has confirmed that the reason for placing the Notice on Title on January 24, 2009 has been rectified.

7.3 SUBDIVISION IN THE AGRICULTURAL LAND RESERVE - GODDARD

30 - 62

File No.: A2509B

Parcel 1: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 7, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-313-003

Parcel 2: 7721, 7213 and 7217 Highway 3, Kitchener

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 8, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-313-020

Parcel 3: No Address.

LOT B, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN NEP23423

PID: 023-561-327

Parcel 4: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 2, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-312-996

Parcel 5: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 1, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-312-970

(Property Owner: Mervin Goddard, Applicant: John Purdy)

Electoral Area B

The Committee Report dated February 2, 2026 from Sadie Chezenko, Planner 1, re: Subdivision in the Agricultural Land Reserve, has been received.

Note: The Committee Report has been updated.

RECOMMENDATION:

That the Board SUPPORT application A2509B for the proposed Subdivision in the Agricultural Land Reserve proposed by John Purdy for the properties located in Kitchener in Electoral Area 'B' and legally described as PARCEL A (REFERENCE PLAN 89388I), SUBLOT 7, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I), SUBLOT 8, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-313-020) and LOT B, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A

(REFERENCE PLAN 893881), SUBLOT 2, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 893881), SUBLOT 1, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970)

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

- 7.4 LAND USE AMENDMENT - MACE**
File No.: Z2505F
2315 West Road
(Britney & Braeden Mace)
Electoral Area F

63 - 96

Rural Affairs Committee Meeting
Referred from December 10, 2025 to January 21, 2026
Referred from January 21, 2026 to February 18, 2026

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

- 7.5 SMALL SCALE MULTI-UNIT HOUSING (SSMUH) ZONING ALIGNMENT**
Electoral Areas F, I, J, K

97 - 152

Rural Affairs Committee Meeting
Referred from January 21, 2026 to February 18, 2026

The Committee Report dated February 18, 2026 from Sadie Chezenko, Planner, re: SMMUH Zoning Alignment - Areas FIJK, has been received.

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)*.

- 8. ENVIRONMENTAL SERVICES**
No Items.

9. RURAL ADMINISTRATION

- 9.1 COMMUNITY WORKS APPLICATION - RDCK - BOOSTER PUMP AND MEDIA REPLACEMENT SOUTH SLOCAN WATER SYSTEM** 153 - 162
File No.: 1850-CW-327
Electoral Area H

The Committee Report Dated February 4, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - RDCK - Booster Pump and Media Replacement South Slocan Water System, has been received.

RECOMMENDATION:

That the Community Works Fund application submitted by the RDCK for the RDCK- Booster Pump and Media Replacement South Slocan Water System in the total amount of \$22,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 245 – Water Utility South Slocan.

- 9.2 COMMUNITY WORKS APPLICATION - RDCK - CAMPBELL FIELDS OUTDOOR REIMAGINATION PROJECT** 163 - 172
File No. 1850-CW-326
Electoral Area H

The Committee Report Dated February 4, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - RDCK - Campbell Fields Outdoor Reimagination Project, has been received.

RECOMMENDATION:

That the Community Works Fund application submitted by the RDCK for the RDCK - Campbell Fields Outdoor Reimagination Project in the total amount of \$1,000,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 231 – Slocan Valley South Regional Parks Recreation No. 8.

- 9.3 COMMUNITY WORKS APPLICATION - CITY OF CASTLEGAR - DOUKHOBOR DISCOVERY CENTRE-EFFICIENCY & EMISSIONS REDUCTION** 173 - 199
File No.: 1850-CW-325
Electoral Area I

The Committee Report Dated February 3, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - City of Castlegar - Doukhobor Discovery Centre - Efficiency and Emissions Reduction, has been received.

RECOMMENDATION:

That the Community Works Fund application submitted by the RDCK for the City of Castlegar - Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION in the total amount of \$12,550 be approved and

that funds be disbursed from Community Works Funds:

Electoral Area I in the amount of \$12,550.00

10. PUBLIC TIME

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

11. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, January 21, 2026

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 C. Graham	Electoral Area E
Director T. Newell	Electoral Area F – In-person
Director H. Cunningham	Electoral Area G – In-person
Director W. Popoff	Electoral Area H – In-person
Director A. Davidoff	Electoral Area I
Director H. Hanegraaf	Electoral Area J – In-person
Director T. Weatherhead	Electoral Area K – In-person

STAFF PRESENT

S. Horn	Chief Administrative Officer
S. Sudan	General Manager of Development and Community Sustainability
E. Stout	Manager Building and Bylaw
N. Wight	Planning Manager
S. Chezenko	Planner
Z. Giacomazzo	Planner
U. Wolf	General Manager of Environmental Services
M. Morrison	Senior Manager of Corporate Administration
M. St Louis	
C. Hopkyns	

Grants Coordinator
 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=GmVSVuFaa2RntNTq5nTyh8CpcKj5tAL.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. CALL TO ORDER

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

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF THE AGENDA

Moved and seconded,

And resolved:

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

Carried

5. RECEIPT OF MINUTES

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

6. PLANNING & BUILDING

DELEGATIONS

Item 6.1 – Baljit Sandhu, Inder Valley Fruit Farm

Item 6.3 – Darrell Steenhoff

6.1 File No.: 3135-20- B-786.02918.100 - Inder Valley Fruit Farms File No.: Z2505F 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.

- Erik Stout, Building Manager and Bylaw provided background to the Committee regarding the file, sharing there have been no steps to compliance.
- Property owners Baljit Sandhu, Inder Valley Fruit Farm, shared with the Committee background information on the building. He answered the Committee's questions.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

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.

Carried

6.2 DEVELOPMENT VARIANCE PERMIT - MAKI 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.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the Development Variance Permit (DVP). 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. She answered the Committee's questions.

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

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.

Carried

6.3 FLOODPLAIN EXEMPTION – STEENHOFF

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.

Zachari Giacomazzo, Planner and Nelson Wight, Planning Manager, provided a presentation to the Committee regarding application for a Site-Specific Exemption to Regional District of Central Kootenay Floodplain Management Bylaw No. 2080, 2009, in Electoral Area H. They shared background information on the property.

The property owner, Darrell Steenhoff, provide background to the Committee regarding the property and answered questions.

Staff answered the Committee's questions.

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

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.

Carried

RECESS/ The meeting recessed 10:10 a.m. for break and reconvened at
RECONVENE 10:23 a.m.

6.4 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, has been received.

At the December 10, 2025 Rural Affairs Committee meeting, the following motion was passed:

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.

Sadie Chezenko, Planner, provided an update 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.

The Committee had a discussion, and staff answered the Committee’s questions.

Moved and seconded,
 And resolved:

That the following motion BE REFERRED to the February 18, 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

**6.5 SMALL SCALE MULTI-UNIT HOUSING (SSMUH) ZONING ALIGNMENT
Electoral Areas A, B, C, D, F, G, I, J,**

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

Sadie Chezenko, Planner, provided background to the Committee on Small Scale Multi-Unit Housing (SSMUH) and she reviewed the proposed bylaw amendments for SSMUH Zoning Alignments.

The Committee had a discussion and staff answered questions.

Moved and seconded,
And resolved:

That Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2025 be revised to the alternative solution and be brought back to the Rural Affairs Committee.

Carried

Moved and seconded,
And resolved:

That Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2025 be revised to the alternative solution and be brought back to the Rural Affairs Committee.

Carried

Moved and seconded,
And resolved:

That Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2025 be revised to the alternative solution and be brought back to the Rural Affairs Committee.

Carried

Moved and seconded,
And resolved:

That Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2025 be revised to the alternative solution and be brought back to the Rural Affairs Committee.

Carried

Moved and seconded,
And resolved:

That the following motion BE REFERRED to the February 18, 2026 Rural Affairs Committee meeting:

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).

Carried

STAFF DIRECTION: That staff reach out to the Area Directors to discuss alternative options regarding Bylaw No.1675, 2004.

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

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).

Carried

6.6 PLANNING ACTIVITY STATS QUARTER 4 & YEAR END

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

Staff answered the Committee's questions.

7. RURAL ADMINISTRATION

7.1 DISCUSSION ITEM: COMMUNITY WORKS REPORT UPDATE

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.

Mike Morrison, Senior Manager of Corporate Administration, provided an overview to the Committee regarding the recent changes to eligibility for the Community Works Fund (CWF) program funding for non-RDCK infrastructure projects.

The new Grants Coordinator, Monique St Louis, was introduced to the Committee.

Staff answered the Committee's questions.

DIRECTOR ABSENT: Director Davidoff left the meeting at 11:40 a.m.

ORDER OF AGENDA CHANGED The Order of Business was changed to address public time with Item 8. Public Time considered at this time.

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 7.2 Community Works Fund Application - RDCK - Fire Hall Structural Upgrades Update was considered at this time.

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

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.

Staff answered the Committee's questions.

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

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

Carried

9. ADJOURNMENT

Moved and seconded,
And resolved:

The meeting be adjourned at 11:57 a.m.

Carried

Digitally approved

Garry Jackman, Chair

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 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 22 day of January , 2026

READ A SECOND TIME this 22 day of January ,2026

READ A THIRD TIME this 22 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



File No: 3135-20- B-786.02542.000

January 15, 2026

J & B SMAGH ORCHARDS LTD
PO BOX 214
ERICKSON BC V0B 1K0

SUBJECT: Notice on Title **CIVIC ADDRESS:** 3020 Erickson Rd

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 BLOCK 13 PLAN NEP730A DISTRICT LOT 812 KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199. PID 006-219-446. 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: February 18, 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



MEMORANDUM

File No: 3135-20-B-786.02542.000

January 15, 2026

TO: RDCK Board

FROM: Erik Stout, Manager Building and Bylaw

SUBJECT: Filing of Section 57-Notice on Title-J & B Smagh Orchards Ltd-3020 Erickson Rd

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property described as BLOCK 13 PLAN NEP730A DISTRICT LOT 812 KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199. PID 006-219-446 as a consequence of a building bylaw contravention-Commencing construction without a valid building permit.

EXECUTIVE SUMMARY:

Commenced construction without a valid building permit. Stop work order was placed on buildings and owner has not provided all required information to allow the building department to issue a building permit.

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.

Aug 17, 2021: Building Official Erik Stout posted a Stop Work Order on a substantially constructed kitchen building and shower building being used by farm workers.

Aug 25, 2021: Stop Work Notice letter mailed to owners.

Sep 7, 2021: Second Stop Work Notice letter mailed to owners.

Oct 19, 2021: Building permit application BP026982 received, to construct a farm worker kitchen and washroom building.

Oct 28, 2021: Letter sent to owners providing notice that a Development Variance Permit application is required as the structure was built within the required 2.5M setback. Provided 30 day deadline to submit DVP application.

Dec 2, 2021: DVP application received and sent to Planning. Planning to follow up with owner regarding missing information.

Jun 21, 2022: DVP issued. Followed up with owner regarding required septic paperwork.

Sep 15, 2022: Followed up with owner regarding septic paperwork for a second time.

Jan 4, 2023: Followed up with owner regarding septic paperwork for a third time.

Mar 24, 2025: Erik Stout emailed owner a reminder that septic paperwork required to complete the building permit application and advising that drawings do not have enough detailed construction information to facilitate a code review.

Aug 18, 2025: Letter sent to owner advising that if the outstanding application documents are not received within 30 days, the process to file a Notice on title would begin.

Sep 24, 2025: No further response from owner.

Dec 24, 2025: BO went to the site to take recent photos for the report and there was additional work done that has now tied the two buildings as one.

No response from owner as of date of this report.



Kitchen and Shower Building 2021



Kitchen and Shower Building 2025



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 3020 Erickson Rd, Erickson, BC, Electoral Area B, legally described as BLOCK 13 PLAN NEP730A DISTRICT LOT 812 KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199; 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 3020 Erickson Rd, Erickson, BC, Electoral Area B, legally described as BLOCK 13 PLAN NEP730A DISTRICT LOT 812 KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199 to the March 2026 Open Rural Affairs Committee meeting.

Erik Stout, Manager Building and Bylaw
Sangita Sudan, General Manager of Development and Community Sustainability Services
Stuart Horn, Chief Administrative Officer



MEMORANDUM

File 3130-20-H-707.21489.020-BP029152

February 9, 2026

TO: RDCK Board

FROM: Erik Stout, Manager Building and Bylaw

SUBJECT: Cancellation of Notice on Title – TIMOTHY JOHN DOWES, KAILEY MICHELLE DEANS AND TRAVIS GARRETT DOWES – 5705 CEDAR CREEK RD WINLAW BC

Please be advised that the condition that gave rise to adopting the following resolution on January 24, 2009, has been rectified by Building Permit 29152. We can now file for a Cancellation Notice to cancel bylaw offence LB283792

31/09 The Secretary of the Regional District of Central Kootenay be directed to file a Notice at the Land Title Office in Kamloops, British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land legally described as Parcel Z (SEE K15960) District Lot 3464 Kootenay District Plan 1023, and that further 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.

The owner, Kailey Michelle Deans has requested removal of the Notice on Title in writing and has paid the administration fee of \$750.00.

RECOMMENDATION

That the Corporate Officer be authorized to remove the Notice on Title relating to 5705 CEDAR CREEK RD, Electoral Area H, currently owned by TIMOTHY JOHN DOWES, KAILEY MICHELLE DEANS AND TRAVIS GARRETT DOWES, property legally described as PARCEL Z (SEE K15960) DISTRICT LOT 3464 KOOTENAY DISTRICT PLAN 1023 PID 016-054-059, the RDCK Building Department has confirmed that the reason for placing the Notice on Title on January 24, 2009 has been rectified.

ALTERNATE RECOMMENDATION

That the Rural Affairs Committee REFER the consideration of a cancelation of the Notice with the Land Title and Survey Authority of British Columbia for land at 5705 CEDAR CREEK RD

WINLAW BC, Electoral Area H, legally described as PARCEL Z (SEE K15960) DISTRICT LOT 3464 KOOTENAY DISTRICT PLAN 1023 PID 016-054-059 to the February 2026 Open Rural Affairs Committee meeting.

A handwritten signature in black ink, appearing to read 'Erik Stout', with a stylized, cursive script.

Erik Stout, Manager Building and Bylaw



Committee Report

Date of Report: February 02, 2026
Date & Type of Meeting: February 18, 2026 - Rural Affairs Committee
Author: Sadie Chezenko, Planner 1
Subject: SUBDIVISION IN THE AGRICULTURAL LAND RESERVE
File: A2509B – PURDY
Electoral Area/Municipality B

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider a request for permission under Section 25 of the Agricultural Land Commission Act to subdivide agricultural land, which would allow for the boundaries to be adjusted between five adjacent parcels resulting in a total of four parcels. The properties are within the Agricultural Land Reserve (ALR) and are in Kitchener in Electoral Area ‘B.’

Staff recommend the Board support the application and advance it to the Agricultural Land Commission (ALC) because the proposal reduces the fragmentation of land in the ALR and proposes lot sizes that are sufficient for agricultural operations that are consistent with the minimum lot sizes required by zoning.

SECTION 2: BACKGROUND/ANALYSIS

The Agricultural Land Reserve (ALR) is a provincial land use zone in which agriculture is recognized as the priority use. Subdivisions of ALR land, except when permitted via regulation, are restricted unless approved by the Agricultural Land Commission (ALC).

GENERAL INFORMATION

Applicant: John Purdy

Property Owner: Mervin Goddard

Property Locations and Legal Descriptions:

Parcel 1:

No address, Kitchener, Electoral Area ‘B’

PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40

PID: 016-313-003

Parcel 2:

7721, 7213 and 7217 Highway 3, Kitchener, Electoral Area ‘B’

PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY

DISTRICT PLAN X40

PID: 016-313-020

Parcel 3:

No address, Kitchener, Electoral Area ‘B’

LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423

PID: 023-561-327

Parcel 4:

No address, Kitchener, Electoral Area 'B'
 PARCEL A (REFERENCE PLAN 893881) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
 PID: 016-312-996

Parcel 5:

No address, Kitchener, Electoral Area 'B'
 PARCEL A (REFERENCE PLAN 893881) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
 PID: 016-312-970

Property Sizes (as provided by applicant):

- Parcel 1: 2.53 hectares
- Parcel 2: 14.29 hectares
- Parcel 3: 16.20 hectares
- Parcel 4: 3.07 hectares
- Parcel 5: 19.13 hectares
- Total: 55.22 hectares

Current Zoning: Agriculture 2 (AG2) in Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

Current Official Community Plan Designation: Agriculture (AG) in Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

Site Context:

The five subject properties are located in Kitchener in Electoral Area 'B' along Highway 3. The properties are directly adjacent to each other as shown in Figures 1 and 2 and are owned by one property owner. The parcel sizes vary from between 2.53 hectares (ha) to 19.13 ha. The parcels' total combined area is 55.2 ha. Kitchener Creek and Carrol Creek run through Parcel 4 and Parcel 5.

The subject properties are classified as farms by BC Assessment. The five properties are presently used together for beef cattle grazing and growing hay. There are also two 84m² residences on Parcel 2. The other existing parcels are either vacant or have been developed to various degrees as shown in the table below:

Parcel	Lot Size	Improvements
Parcel 1 (016-313-003)	2.53 ha	No structures, hay crop (1.5 ha) and fenced pasture (1.4 ha)
Parcel 2 (016-312-020)	14.29 ha	Two single detached houses, agricultural buildings, penned corrals (1 ha), fenced pasture (9 ha) and hay crop
Parcel 3 (023-561-327)	16.2 ha	Small timber mill facility, hay crop (8 ha) and fenced pasture
Parcel 4 (016-312-970)	3.07 ha	No structures, hay crop (2 ha)
Parcel 5 (016-312-996)	19.13 ha	No structures, hay crop (16 ha)

Photos of the site are shown in Figures 4-7.

The subject properties are zoned Agriculture 2 (AG2) and designated Agriculture (AG) under *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013*. They are all within the ALR except for a small portion of Parcel 2 along the highway which is outside of the ALR.

The neighbouring properties to the west and east are also partially within the ALR and are zoned Agriculture 2 (AG2) and designated Agriculture (AG) under *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013*. The neighbouring property to the west is used for agricultural purposes, and the neighbouring property to the east is held by the Nature Trust of BC for the “conservation of a grizzly bear corridor.” The properties to the north and south are not within the ALR. These properties are zoned Resource Area (RA) and Rural Resource (R4) as shown in Figure 3.

SURROUNDING LAND USES	
North:	Highway 3 and Rural Resource (R4)
East:	Agriculture 2 (AG2) and within the ALR
South:	Resource Area (RA)
West:	Agriculture 2 (AG2) and within the ALR

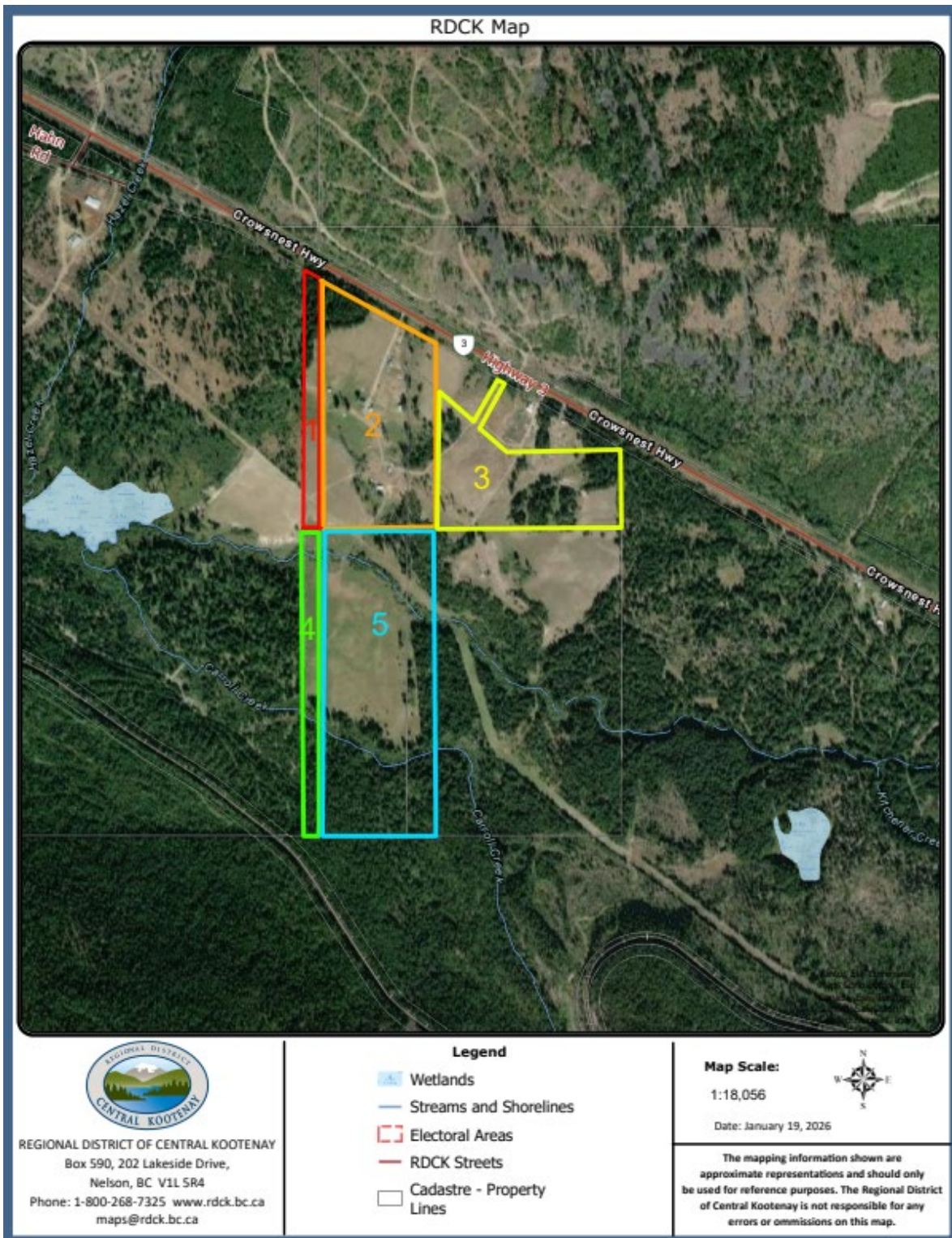


Figure 1: Location Map Showing Existing Lots

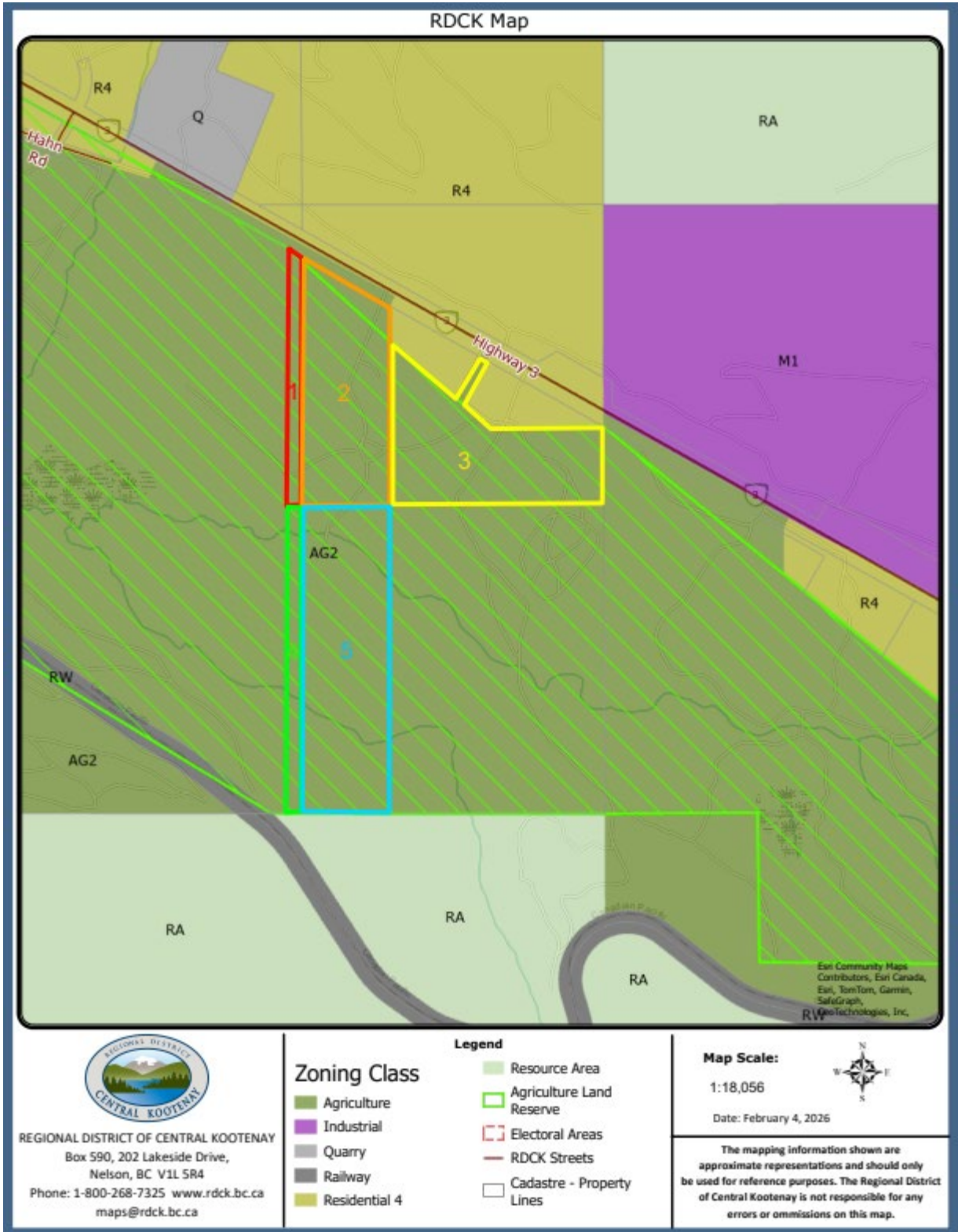


Figure 2: Zoning and ALR Map



Figure 4: First House and Driveway



Figure 5: Second House, Shop and Cattle



Figure 6: Cattle



Figure 7: Cattle

Development Proposal

This application has been submitted to the ALC to reconfigure the boundaries between five adjacent parcels into a total of four parcels as shown in Figure 8. The existing and proposed lot sizes are shown in the table below. Figure 9 shows the existing and proposed configuration side by side for convenience.

Existing Lot Sizes	Proposed Lot Sizes
2.53 ha (Lot 1)	9.0 ha (Lot 1)
14.29 ha (Lot 2)	8.1 ha (Lot 2)
16.2 ha (Lot 3)	8.1 ha (Lot 3)
3.07 ha (Lot 4)	30.02 ha (Remainder)
19.13 ha (Lot 5)	

The applicant is pursuing the subdivision to create three parcels of roughly equal size for his children for estate planning purposes and to allow concentrated feed crop production on the proposed remainder which contains the bulk of the existing farming infrastructure. The proposal eliminates the smaller lots by consolidating them with the larger adjacent parcels and would divide existing Parcel 3 roughly in half. All the proposed lots would meet the 8.0 ha minimum lot size of the RDCK AG2 zone, and the remainder would be significantly larger. The full rationale from the applicant is provided in the ALC application which is attached to this report as Attachment B.

During the site visit conducted by staff, the property owner provided additional context regarding the agricultural viability of the lots, both in their current configuration and as proposed under the subdivision. The owner explained that the land varies significantly in agricultural potential, with some areas subject to frequent inundation and others characterized by very stony soils. He also noted that the growing season in this area is approximately two months shorter than in the core of the Creston Valley.

The property has historically and currently been used for cattle grazing and hay production, and the owner presently maintains approximately 80 head of cattle on the property. While hay is produced on-site, he indicated that it is insufficient to meet the needs of his herd, requiring most of the feed to be imported from another property in the Creston Valley. The owner further explained that nearly double the number of cattle would be required for the operation to generate sufficient income as a sole source of livelihood, and that the overall financial viability of the agricultural operation is challenging.

He expressed that the proposed lot configuration, including a reduction in the total number of lots, would improve agricultural viability by creating more appropriately sized parcels for farming, particularly through the elimination of lots with very small total areas.

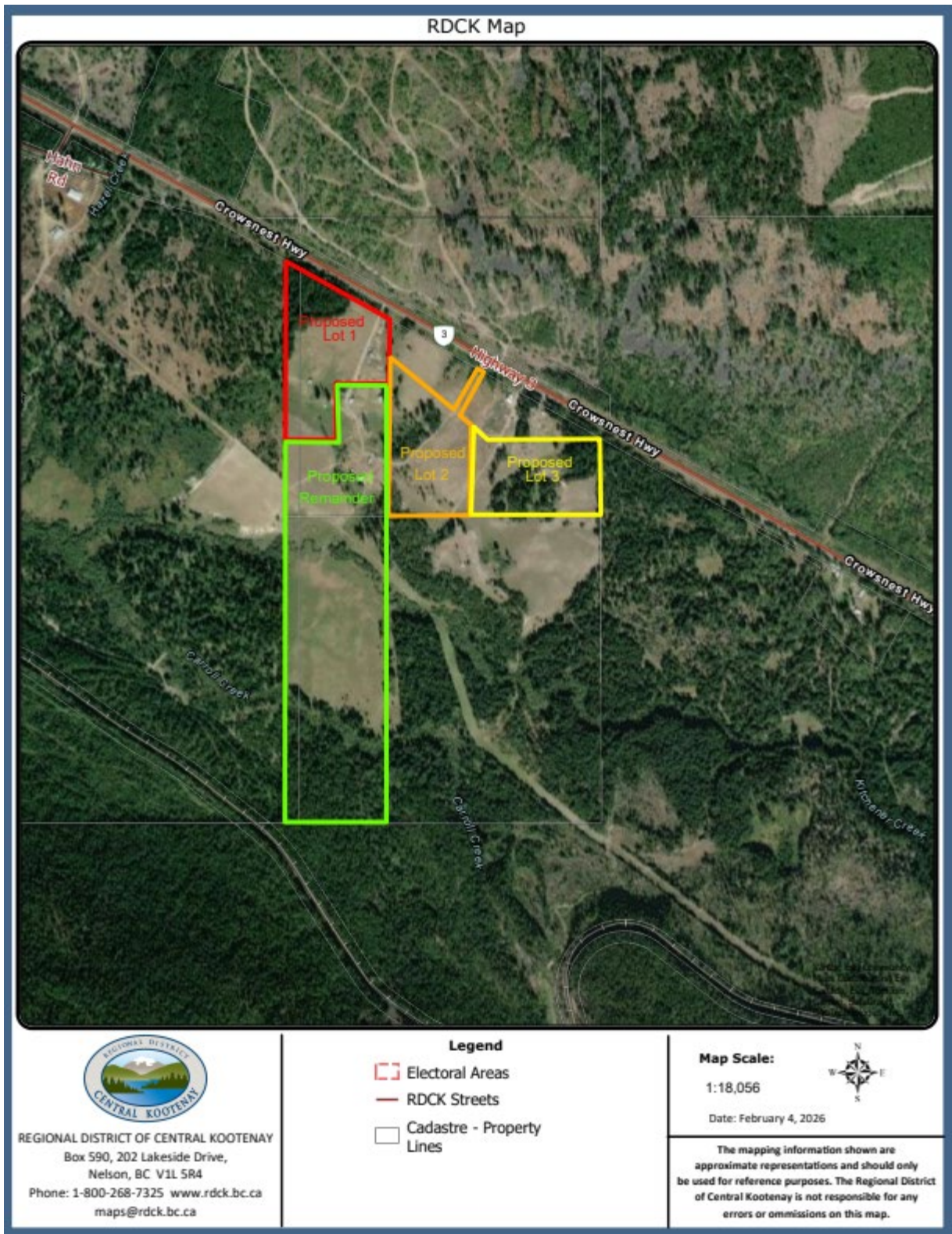


Figure 8: Proposed Plan

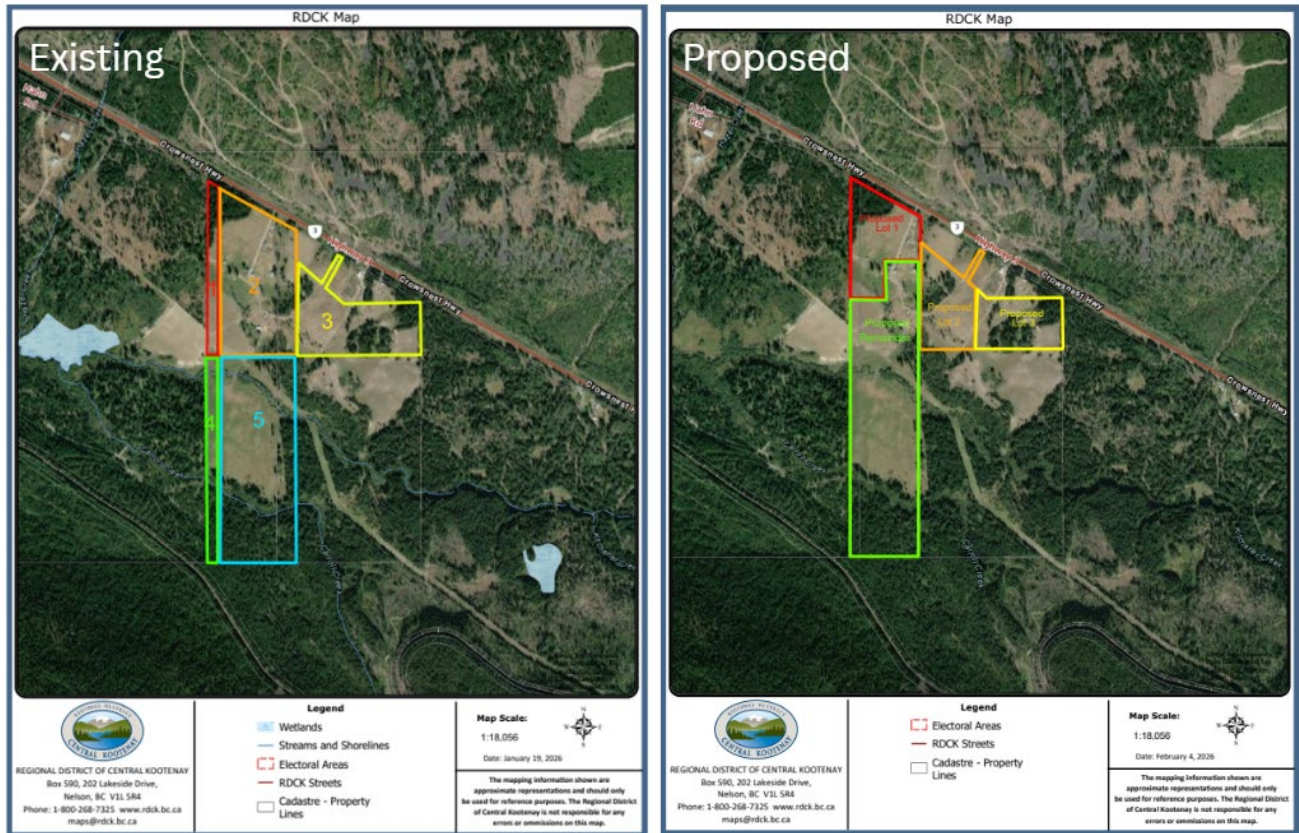


Figure 9: Existing and Proposed Lots

Planning Policy

Official Community Plan (OCP)

The OCP notes that Electoral Area B includes some of the richest agricultural areas of the Province, with lands being used for fruit production, wineries, produce, dairies, livestock, nurseries and greenhouses and other associated agricultural activities. Relevant objectives and policies from the OCP are included below.

Agriculture Objectives

1. To preserve and promote the use of agricultural land for current and future agricultural production, and to protect this land from uses which are inconsistent with agricultural use or are incompatible with existing agricultural uses in the area.
2. To encourage the agricultural sector's viability by pursuing supportive land use policies within and adjacent to farming areas and to ensure adequate water and land resources for agricultural purposes with recognition of the importance of local food production.
3. To support agricultural land use practices that do not adversely affect the surrounding environment nor compromise the capability of the land for future food production.
4. To support agricultural land use practices within and adjacent to farming areas that seek to minimize conflicts between agriculture and other land uses.
5. To encourage senior levels of government to enable and facilitate agricultural activity and industry.
6. To recognize distinct agricultural areas reflecting unique historical development trends, soils and climate.

Agricultural Policies

The Regional Board:

1. Directs that the principal use of land designated 'Agriculture' shall be for agricultural use
2. Discourages subdivisions of agricultural land that do not benefit agriculture and result in further fragmentation of agricultural land
3. Supports that all new land use and subdivision of land within the ALR shall be in accordance with the provisions of the Agricultural Land Commission Act, associated regulations, orders and decisions of the Provincial Agricultural Land Commission (ALC).
4. Supports the consolidation of legal lots that may support more efficient agricultural operations.

Zoning Bylaw

The subject property is zoned Agriculture 2 (AG2). The zoning allows agriculture, activities designated as "farm use" and single detached housing as some of the permitted principal uses. The zoning specifies that the minimum lot size for subdivision is 8.0 ha when parcels are within the ALR. The proposal is consistent with this regulation.

Agricultural Area Plan

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

The purpose of the Agriculture Area Plan is to ensure that the agricultural capability of the area is realized and protected as part of a secure food supply for the region. Agriculture in the Region is characterized by its diversity, with larger operations predominantly in the Creston Valley and many small-lot farms spread across the RDCK. The Plan's recommendations address all sizes and forms of farm operations. Some of the issues facing farmers and food producers in the region were identified through public consultation when the Agriculture Plan was developed. Some of the issues that are relevant to the current report include the ongoing loss of farmland; and the inability for farm income cannot support the purchase of land at residential/recreational market values.

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

Capability Recommendation #1

- It is recommended that the RDCK continue to use land use planning tools to discourage subdivisions of agricultural land and to encourage the consolidation of contiguous smaller agricultural lots provided they do not result in additional residences (resulting in higher land values for the farm).

Capability Recommendation #3

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

Capability Recommendation #10

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

Agricultural Land Use Inventory

The RDCK's Agricultural Land Use Inventory, 2016 (ALUI) was developed for the purpose of building a common understanding of agriculture within the RDCK.

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

According to the ALUI, 23% of ALR parcels are used for farming and 77% are not used for farming. The Inventory outlines that there is evidence that small parcels are less likely than larger parcels to be utilized for farming. In the Regional District there are 1,178 ALR parcels that are less than 1 hectare. Of these parcels, 5% (60 parcels) are "Used for Farming", 21% (245 parcels) are "Available for Farming", and 74% (873 parcels) are "Unavailable for Farming". Residential use accounts for the majority of the small and "Unavailable for Farming" parcels.

The continued fragmentation of larger lots in the region threatens agricultural opportunities and limits the type and amount of agricultural production possible.

Agricultural Capability Rating

In BC agricultural capability ratings and limitations are assessed through a classification system known as the "Land Capability Classification for Agriculture in British Columbia." The classification system describes seven land capability classes for agriculture (Classes 1 to 7). The best agricultural lands are rated Class 1 because they have the ideal climate and soil to allow a farmer to grow the widest range of crops. Class 7 is considered non-arable, with no potential for soil bound agriculture.

The subject properties have various unimproved agricultural capability ratings. Most of the parcels are Class 4 as well as some Class 5. Smaller portions are Class 6 and 7 as shown in Figure 10 and in the table below:

Area (ha)	% of total area	Unimproved Capability Class	Limiting Subclass	Improved Capability Class	Rating
~32.2	61%	4X	X - Topography	4X	100% Class 4X
~15.8	30%	7:5W~3:4X	W – Excess Water X – Topography	7:4W~3:4X	70% Class 5W 30% Class 4X
~3.84	7%	7TC	T- Topography C- Adverse Climate	n/a	100% Class 7TC
~1	2%	6RT	R-Consolidated Bedrock T- Topography	n/a	100% Class 6RT

Soil Class	Description
Class 1	<p>Land in this class either has no or only very slight limitations that restrict its use for the production of common agricultural crops.</p> <p>Land in Class 1 is level or nearly level. The soils are deep, well to imperfectly drained under natural conditions, or have good artificial water table control, and hold moisture well. They can be managed and cropped without difficulty. Productivity is easily maintained for a wide range of field crops.</p>
Class 2	<p>Land in this class has minor limitations that require good ongoing management practises or slightly restrict the range of crops, or both.</p> <p>Land in class 2 has limitations which constitute a continuous minor management problem or may cause lower crop yields compared to Class 1 land but which does not pose a threat of crop loss under good management. The soils in Class 2 are deep, hold moisture well and can be managed and cropped with little difficulty.</p>
Class 3	<p>Land in this class has limitations that require moderately intensive management practises or moderately restrict the range of crops, or both.</p> <p>The limitations are more severe than for Class 2 land and management practises are more difficult to apply and maintain. The limitations may restrict the choice of suitable crops or affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation.</p>
Class 4	<p>Land in this class has limitations that require special management practises or severely restrict the range of crops, or both.</p> <p>Land in Class 4 has limitations which make it suitable for only a few crops, or the yield for a wide range of crops is low, or the risk of crop failure is high, or soil conditions are such that special development and management practises are required. The limitations may seriously affect one or more of the following practises: timing and ease of tillage, planting and harvesting, and methods of soil conservation.</p>
Class 5	<p>Land in this class has limitations that restrict its capability to producing perennial forage crops or other specially adapted crops.</p> <p>Land in Class 5 is generally limited to the production of perennial crops or other specially adapted crops. Productivity of these suited crops may be high. Class 5 lands can be cultivated and some may be used for cultivated field crops provided unusually intensive management is employed and/or the crop is particularly adapted to the conditions peculiar to these lands. Cultivated field crops may be grown on some Class 5 land where adverse climate is the main limitation, but crop failure can be expected under average conditions. Note that in areas which are climatically suitable for growing tree fruits and grapes the limitations of stoniness and/or topography on some Class 5 lands are not significant limitations to these crops.</p>
Class 6	<p>Land in this class is nonarable but can produce native and or uncultivated perennial forage crops.</p> <p>Land in Class 6 provides sustained natural grazing for domestic livestock and is not arable in its present condition. Land is placed in this class because of severe climate,</p>

	or the terrain is unsuitable for cultivation or use of farm machinery, or the soils do not respond to intensive improvement practises. Some unimproved Class 6 lands can be improved by draining and/or diking.
Class 7	Land in this class has no capability for arable or sustained natural grazing. All classified areas not included in Classes 1 to 6 inclusive are placed in this class. Class 7 land may have limitations equivalent to Class 6 land but they do not provide natural sustained grazing by domestic livestock due to climate and resulting unsuitable natural vegetation. Also included are rock land, other non-soil areas, and small water-bodies not shown on maps. Some unimproved Class 7 land can be improved by draining or diking.

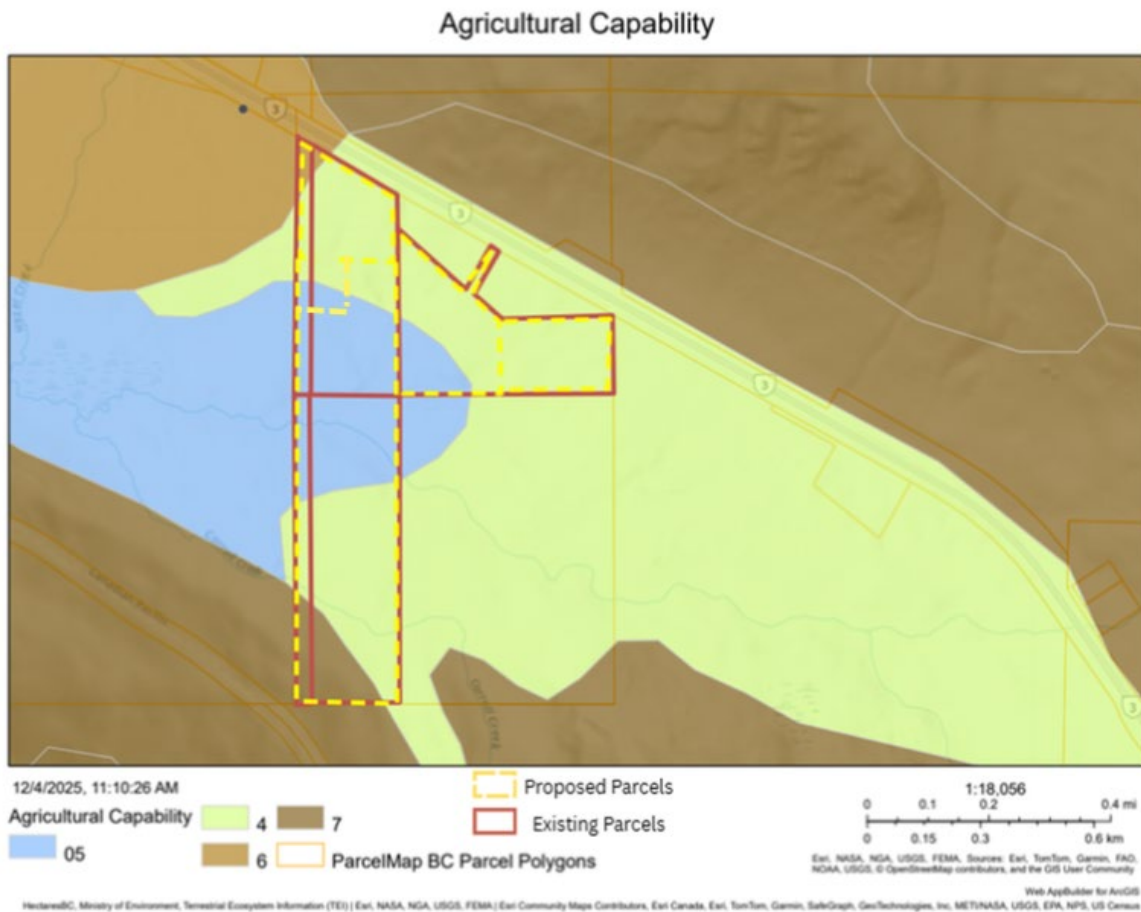


Figure 10: Agricultural Capability

Soil Type

The Soil Resources of the Nelson Area published by the BC Ministry of Environment categorizes soils having similar agriculturally important characteristics into ‘soil association descriptions’. The subject properties are

mostly composed of soils from the Lawley Soil Association and to a lesser extent, from the Fletcher, Calamity and Burtontwon Soil Associations. Details about these soil associations and their locations are included below.

Soil Association	Relevant Agricultural Details
Lawley	Lawley soils have moderate to good agricultural capability where the topography is less than 30%. Irrigation will increase the range of possible crops and productivity.
Fletcher	Fletcher soils are mostly non-arable, however, they have some grazing potential. The main limitations are excessive stoniness and low soil moisture holding capacity.
Calamity	Calamity soils are non-arable because of the steep terrain. They also have poor grazing potential.
Burtontown	Burtontown soils are non-arable because of steep topography and shallow stony soils. These soils have moderate grazing potentials, especially after logging and during the early stages of vegetation succession.

Soil Associations

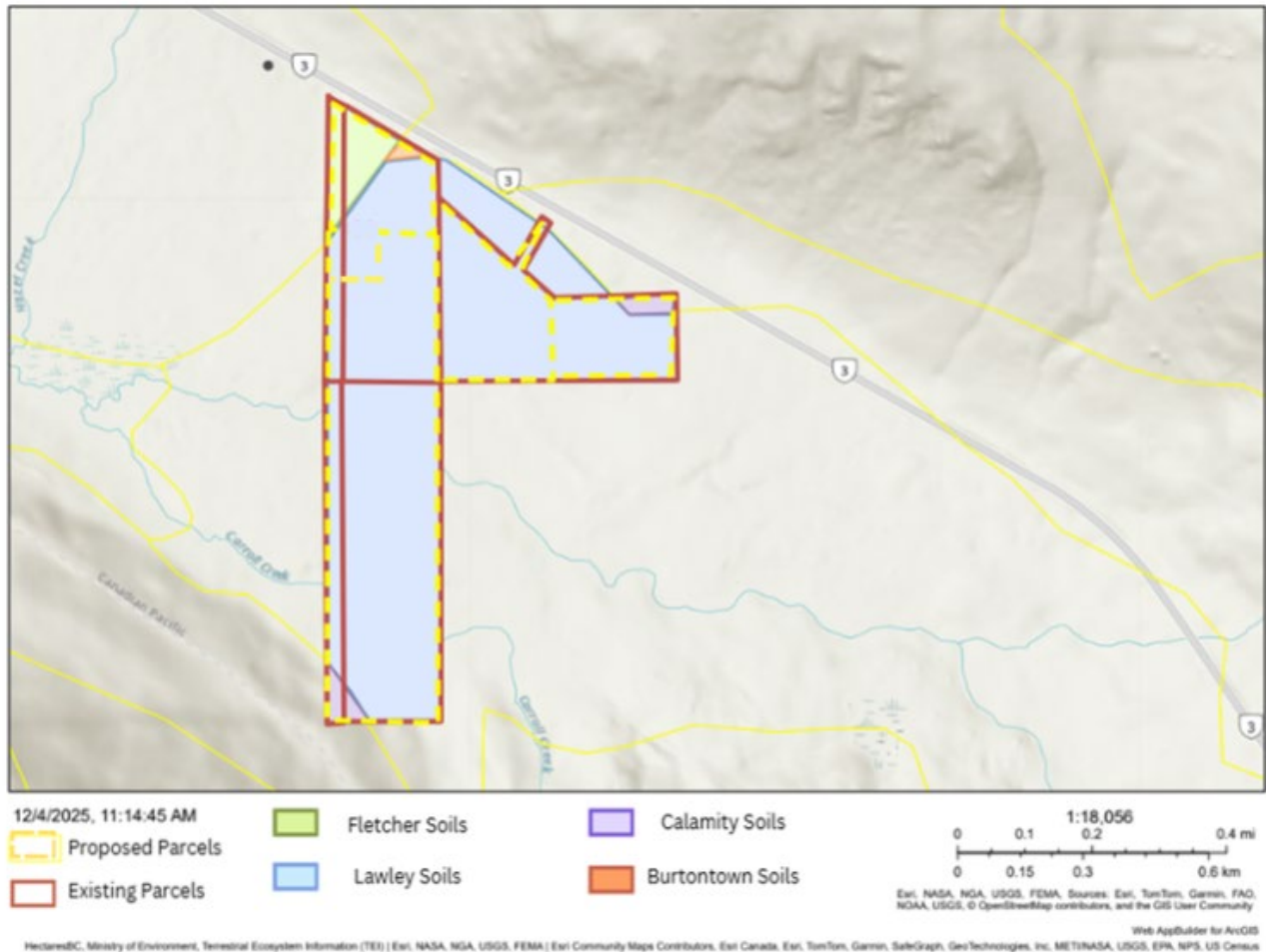


Figure 11: Soils

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

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

The applicant has paid the \$750 RDCK Referral Fee pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015. When the application advances to the ALC, the applicant is required to pay an additional \$750 to the ALC for their review.

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

Planning Procedures and Fees Bylaw No. 2456, 2015

The bylaw states “For areas subject to an official community plan or zoning bylaw, the Board will consider RAC’s recommendation and will pass a resolution to deny or advance the proposal to the ALC. The local government resolution may include additional comments for the ALC to consider.”

Agricultural Land Commission Act (ALCA)

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

- (a) refuse permission;
- (b) grant permission;
- (c) grant permission for an alternative subdivision.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

None anticipated.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The ALC does not require public notification for applications to subdivide within the ALR. In accordance with the Planning Procedures and Fees Bylaw No. 2457, 2015 the application has been referred to various agencies and First Nations for comment. Short referral responses received are included below and longer responses received are attached to this report as 'Attachment A'.

Referral Responses

RDCK Building Department

Please note that the BC Building Code, regarding spatial separation of buildings and structures may or may not have implications regarding required distances to property lines created with a new lot line.. There is typically no areas within the RDCK that can meet the required 10-minute response time by fire departments, which can double required distances to property lines.

3.7 Staffing/Departmental Workplace Considerations:

The proposal is considered under the operational requirements of Planning Services.

3.8 Board Strategic Plan/Priorities Considerations:

The Board identified "Energy Efficiency and Environmental Responsibility" as a strategic priority. Specifically included in this priority is the focus of supporting local agriculture and food security.

SECTION 4: SUMMARY

Planning Discussion

Agricultural land is a vital resource that comprises only 2.5% of the RDCK's total land base. RDCK policies prioritize the protection of this limited resource and discourage subdivisions that would fragment agricultural lands when there is no clear benefit to farming.

Parcel size matters when assessing agricultural potential. Larger parcels give farmers more flexibility to expand or change their operations as markets and economic conditions evolve. While some types of agriculture can succeed on smaller parcels, the range of viable farming options generally decreases as parcel size is reduced. Smaller parcels also tend to be more expensive per hectare and are more easily separated from larger farm units for sale. Larger parcels better accommodate farm equipment and reduce the need to move machinery on public roads.

This specific proposal offers some trade offs in terms of agricultural impact. The drawback of the proposed subdivision is the fragmentation of easternmost parcel. As was noted by the Creston Valley Agricultural Advisory Commission, the division of this lot could decrease the agricultural viability of this portion of the land as compared to if it were maintained as a single parcel.

On the positive side, the proposal reduces the total number of lots from five to four. The consolidation of legal lots can help support more efficient agricultural operations and is supported by RDCK policy. In addition, the

proposed four lots are all over 8.0 ha which the Ministry of Agriculture and Food noted are likely a sufficient size for future owners to commence an agricultural operation. In contrast, the existing configuration has two smaller lots, which would be more restrictive for conducting a stand-alone agricultural operation on due to their size, shape and access.

Ultimately, staff support the subdivision application for the following reasons:

- The proposal eliminates the smallest lots and proposes parcel sizes sufficient for agricultural operations
- The proposed lot sizes meet the minimum requirements of the Agriculture 2 (AG2) zone
- The overall farming potential on the lots does not appear to be lessened by the proposal
- The proposal reduces the total number of lots and does not result in the additional fragmentation of ALR land

Options:

Option 1 – Support

That the Board SUPPORT application A2509B for the proposed Subdivision in the Agricultural Land Reserve proposed by John Purdy for the properties located in Kitchener in Electoral Area 'B' and legally described as PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-020) and LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970)

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

Option 2 – Not Support

That the Board NOT SUPPORT application A2509B for the proposed Subdivision in the Agricultural Land Reserve proposed by John Purdy for the properties located in Kitchener in Electoral Area 'B' and legally described as PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-020) and LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970)

and that the Board directs Staff to NOT ADVANCE the subject application to the Agricultural Land Commission for consideration.

SECTION 5: RECOMMENDATIONS

That the Board SUPPORT application A2509B for the proposed Subdivision in the Agricultural Land Reserve proposed by John Purdy for the properties located in Kitchener in Electoral Area 'B' and legally described as PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-020) and LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970)

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

Respectfully submitted,



Sadie Chezenko, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Approved**

General Manager Development & Sustainability – Sangita Sudan **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – Referral Responses

Attachment B – ALC Application



December 2, 2025

Sadie Chezenko
 Planner
 Regional District of Central Kootenay

Sent by email

Dear Sadie:

Re: File A2509B (ALC File: 105983) – Subdivision Application at 7221 Highway 3 and four additional properties with no civic addresses (PIDs: 016-313-003; 016-313-020; 023-561-327; 016-312-996 and 016-312-970) – The Subject Properties

Thank you for providing Ministry of Agriculture and Food (Ministry) staff the opportunity to comment on File A2509B that proposes to consolidate five existing properties into four proposed properties via a boundary adjustment. From an agricultural planning perspective, Ministry staff offer the following comments:

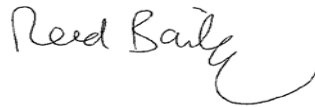
- In principle, Ministry staff are generally supportive of consolidating multiple properties that eliminate or reduce the number of smaller parcels within the Agricultural Land Reserve (ALR) given that provincial data consistently shows that smaller parcels are less likely to be farmed than larger parcels.
- Ministry staff note that the three proposed smaller parcels are all 8.3 ha which are likely a sufficient size for future owners to commence an agricultural operation.
- The applicant has stated that the primary reason for submitting the subdivision application is for estate planning purposes. Generally, Ministry staff are not supportive of subdivision for estate planning which often involves a proposal to subdivide one large parcel into numerous smaller parcels. As referenced above however, Ministry staff note that this proposal differs from a typical subdivision for estate planning reasons given that the number of proposed parcels will be reduced, not increased, as a result of subdivision.
- The applicant is encouraged to review the variety of Ministry and Farm Credit Canada tools/resources dedicated to farm succession and estate planning.
 - [Ministry of Agriculture and Food Estate Planning](#);

- [BC Agri-Business Planning Program](#); and
- [Farm Credit Canada – Transition](#)

Please contact Ministry staff if you have any questions about the above comments.

Thank you for the opportunity to provide comments from an agricultural perspective with respect to this file.

Sincerely,



Reed Bailey
Land Use Planner
BC Ministry of Agriculture and Food



Cc: Agricultural Land Commission – ALC.Referrals@gov.bc.ca



3A – 492 Arrow Road
Invermere, BC V0A 1K2



www.shuswapband.net

12-Nov-2025 08:26 MST

Weyt-k (Hello),

Shuswap Band is in receipt of the project information for: -ALC Subdivision - Purdy/Goddard - A2509B.

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

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

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



3A – 492 Arrow Road
Invermere, BC V0A 1K2



www.shuswapband.net

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

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

Kukwstsétsemc (Thank you).

Referrals Coordinator

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

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



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**CRESTON VALLEY AGRICULTURAL ADVISORY
COMMISSION
OPEN MEETING MINUTES**

2:30PM MST

Thursday, November 27, 2025

Hybrid Meeting

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

Join by Video:

<https://rdck-bc-ca.zoom.us/j/91714376151?pwd=iUcq8yXrVBzO0Tcnjh5GzC3ZZI43pm.1>

Join by Phone: 855-703-8985

Meeting Number (access code): 917 1437 6151

Meeting Password: j883319

In-Person Location:

Creston and District Community Complex - Erickson Room
Creston, BC

COMMISSIONERS

Commissioner Randy Meyer	Electoral Area B, Chair
Commissioner David Mutch	Electoral Area B
Commissioner Larry Rast	Electoral Area C
Commissioner Dean Eastman	Electoral Area C
Commissioner Dale McNamar	Electoral Area C

COMMISSIONERS ABSENT

Commissioner Owen Edwards	Electoral Area B
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DIRECTOR

Roger Tierney	Electoral Area B, Director
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STAFF

Sadie Chezenko	Planner
Shelly Kindred	Meeting Coordinator

PUBLIC

John Purdy

Applicant

5 out of 6 voting Commission/Committee members were present – quorum was met.

1. CALL TO ORDER

Chair Meyer called the meeting to order at 2:34 p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the November 27, 2025 Creston Valley Agricultural Advisory Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The November 20, 2025 Creston Valley Agricultural Advisory Commission minutes, were received.

5. STAFF REPORTS

5.1 Agricultural Land Reserve Referral - Goddard

The Referral Package dated November 6, 2025 from Planner Sadie Chezenko, was received.

- Members of the Commission conducted a site visit at the applicant's property located at 7221, 7213 and 7217 Highway3, Kitchener prior to the meeting.
- The applicant gave a summary of the proposal.
- The Commission asked both staff and the applicant's questions.
- The Commission discussed various aspects of the proposal including water sources for the parcels, access, estate planning and potential agricultural benefits and impacts.
- The Commission identified that the two long and skinny most westerly lots (parcels 1 and 4 in the referral package) were not the best configuration from an agricultural perspective. The Commission noted that if they were absorbed into the neighboring parcels to the East that would be better. The applicant stated that a lot consolidation such as that would be possible without application to the Agricultural Land Commission or Ministry of Transportation and Transit.
- The Commission expressed concern over the most easterly lot (parcel 3 in the referral package) being split into two lots as a result of the proposal. The Commissioners felt that the splitting of this parcel was not a benefit to agriculture due to the fact that the lot already has less viability as an agricultural property and dividing it would further reduce the viability.

Moved and seconded,
And resolved:

That the Creston Valley Agricultural Advisory Commission **NOT SUPPORT** the Agricultural Land Reserve Referral for the property located 7221, 7213 and 7217 Highway 3, Kitchener and legally described as PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-020) and LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 89388I) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970).

Carried

6. PUBLIC TIME

The Chair called for public time at 2:25 p.m. There was one member of the public Online.

7. NEXT MEETING

The next Creston Valley Agricultural Advisory Commission Meeting has yet to be determined.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Creston Valley Agricultural Advisory Commission meeting be adjourned at 3:30 p.m.

Carried

EXISTING AND PROPOSED LOT AREAS HAVE BEEN CORRECTED TO REFLECT BC ASSESSMENT VALUES, NOT MAP AREA



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 105983
Application Type: Subdivide Land in the ALR
Status: Submitted to L/FNG
Name: GODDARD et al.
Local/First Nation Government: Central Kootenay Regional District

1. Parcel(s) Under Application

Parcel #1

Parcel Type Fee Simple
Legal Description PARCEL A (REFERENCE PLAN 89388I) SUBLOT 7 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
Approx. Map Area ~~2.9 ha~~ 2.53 ha
PID 016-313-003
Purchase Date Feb 19, 2021
Farm Classification Yes
Civic Address 7221 HIGHWAY 3, KITCHENER
Certificate Of Title Title 016-313-003 Front Narrow.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
MERVIN GODDARD	Not Applicable	7789630428	mervgoddard@gmail.com	Not Applicable

Parcel #2

Parcel Type	Fee Simple
Legal Description	PARCEL A (REFERENCE PLAN 89388I) SUBLOT 8 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
Approx. Map Area	15.9 ha 14.29 ha
PID	016-312-020
Purchase Date	Feb 19, 2021
Farm Classification	Yes
Civic Address	7221 HIGHWAY 3, KITCHENER
Certificate Of Title	Title 016-313-020 7221 Hwy 3.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
MERVIN GODDARD	Not Applicable	7789630428	mervgoddard@gmail.com	Not Applicable

Parcel #3

Parcel Type	Fee Simple
Legal Description	LOT B DISTRICT LOT 362 KOOTENAY DISTRICT PLAN NEP23423
Approx. Map Area	16.9 ha 16.2 ha
PID	023-561-327
Purchase Date	Jun 8, 2021
Farm Classification	Yes
Civic Address	7221 HIGHWAY 3, KITCHENER
Certificate Of Title	Title 023-561-327 Lot B.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
MERVIN GODDARD	Not Applicable	7789630428	mervgoddard@gmail.com	Not Applicable

Parcel #4

Parcel Type	Fee Simple
Legal Description	PARCEL A (REFERENCE PLAN 89388I) SUBLOT 2 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
Approx. Map Area	3.5 ha 3.07 ha
PID	016-312-996
Purchase Date	Feb 19, 2021
Farm Classification	Yes
Civic Address	7221 HIGHWAY 3, KITCHENER
Certificate Of Title	Title 016-312-996 Back Narrow.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
MERVIN GODDARD	Not Applicable	7789630428	mervgoddard@gmail.com	Not Applicable

Parcel #5

Parcel Type	Fee Simple
Legal Description	PARCEL A (REFERENCE PLAN 89388I) SUBLOT 1 DISTRICT LOT 362 KOOTENAY DISTRICT PLAN X40
Approx. Map Area	21.8 ha 19.13 ha
PID	016-312-970
Purchase Date	Feb 19, 2021
Farm Classification	Yes
Civic Address	7221 HIGHWAY 3, KITCHENER
Certificate Of Title	Title 016-312-970 Back 96.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
MERVIN GODDARD	Not Applicable	7789630428	mervgoddard@gmail.com	Not Applicable

2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? No

3. Primary Contact

Type	Third-Party Agent
First Name	John
Last Name	Purdy
Organization (If Applicable)	North Arow Development Services Ltd
Phone	2502545949
Email	john@nadsbc.ca

4. Government

Local or First Nation Government: Central Kootenay Regional District

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the parcel(s).

PID 016-313-003 (~~2.9 ha~~); 1.5 ha in hay crop, 1.4 ha fenced pasture
 016-312-020 (~~15.9 ha~~); contains most of the agricultural buildings. 1 ha in fully penned corrals, 9 ha in fenced pasture with remainder in hay production. Residential uses (2 single family dwellings) comprise approx 1 ha of parcel area.
 023-561-327 (~~16.9 ha~~) 8 ha in hay crop, remainder in fenced grazing
 016-312-996 (~~3.5 ha~~) 2 ha in hay crop, 1.5 ha treed
 016-312-970 (~~21.8 ha~~) 16 ha in hay crop, 5.8 ha treed

Describe all agricultural improvements made to the parcel(s).

Please note that this assembly has remained under Goddard family ownership/stewardship since 1974. In that time, approximately 85% of the total assembly area has been cleared and tilled or prepared for tilling. The perimeter of the full assembly has recently been posted and newly fenced.

All interior pasturages and corral areas have been fully fenced. All internal driveways have culverts installed at creek and drainage points. Irrigation diversion improvements have been made on the bottom land (PID 016-312-970) as well as over a portion of PID 023-561-327. Soil amendments are applied frequently on the upper hay production areas due to lower quality soil conditions, zero till methodology is employed as much as possible over all crop production areas.

Describe all other uses that currently take place on the parcel(s).

There are currently two residential homesites on PID 016-312-020, one of which is rented on a long term tenancy and the other is used by the owner. The proposal would place a new property line between the dwellings which would allow for future Goddard family titled ownership with individual dwellings and associated improvements. There is an existing small timber mill facility on PID 023-561-327 which has been in place and in use since prior to Goddard ownership. The owner is interested in improving the existing facility for future on site and offsite log milling purposes however that will be the subject of a possible future no-farm use application.

Land Use of Adjacent Parcels

	Main Land Use Type	Specific Activity
North	Residential	PID 023-561-319 is a residential acreage, PID's 023-561-335 and 008-098-158 are zoned residential but are both vacant
East	Unused	Zoned AG2 (Agriculture), currently vacant. This 160 ha parcel (PID 016-158-814) is under a nature conservancy ownership.
South	Unused	Zoned RA (Resource Area), currently vacant. CPR right of way.
West	Agricultural / Farm	Majority is unused, some grain and forage. Zoned AG2 (Agriculture)

6. Proposal

Proposed Lot Areas

#	Type	Size
1	Lot	8.3 9.0 ha
2	Lot	8.3 8.1 ha
3	Lot	8.3 8.1 ha
4	Lot	36.1 30.02 ha

What is the purpose of the proposal?

The purpose of the subdivision is to reconfigure the existing 60.3 ha assembly from 5 awkwardly titled areas to 4 newly described titled areas. The reconfiguration will achieve the following:

- it will allow for concentrated feed crop production on the the higher value bottom land (36.29 ha) with direct access to the best licensed irrigation source (Kitchener Creek). This larger parcel contains the bulk of the existing farming infrastructure including a shop, a barn, numerous tool and equipment sheds and a small residential dwelling.
- it will result in 3 newly titled lots of 8 ha each, all having direct access to Highway 3. One of the proposed lots (Lot 1) has an existing residential dwelling which is currently rented. These proposed lots are each capable of supporting feed crop, forage and horticultural production with good potential residential building sites. Proposed lot 1 has an excellent licensed water source (Samuelson Spring) and will provide access to the 36 ha lot via registered easement over the existing driveway. MoTT has provided a Preliminary Layout Review under eDAS File # 2025-00650 and acknowledged that a registered access easement over the existing driveway would be acceptable.
- the 4 newly titled lots will all meet the minimum lot area for the AG2 district as required under the RDCK zoning bylaw
- the subdivision/consolidation will allow for the registration of a new legal plan, replacing the "reference plan" designations for 4 of the 5 existing lots thereby clarifying and simplifying legal descriptions.
- the creation of 3 lots of 8 ha each will allow the owner the option of providing an equally sized and valued agricultural parcel to each of his adult children as part of an estate planning strategy .

Why do you believe this parcel is suitable for subdivision?

The current assembly of 5 lots is poorly configured in terms of where the higher value agricultural land is located and compliance with zoning requirements. Reconfiguring the assembly from 5 lots to 4 lots in the proposed manner would normalize the parcel areas, concentrate the best agricultural production on the larger lot, bring them in to zoning compliance and resolve any issues related to the legal descriptions as it relates to the old reference plan description. The proposed configuration would also allow the owner to distribute equally sized and valued titled areas to his children as part of an estate planning strategy.

Does the proposal support agriculture in the short or long term? Please explain.

Reducing the titled areas in this assembly from 5 lots to 4 lots will allow the owner to concentrate crop production on the proposed 36 ha lot while having the option of continuing to use the remaining 3 lots for both crop and forage. As all productive areas of the assembly are currently being used for agricultural purpose there is no negative impact related to current, short term agricultural benefit. Long term benefits of the proposed reconfiguration would include providing certainty in legal parcel status through registration of a new legal plan with BC Land Title and Survey Authority as well as the option for the owner to distribute equally sized and valued parcels to his children through estate planning in order to maintain family ownership and cooperative agricultural practice.

Proposal Map / Site Plan

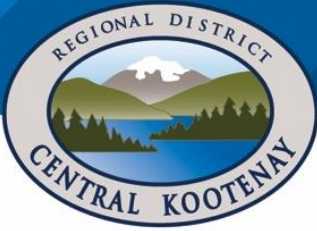
ALC Proposal Maps - Goddard.pdf

Are you applying for subdivision pursuant to the ALC Homesite Severance Policy?

No

7. Optional Documents

Type	Description	File Name
Other files that are related	Ag Capability Map with Proposed Lots	Ag Capability Map with Proposed Lot Boundaries.pdf
Other files that are related	RDCK Property Information Report	RDCK Property Information Report.pdf



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

addition, there appear to be other watercourses in the area as there are water licenses issued for several according to the BC Water Resources Atlas. These include Brite Creek, Dashwood Creek, Mary Brook, Townsend Creek, Thompson Creek and Waterwheel Creek. Other maps show Waterwheel Creek running north of the subject property, Dashwood Creek running through the subject property and Crystal Creek running to the south of the subject property. Approximately 50m south of the subject property is the Crystal Creek Non-Standard Flood and Erosion Area (NSFEA) which is a G-Rated NSFEA as is shown in Figure 3.

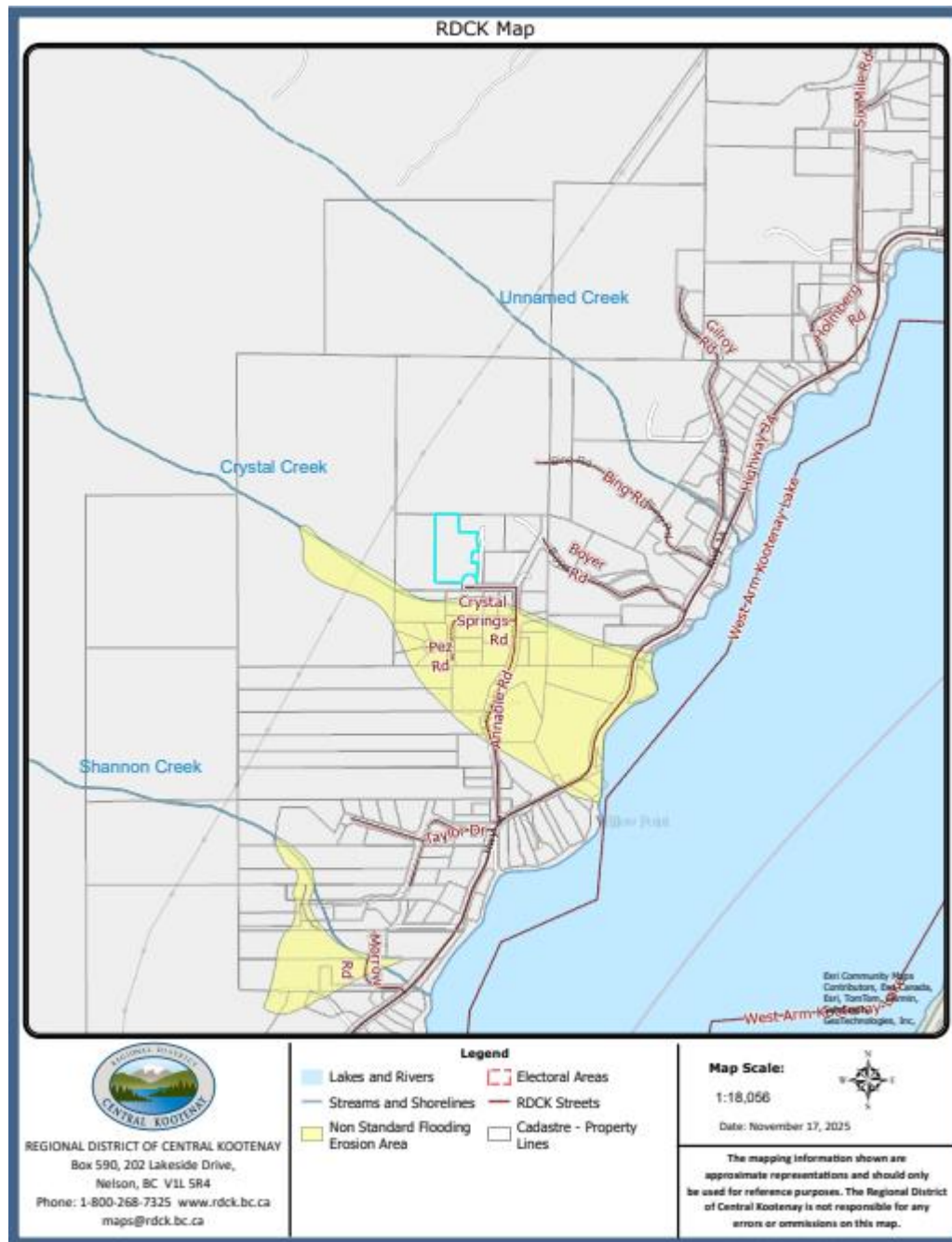


Figure 3: NSFEA and Mapped Watercourses

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)

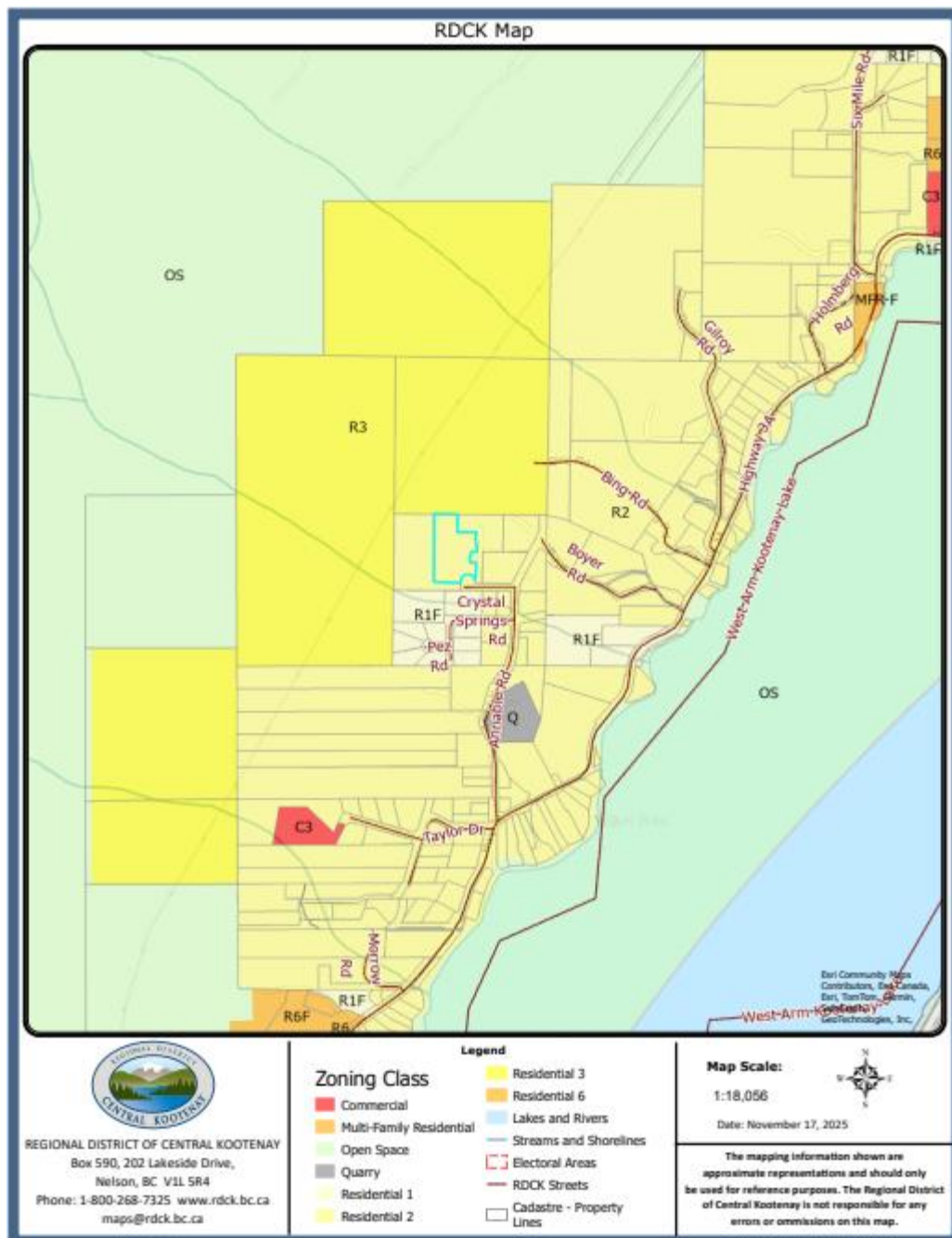


Figure 4: Zoning Map

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.

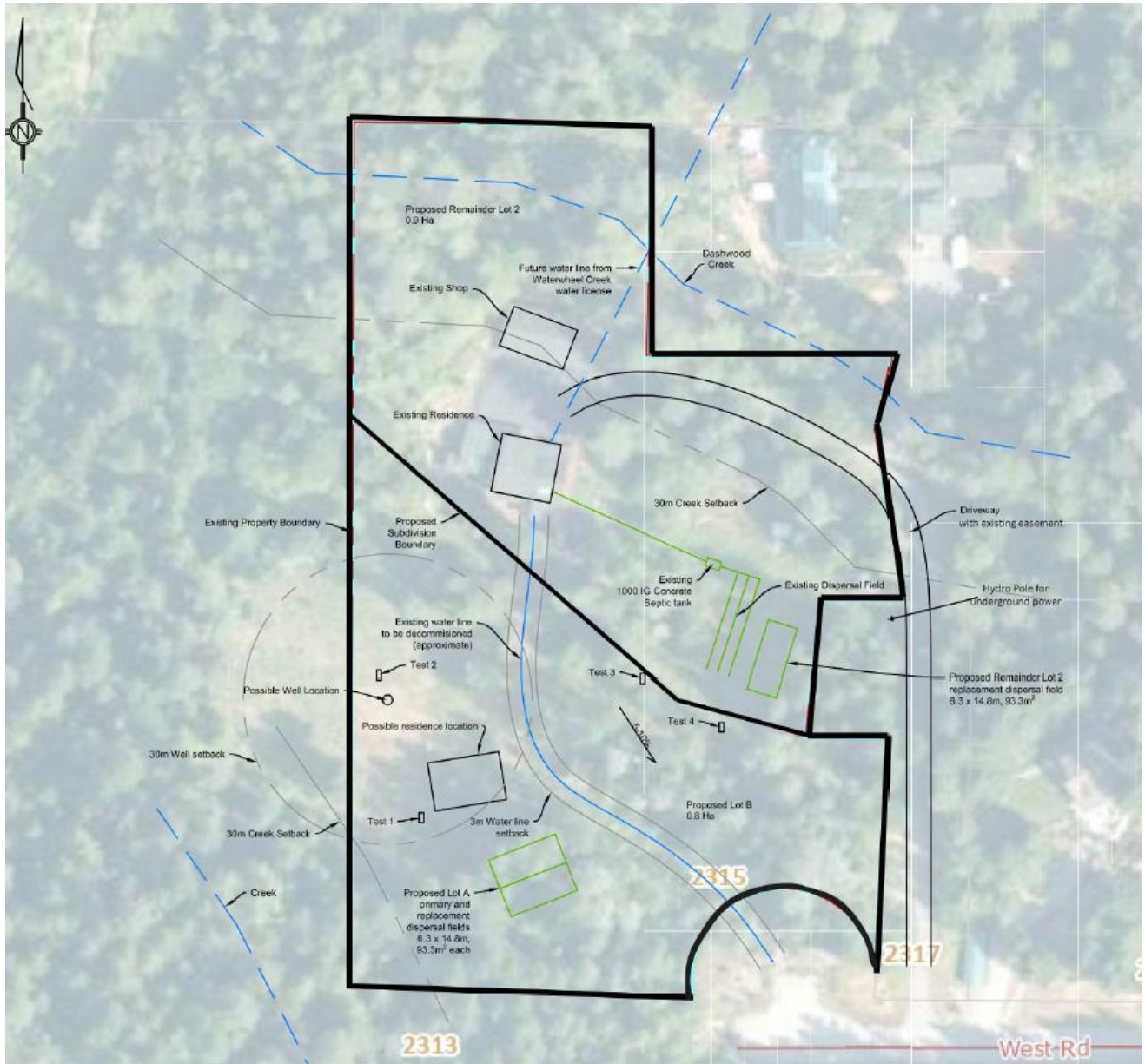


Figure 5: Proposed Subdivision

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
<i>Permitted Uses</i> 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	<i>Permitted Uses</i> 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
<i>Relevant Development Regulations</i> 1 The minimum lot size is 1.0 hectare	<i>Relevant Development Regulations</i> 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.

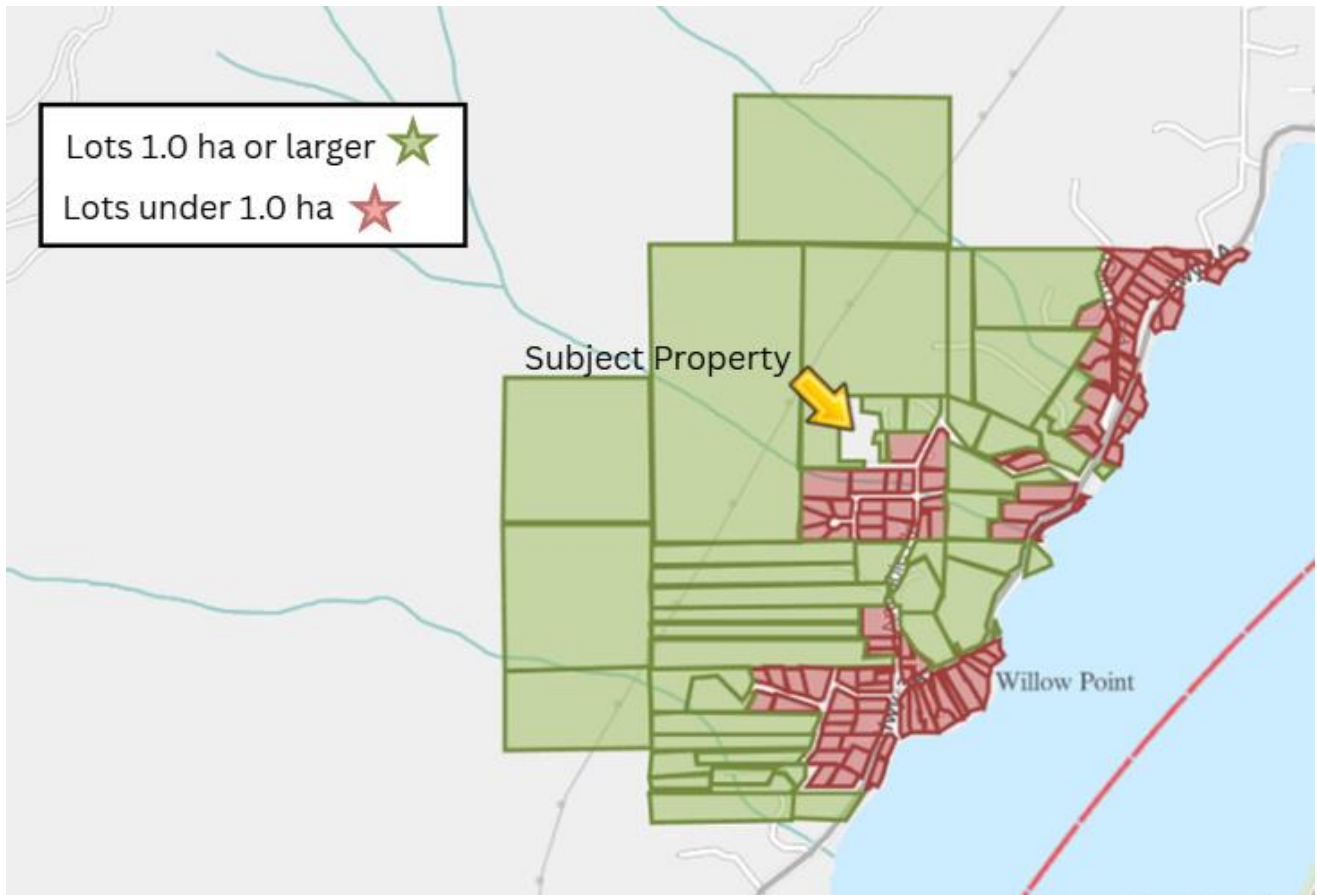


Figure 6: Existing Lot Sizes

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
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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."

cc: 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



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

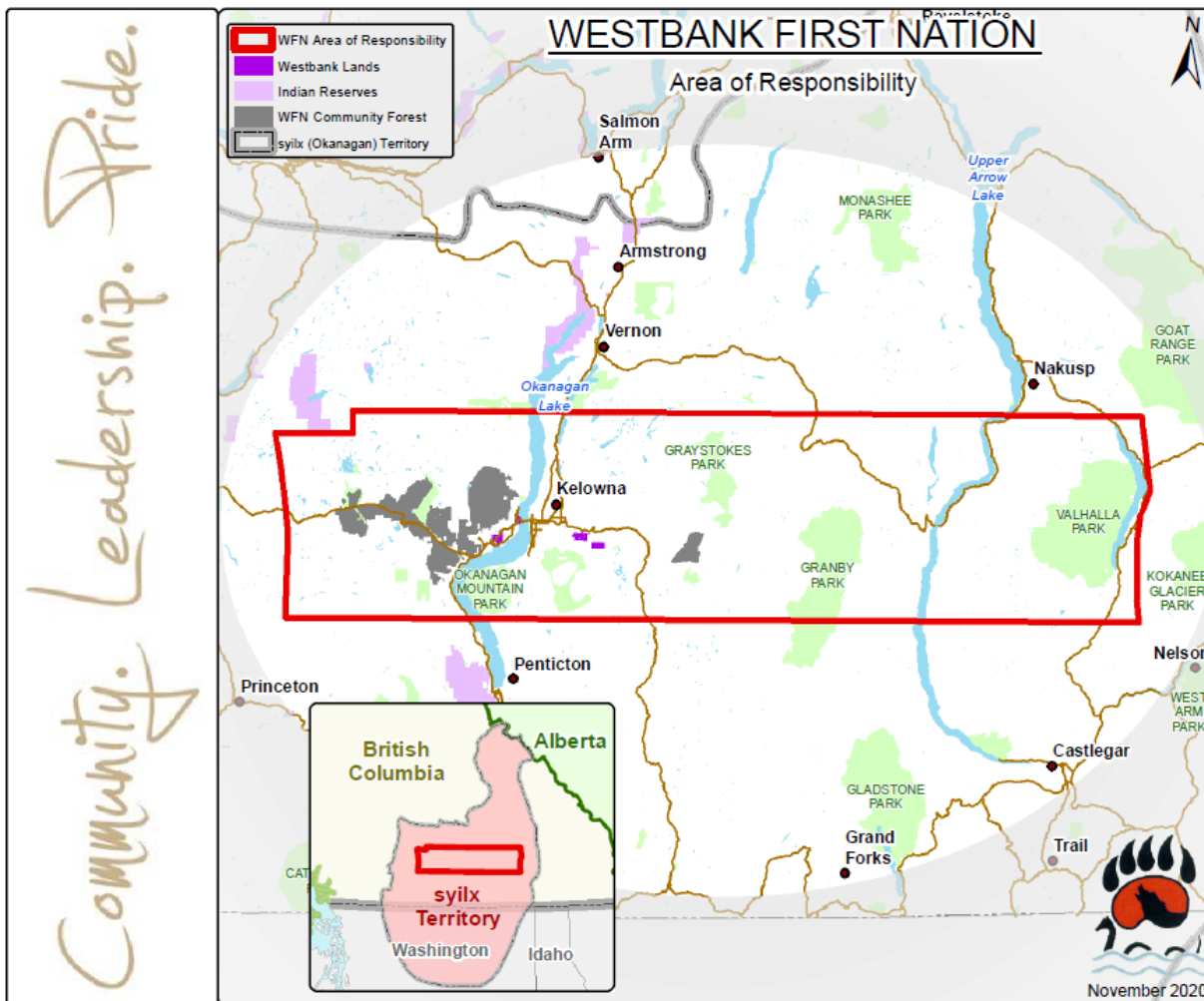
Dear Laura Christie - Regional District of Central Kootenay,

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 captik^{wł} - 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. captik^{wł} 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)

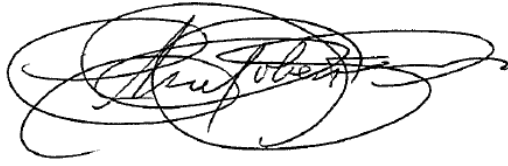
Rationale/Condition (1) The proposed activity is located within the syilx (Okanagan) Territory. All lands and resources within the vicinity of this referral are subject to unextinguished syilx Title and Rights. At this time, Westbank First Nation is deferring the project to the Penticton Indian Band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



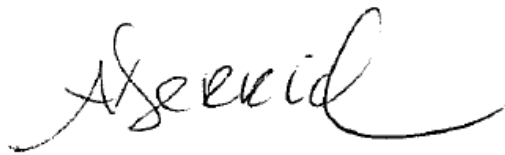
ýilmix^{wm} (Chief) Robert Louie



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.

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

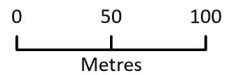
Q



-  Subject Property
-  Property Lines
-  Road

Zoning Class

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



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

February 18, 2026

SSMUH Zoning Alignment (Areas FIJK Only)

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

1.0 STAFF RECOMMENDATIO

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).

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).

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.

At the January 21, 2026 Rural Affairs Committee meeting, staff brought forward amendments to address these issues for all zoning bylaws. For *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025*, which is the amendment bylaw affecting the zoning for Electoral Areas F, I, J and K, the item was referred to the February 18, 2026 meeting with the direction “That staff reach out to the Area Directors to discuss alternative options regarding Bylaw No.1675, 2004.”

Staff reached out to the Area Directors and received feedback from Area I Director Davidoff regarding alternative options. The outcome of this discussion is outlined in the alternative solution section of this report.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

Amendments to RDCK Zoning Bylaw no. 1675 are required to address unintended density allowances, specifically the permission to have two single detached homes on a lot. In addition, formatting and terminology changes are proposed to enhance the clarity of the bylaw and consistency across bylaws in the RDCK.

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.

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

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.

3.3 What Are the Risks

The zoning bylaw does 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 for lots under 1.0 hectare where the intent of the amendments was to not permit even an accessory dwelling unit³. This could 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.”*

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

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.

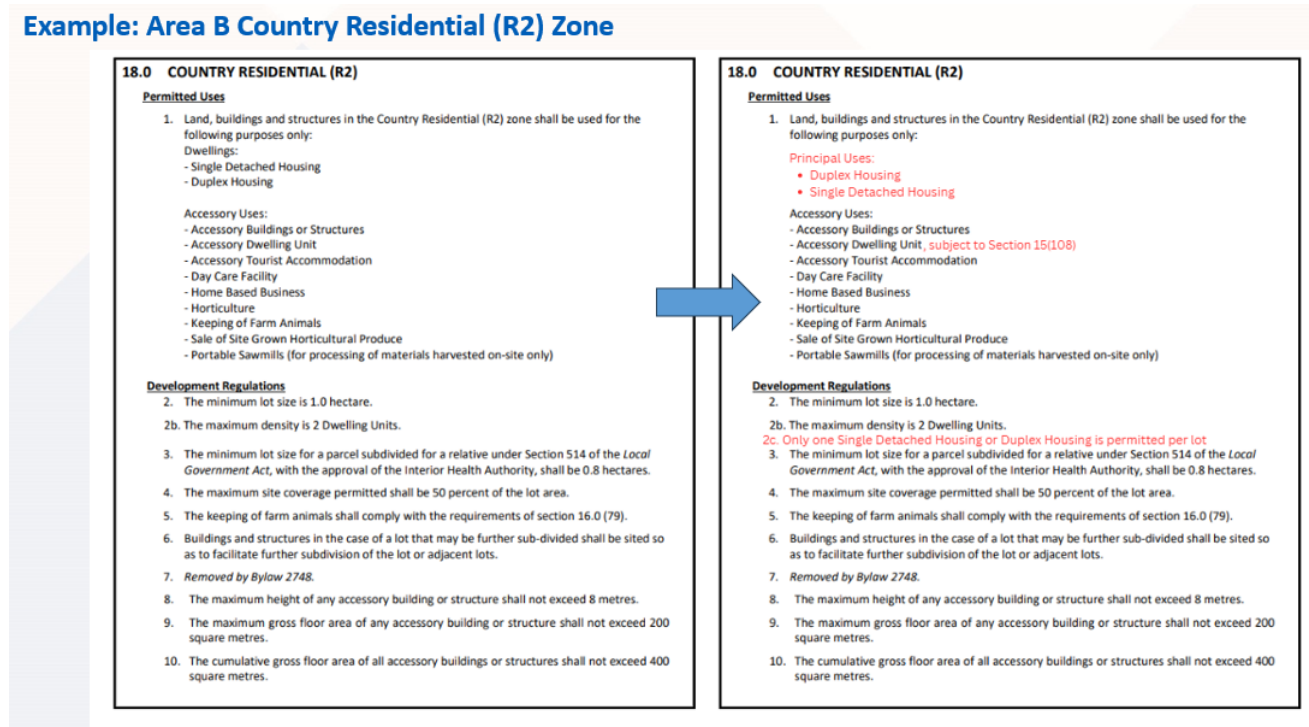


Figure 1: Example of Current Bylaw and Proposed Bylaw

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 to find more information on these units and their requirements.

The amendments as proposed improve the simplicity and clarity of the bylaw and aligns the bylaw with the intent of the 2024 amendments.

4.1 Financial Considerations of the Proposed Solution

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

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

At the January 21, 2026 Rural Affairs Committee meeting, staff brought forward amendments to address issues for all zoning bylaws including areas F, I, J and K. For *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025*, the amendment bylaw affecting Electoral Areas F, I, J and K, the item was referred to the February 18, 2026 meeting with the direction “That staff reach out to the Area Directors to discuss alternative options regarding Bylaw No.1675, 2004.” Staff reached out to the Area Directors and received feedback from Director Davidoff regarding the amendments.

Director Davidoff raised one concern to staff. His concern was specifically regarding the limiting of Rural Residential I (R3I) zoned lots to a maximum of two dwelling units. The R3I zone only exists in Electoral Area ‘I.’ He expressed a desire for the R3I zone to return to the density provisions permitted under the previous bylaw prior to the initial 2024 SSMUH amendments. The previous iteration of the bylaw permitted one principal dwelling per 4.0 hectares of site area. He also noted that his preference would be for one accessory dwelling unit to be permitted on these lots as well in accordance with the 2024 changes.

Given Director Davidoff’s concern, an option to remove mention of the R3I zone from the current proposed amendment and to direct staff to prepare amendments in line with his request is provided.

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. The additional costs to undo zoning changes for any more electoral areas beyond A and D will not be covered by Provincial funding as those funds will likely be exhausted.

5.2 Risks with the Alternative Solution

The alternative solution could lead to more complexity and less alignment of zoning regulations in the region, which could contribute to confusion for the public and developers. The density changes raise concerns with respect to achieving good land use planning outcomes particularly around rural sprawl, hazards, access and environmental sustainability.

The recently adopted Electoral Area ‘I’ Official Community Plan (OCP) identifies that growth management is a critical aspect of planning for a community’s future and that anticipated growth should be directed to areas that align with the community’s vision and broad goals. The OCP goes on to note that growth in Area I should avoid rural sprawl and preserve natural areas. It also encourages residential development to be located away from hazards lands, environmentally sensitive areas and agricultural lands.

Generally, R3I zoned properties are the most rural/remote properties in Electoral Area ‘I’ and in many ways are the least well situated to accommodate new housing development as they are typically far from access to daily needs and services. Details on the Rural Residential (RR) land use designation from the Area I Official Community Plan (OCP) are provided for context:

- Development of this type is directed to remote areas.
- Preserve natural and rural settings with large lots typically at least two hectares in size.
- Residential uses are situated in a safe area outside of hazardous or environmentally sensitive lands.
- There is minimal disturbance to the surrounding environment.
- Properties in this designation have onsite water and sewerage systems.
- The principal use shall be single detached homes (plus permitted accessory dwelling units or duplexes, horticulture or veterinary clinics).

Allowing density of use via site area versus lot area, as proposed in the alternative solution, can lead to inappropriate and haphazard development. The total site area 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. It does not consider the hazards on that property or the ability to access the lot, particularly in case of emergency.

The construction of multiple dwellings on one fee simple lot can be desirable for some residents, for example, those with large families who wish to share property or with co-housing/clustered living models where multiple households share land but live in separate dwellings. However, if not thoughtfully planned, this can create issues in the long term for estate planning purposes, servicing and access.

Given the risks associated with permitting multiple dwellings on large lots, it would be more appropriate to consider multiple dwellings through a bylaw amendment application. This allows the RDCK Board to consider each specific proposal and ensure that good development outcomes are achieved. Alternatively, the ability to subdivide with respect to minimum lot size has remained consistent in the R3I zone and was not affected by SSMUH. As such, the option to subdivide, which is often preferable from a land use planning perspective as well as from individual property owner perspective, remains available for large lots. Limiting multiple dwellings outright and permitting more density through the bylaw amendment process or the subdivision process helps to ensure good development outcomes and thus are the preferred approaches from the planning perspective.

5.3 Resource Allocation and Workplan Impact

This alternative solution would primarily be completed by one Planner 1 and would be completed by Spring or Summer 2026. This option will take longer than the proposed solution due to the need to accommodate the revised preparation and referral of the bylaw 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. This may need to take priority over other non time sensitive projects.

5.4 Public Benefit and Stakeholder Engagement of Alternative Solution

Stakeholder Engagement

Portions of the stakeholder engagement of the alternative solution with respect to the R3I zone would need to be completed again. Specifically, the alternative amendments to the zoning bylaw for the R3I zone which exists only in Area I would need to 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 could 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 Board with two options to proceed with these amendments.

The first option is to grant first, second and third reading for the proposed bylaw as prepared in this package and withhold adoption until approval is received from the Ministry of Transportation and Transit (MOTT).

The second option has three components:

1. Modify the amendment bylaw to remove reference to the Rural Residential I (R3I) zone, specifically Sections 1600 and 1601(2)(b) and;
2. Grant first, second and third reading for the amendment bylaw as amended by item 1 and withhold adoption until approval is received from the Ministry of Transportation and Transit (MOTT) and;
3. Direct staff to prepare amendments for the Rural Residential I (R3I) zone in accordance with the alternative solution.

The second option allows the amendment bylaw to move forward for Electoral Area's F, I, J and K, with the exception of the one zone in Electoral Area 'I' that Director Davidoff requested be altered in line with the alternative solution.

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

Options

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

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).

Option 2: Amend the proposed bylaw by removing mention of the Rural Residential I (R3I) zone. Grant First, Second and Third Reading for this amended bylaw and withhold adoption until approval from MOTT has been received. Direct staff to pursue the alternative solution for the R3I zone only.

Recommendations:

That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025*, as modified to remove reference to Sections 1600 and 1601(2)(b) and 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:

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

And further, that staff be directed to prepare amendments for the Rural Residential I (R3I) zone in accordance with the alternative solution.

8.0 RECOMMENDATIONS

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).

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 Bylaw

Attachment B – Concurrence Table

Attachment C – Referral Responses

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 19 day of February, 2026

READ A SECOND TIME this 19 day of February ,2026

READ A THIRD TIME this 19 day of February , 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 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 an all lots.	AMEND Despite section 623(2) secondary suites are permitted an 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 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 701(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 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 Residential F (R1F) Permitted Uses	Dwellings: Single Detached Housing 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	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

Concurrence Table

<p>Section 901(1)(C) Suburban Residential F (R1F) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1000 Suburban Residential K (R1K) Permitted Uses</p>	<p>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</p>	<p>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</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>
<p>Section 1001(1)(C) Suburban Residential K (R1K) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1100 Country Residential (R2) Permitted Uses</p>	<p>Dwellings: Single Detached Housing Duplex Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit</p>	<p>AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings and Structures</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	<p>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</p>	<p>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</p>	
<p>Section 1101(5)(B) Country Residential (R2) Permitted Uses</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1200 Country Residential I (R2I) Permitted Uses</p>	<p>Dwellings: Single Detached Housing Duplex Housing Horticulture Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only</p>	<p>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 Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products 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>
<p>Section 1201(2)(B) Country Residential I</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>

Concurrence Table

(R2I) Development Regulations			
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 Residential K (R2K) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1400 Country Residential SA (R2SA – South Arrow) 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

	<p>Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only Temporary Guest Accommodation as per Section 1402</p>	<p>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</p>	
<p>Section 1401(5)(B) Country Residential SA (R2SA – South Arrow) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1500 Rural Residential (R3) Permitted Uses</p>	<p>Dwellings: Single Detached Housing Duplex Housing Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products</p>	<p>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 Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	Portable Sawmills for processing of material harvested on site only	Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	
Section 1501(4)(B) Rural Residential (R3) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 1600 Rural Residential I (R3I) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
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

Concurrence Table

<p>Section 1700 Rural Residential K (R3K) Permitted Uses</p>	<p>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</p>	<p>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</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>
<p>Section 1701(5)(B) Rural Residential K (R3K) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1800 Rural Resource (R4) Permitted Uses</p>	<p>Dwellings: Single Detached Housing Duplex Housing Horse Riding Stables and Boarding Stables Horticulture</p>	<p>AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Single Detached Housing</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	<p>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</p>	<p>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</p>	
<p>Section 1801(4)(B) Rural Resource (R4) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 1900 Rural Resource K (R4K) Permitted Uses</p>	<p>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</p>	<p>AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings and Structures</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	<p>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>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>	
<p>Section 1901(4)(B) Rural Resource K (R4K) Development Regulations</p>		<p>NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 2000 Rural Resource (R4SA – South Arrow) Permitted Uses</p>	<p>Dwellings: Single Detached Housing Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis</p>	<p>AMEND 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</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 2002	Micro Processing, Cannabis Nursery, Cannabis Sale of Site Grown Farm Products Portable Sawmills Temporary Guest Accommodation as per Section 2002	
Section 2001(4)(B) Rural Resource (R4SA – South Arrow) Development Regulations		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density
Section 2200 Multi-Unit Residential (R6) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Multi-Unit Housing Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Horticulture	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 Home Based Business Horticulture	Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section
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)	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

Concurrence Table

Development Regulations			
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 Home Based Business Keeping of Farm Animals Sale of Site Grown Farm Products	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 Home Based Business 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 2501(1)(C) Seasonal		NEW Only one Single Detached Housing or Duplex Housing is permitted per lot.	Clarifies principal dwelling density

Concurrence Table

Residential (R7) Permitted Uses			
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
Section 2700 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 Single Detached Housing	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 principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section

Concurrence Table

	<p>Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) 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>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)</p>	
<p>Section 2701(1)(C) Agriculture 1 (AG1) Development Regulations</p>		<p>NEW Only one Single Detached Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 2800 Agriculture 2</p>	<p>Agriculture</p>	<p>AMEND Principal Uses:</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers</p>

Concurrence Table

<p>(AG2) Permitted Uses</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 Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</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>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 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)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> 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) 	<p>to accessory dwelling unit general regulations section</p>
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Concurrence Table

<p>Section 2801(1)(C) Agriculture 2 (AG2) Development Regulations</p>		<p>NEW Only one Single Detached Housing is permitted per lot.</p>	<p>Clarifies principal dwelling density</p>
<p>Section 2900 Agriculture 3 (AG3) 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</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</p>	<p>Clarifies principal uses, put into alphabetical order and connects readers to accessory dwelling unit general regulations section</p>

Concurrence Table

	<ul style="list-style-type: none"> - Portable Sawmills for processing of material harvested on site only - Temporary Farm Worker Housing (may require ALC non adhering residential use approval) 	<ul style="list-style-type: none"> 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) 	
Section 2901(1)(C) Agriculture 3 (AG3) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density

DRAFT

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.

limləmt,

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

[REDACTED]
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

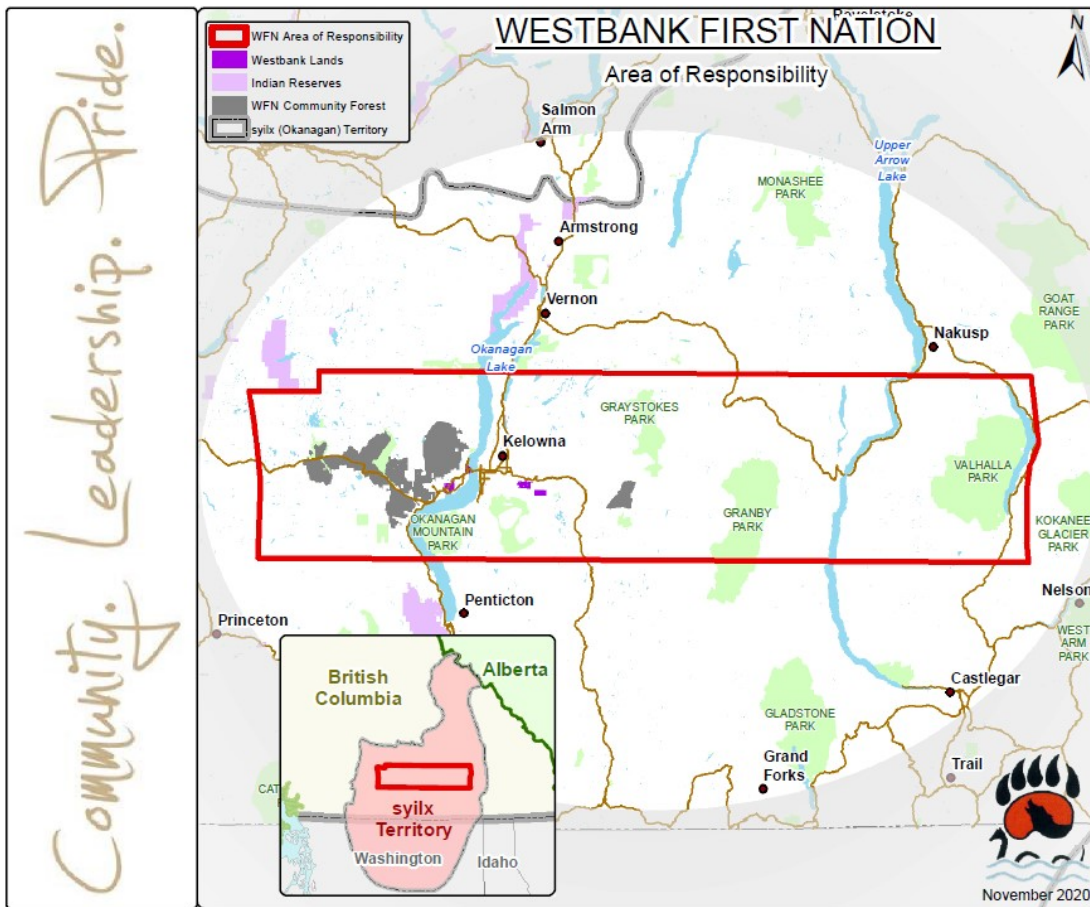
SENT VIA EMAIL: planning@rdck.bc.ca

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



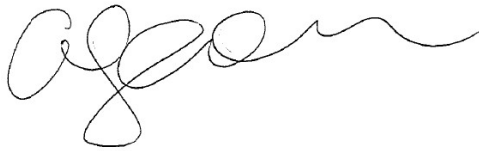
səx^{wk}wínma?m (Councillor) Jordan Coble



səx^{wk}wínma?m (Councillor) Sara Tronson



səx^{wk}wínma?m (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.



Committee Report

Date of Report: February 4, 2026
Date & Type of Meeting: February 18, 2026 Rural Affairs Committee
Author: Monique St Louis, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – RDCK – BOOSTER PUMP AND MEDIA REPLACEMENT SOUTH SLOCAN WATER SYSTEM
File: 1850-CW-327
Electoral Area/Municipality H

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-Booster Pump and Media Replacement South Slocan Water System” in the total amount of \$22,000.00 and that funds be disbursed from Community Works Funds:

Electoral Area H in the amount of \$22,000.00

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

This application is the responsibility of Area H and no other areas are being asked to contribute to the project. The Director is supportive of the application. Should this project be funded, Area H will have \$682,878.80 and in Community Works funds remaining.

***This total remaining funds include the not yet approved RAC report CW funding request for the RDCK-Campbell Fields Outdoor Reimagination Project for \$1,000,000.00 that is also presented for approval.

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 “Drinking Water”.

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- Booster Pump and Media Replacement South Slokan Water System in the total amount of \$22,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 245 – Water Utility South Slokan.

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- Booster Pump and Media Replacement South Slokan Water System



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"		Booster Pump and Media Replacement South Slokan Water System	
Date of Application		2026/02/02	
Applicant Information			
Name of Organization		Regional District of Central Kootenay	
Address		Box 590, 202 Lakeside Drive	
City, Prov. Postal		Nelson BC V1L 5R4	
Phone No.		250.352.6665	Fax No. 250.352.9300
Organization's Email		watercontact@rdck.bc.ca	
Name of Contact		Eileen Senyk	Contact's Email esenyk@rdck.bc.ca
Director in Support of Project			
Name of Director(s)		Area(s)/Municipality	Amount Requested
Walter Popoff		H	\$ 22,000.00
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2026/04/01		2026/11/30	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)		Parcel A District Lot 4813 Kootenay Land District (See Sketch 44321)	
Registered Owners of Land(s)		Regional District of Central Kootenay	
Crown Land Tenure/License No./Permit No.(s)		not applicable	
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Have you applied and received a building permit?		<input type="checkbox"/> Yes, Permit No. _____ <input checked="" type="checkbox"/> No	
If No, please explain: This application proposes to replace water treatment within an existing building.			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

The South Slokan water system services 50 active connections and source water is derived from Watts Brook and Smoky Creek. The water system is aging, and the small user base limits available reserve funding for major system upgrades.

This project requires funds for two upgrades to the South Slokan water treatment plant.

1. Water Treatment Sand Filtration Media Replacement:

The media replacement project proposes to replace one filtration unit with a media type that has demonstrated increased turbidity removal through a pilot project. If the new media shows significant turbidity removal, the remaining filter housings will also have their media replaced. This initial filtration treatment for turbidity reduction aims to help meet the Provincial 4-3-2-1-0 treatment requirements for less than 1 NTU. The 4-3-2-1-0 drinking water objective ensures that water suppliers are meeting the following water quality goals:

- 4 log inactivation (99.99% kill rate) of viruses
- 3 log removal or inactivation (99.9% kill rate) of Giardia Lamblia and Cryptosporidium
- 2 refers to two treatment processes for all surface drinking water systems
- 1 for less than 1 NTU of turbidity
- 0 total and fecal coliforms and e. Coli.

These Provincial treatment requirements provide a performance target for water suppliers serving populations over 500 people to ensure the provision of microbiological safe drinking water. Replacing the sand filtration media may help to better achieve turbidity targets and reduce loading on downstream treatment components.

2. Standby Booster Pump Replacement:

There are two booster pumps located in the South Slokan water treatment plant. One of the two pumps is no longer functioning. Replacing the booster pump will ensure that water is available to some of the higher elevation properties where there is insufficient pressure in the system to deliver water without pumping. Having a second booster pump is a regulatory requirement to ensure security of supply and the installation of required redundancy in critical processes.

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

The anticipated project cost for the South Slocan Water Treatment Plant Upgrades is \$22,000. This includes an approximately \$12,000 for the booster pump, and \$8,000 for the filter media. The filter media will be purchased from the United States and therefore a \$2000 contingency has been included to account for tariffs which are at this time unknown.

Both the filter media replacement and installation of the booster pump will be done in 2026. The work will start as soon as the pump and sand filter media are ordered and delivered and will be completed in house by RDCK Water Operations staff.

(If needed, please provide additional information on separate page)

1.2 Project Impact

The replacement of the sand filtration media is for turbidity reduction and to meet Provincial 4-3-2-1-0 treatment requirements.

The addition of the Booster Pump is required as part of the South Slocan treatment and distribution process. This is a regulatory requirement to ensure security of supply and the installation of required redundancy in critical processes.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

Project outcomes include:

- 1) A filtration system which helps achieve Provincial water treatment requirements for turbidity.
- 2) A booster pump which will ensure that redundancy is built into the system and that higher elevation properties are adequately serviced.
- 3) A water system that meets regulatory requirements and ensures security of supply.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

The project team will consist of:
 Project lead: Jay Colley, Water Operations Supervisor
 Project oversight: Alexandra Divlakovski, Water Operations Manager

(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 (\$)
Community Works Grant		\$ 22,000.00
		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 22,000.00

Project Expenses
 (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
1 HP Booster Pump		\$ 12,000.00
Sand Filter Media		\$ 8,000.00
Contingency		\$ 2,000.00
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 22,000.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Revenue	\$ 22,000.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Expenses	\$ 22,000.00

2.1 Additional Budget Information		
Quote rationale to be reviewed by RDCK Chief Administrative Officer		
Using Community Works funds to pay for these projects saves the use of reserve funds which are limited in South Slokan.		
(If needed, please provide additional information on separate page)		
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



Committee Report

Date of Report: February 4, 2026
Date & Type of Meeting: February 18, 2026 Rural Affairs Committee
Author: Monique St Louis, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – RDCK – CAMPBELL FIELDS OUTDOOR REIMAGINATION PROJECT
File: 1850-CW-326
Electoral Area/Municipality H

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-Campbell Fields Outdoor Re-imagination Project” in the total amount of \$1,000,000.00 and that funds be disbursed from Community Works Funds:

Electoral Area H in the amount of \$1,000,000.00

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

This application is the responsibility of Area H and no other areas are being asked to contribute to the project. The Director is supportive of the application. Should this project be funded, Area H will have \$704,878.18 in Community Works funds remaining.

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

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the broad program category of “Recreation Infrastructure”.

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- Campbell Fields Outdoor Re-imagination Project in the total amount of \$1,000,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 231 – Slocan Valley South Regional Parks Recreation No. 8.

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- Campbell Fields Outdoor Re-imagination Project



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"	Campbell Fields Outdoor Reimagination Project		
Date of Application	2026/02/19		
Applicant Information			
Name of Organization	Regional District of Central Kootenay (RDCK)		
Address	202 Lakeside Dr.		
City, Prov. Postal	Nelson, BC V1L 5R4		
Phone No.	250 352 6665	Fax No.	
Organization's Email	parks@rdck.bc.ca		
Name of Contact	Mark Crowe	Contact's Email	mcrowe@rdck.bc.ca
Director in Support of Project			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
Walter Popoff	Electoral Area H	\$ 1,000,000.00	
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2026/03/01		2028/01/01	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	PARCEL 1 BLOCK A PLAN NEP872 DISTRICT LOT 303 KOOTENAY LAND DIS		
Registered Owners of Land(s)	Regional District of Central Kootenay		
Crown Land Tenure/License No./Permit No.(s)			
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have you applied and received a building permit?	<input type="checkbox"/>	Yes, Permit No. _____	
	<input checked="" type="checkbox"/>	No	
If No, please explain: N/A for this project			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

Project Overview

Campbell Field is an 8.6-acre (3.5-hectare) site located near Playmor Junction in the Slocan Valley, adjacent to the Slocan Valley Rail Trail and close to Brent Kennedy Elementary and Mount Sentinel Secondary School. The Regional District of Central Kootenay (RDCK) acquired the property from the South Slocan Sports Association in 2016 with a commitment to maintain its recreational purpose.

Community Need and Vision

In 2020, RDCK initiated a reimagination process to explore how Campbell Field could better serve the region's growing demand for outdoor recreation. This process included stakeholder engagement with local municipalities, schools, and community groups, as well as a review of existing recreation facilities and community feedback. The outcome of this process included a summary of public engagement and two design concepts.

Project Goal

The goal of this funding is to construct an initial development phase for a future multi-use outdoor recreation hub that supports healthy lifestyles, community gatherings, and year-round activities. The project will implement a process to identify and construct several of the outdoor functional amenities that were identified in pre-design engagement in 2020, including but not limited to:

- Large roof-covered outdoor space for sports and performances
- Sport areas (soccer, skating, ball diamond)
- Hard court surfaces for basketball and similar activities
- Walking and jogging trails connected to the Rail Trail
- Family-friendly spaces such as picnic areas, playgrounds, and gathering zones
- Special features such as a pump track and skatepark
- Unique features splash pad, and artisan market space

The project involves working with a Landscape Architect design profession to define a portion of the property which can be utilized for several outdoor park amenities within the project budget of \$1,000,000 while recognizing the desire to retain a large portion of the property for future phasing of indoor or outdoor functions. An inform/consult level of public consultation will be part of the project.

In scope: defining a very limited portion of the property for detailed design and construction of several outdoor park amenities TBD, while recognizing development considerations of future recreation and park development. Goals include:

- Activities and wellness for all ages
- Enhances community connectivity and social interaction
- Support local neighborhood, local tourism and economic development
- Provides inclusive, year-round recreation opportunities
- Aligns with RDCK's commitment to sustainable and community-driven planning
- Implements elements of pre-design engagement and outdoor concept work done in 2020.
- Reserve an undeveloped portion of the property for future indoor or outdoor opportunities.

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

Timeline:

- Predesign Engagement and Initial Outdoor Concept - Completed in 2020
- Outdoor Concept Design - Spring 2026
- Engagement - Inform/Consult - Summer/Fall 2026
- Class Cost Estimate and Funding (Internal/External) Confirmation - Winter 2027
- Detail Design and Construction Documents - Spring 2027
- Construction - 2027-2028 (December)

Cost & Project Management:

The estimated cost of the project is \$1,000,000.

RDCK Parks will engage the RDCK Project Management team to help support the project. This project may be conducted in a phased approach, however there may be overlap in phases dependent on timing of project, staff, contractor availability and First Nations consultation. The project will fall under our asset management program where reserves will be created through yearly budgets. Regular maintenance of the assets will occur through as a yearly budget line in the RDCK Financial Plans.

Supporting Information

The RDCK has 27 Regional Parks and Trails in different stages of development and has been working diligently, when possible, to apply accessibility standards to park development. Prices and estimation on all materials and contractor labour are through previous and most recent park development prices in the local areas. Labour and material costs may change according to local area contractor availability and material shipping distance. The RDCK seeks out the most cost effective and appropriate pricing for the costs of goods and services. We will rely on the experience and expertise of both the engineer and PDSO on exact timing of each task. As information provided in the document some of the costs will vary depending on the findings as upgrades are done. All work will be done following the RDCK Purchasing Policy.

(If needed, please provide additional information on separate page)

1.2 Project Impact

Regional Connectivity and Accessibility

The project will initiate a small park development phase at Campbell Field which will help shape the development of the site in the future into a multi-use outdoor recreation hub strategically located near the Slocan Valley Rail Trail and major highways, making it easily accessible for residents and visitors.

Community Health and Well-being

By prioritizing outdoor amenities we are supporting physical and mental health.

Economic and Tourism Benefits

The site's design may include spaces for artisan markets, performances, and events, creating opportunities for local businesses and cultural tourism. Enhanced recreational infrastructure attracts visitors, contributing to regional economic development.

Environmental Integration

A small outdoor-focused park phase can minimize development footprint and parking requirements, preserving green space and aligning with sustainable land-use principles. Integration with the Rail Trail encourages non-motorized transportation and reduces environmental impact.

Social Inclusion and Community Cohesion

The facility will be designed for all ages and abilities, with the possibility of offering diverse activities from playgrounds and splash pads to pump tracks and hard courts. This inclusivity strengthens community bonds and provides equitable access to recreation.

Long-Term Regional Value

Campbell Field will serve as a central gathering point for sports, cultural events, and family activities, filling gaps in existing recreation infrastructure and supporting RDCK's vision for vibrant, healthy communities.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

The project outcome will be to finalize the scope of what is possible at Campbell Fields for a small park development within the budget of \$1,000,000 and to construct the TBD functional park amenities. A measure of success will be if we can find matching funds to expand the project budget to include additional amenities.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

The project team involves Regional Park Staff and approved contractors:

Regional Parks Staff include:
 Project Manager Team
 Regional Manager of Operations and Asset Management
 Regional Parks and Trails Manager
 Regional Parks and Trails Operations Supervisor
 Regional Parks Planner
 Parks and Trails Summer Maintenance Staff
 Communications and Community Engagement Lead

Approved Contractors will be hired according to RDCK purchasing policy

(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 (\$)
Community Works Funding	Intended Funding	\$ 1,000,000.00
		\$
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 1,000,000.00

Project Expenses
 (Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
Survey		\$ 25,000.00
Conceptual and Detailed Design		\$ 75,000.00
Public Engagement		\$ 30,000.00
Cost of Construction (+/- D)		\$ 870,000.00
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 1,000,000.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
	Total Project Revenue	\$ 1,000,000.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
		\$
		\$
		\$
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		\$
	Total Project Expenses	\$ 1,000,000.00

2.1 Additional Budget Information Quote rationale to be reviewed by RDCK Chief Administrative Officer		
Staff seeks to find cost savings through economy of scale, in kind contributions and other sources of grant funding where possible. The intent of this grant is to allow us to begin work on the mentioned items in phases. If more funding through grants is possible we will try to accomplish the task in a more timely manner.		
(If needed, please provide additional information on separate page)		
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: <ol style="list-style-type: none"> a) 75% upon signing of the Contract Agreement b) 25% upon receipt of a Project completion report indicating 100% completion of the Project and proof of meeting anticipated impacts and outcomes, a statement of income and expenses, and copies of invoices/receipts supporting funding expenditures. 		
5.0 Acknowledgement of Requirements		
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



Committee Report

Date of Report: February 3, 2026
Date & Type of Meeting: February 18, 2026, Rural Affairs Committee
Author: Monique St Louis, Grants Coordinator
Subject: COMMUNITY WORKS FUND APPLICATION – CITY OF CASTLEGAR – DOUKHOBOR DISCOVERY CENTRE-EFFICIENCY & EMISSIONS REDUCTION
File: 1850-CW-325
Electoral Area/Municipality |

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to seek approval for the Community Works Fund application submitted by The City of Castlegar for the project titled “Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION” in the total amount of \$12,550.00 and that funds be disbursed from Community Works Funds:

Electoral Area I in the amount of \$12,550.00

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

This application is the responsibility of Area I and no other areas are being asked to contribute to the project. The Director is supportive of the application. Should this project be funded, Area I will have \$1,020,181.14 in Community Works funds remaining.

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

Community Works (formerly Gas Tax) funded projects aim to achieve three objectives: a clean environment; strong cities and communities; and productivity and economic growth. Board policy dictates that applications to the Community Works Fund be reviewed by staff and the Rural Affairs Committee for compliance with program guidelines. Staff is of the opinion that this project falls within the broad program category of “Clean Environment-Community Energy System”.

3.3 Environmental Considerations

The opportunities identified as part of the SMART program can have benefits including energy savings, climate impact mitigation via greenhouse gas emissions reduction, improved resiliency to climate events, or benefits to occupant health and safety.

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.

Replace Bistro RTU with ASHP RTU: Electricity Savings: 106,500 kWh (over 15 year project life)

South Annex Building HVAC Upgrade: Electricity Savings: 13,500 kWh (over 15 year project life)

LED Lighting Upgrade in the Village Bistro Building: Electricity Use Savings: 7,500 kWh (over 25 yr project life)

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 City of Castlegar - Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION in the total amount of \$12,550 be approved and that funds be disbursed from Community Works Funds:

Electoral Area I in the amount of \$12,550.00

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 – City of Castlegar - Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION



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"	Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION		
Date of Application	2026/01/29		
Applicant Information			
Name of Organization	City of Castlegar		
Address	460 Columbia Avenue		
City, Prov. Postal	Castlegar, BC, V1N 1G7		
Phone No.	2503657227	Fax No.	
Organization's Email			
Name of Contact	Chris Barlow	Contact's Email	cbarlow@castlegar.ca
Director in Support of Project			
Name of Director(s)	Area(s)/Municipality	Amount Requested	
Director Davidoff	Area I	\$ 12,550.00	
Project Time Line			
Project Commencement Date (yyyy/mm/dd)		Project Completion Date (yyyy\mm\dd)	
2026/01/01		2026/12/31	
Land Ownership			
Ownership and legal description information is required for all parcels of land on which the proposed work will occur.			
Legal Description of land(s)	Lot 1 Plan NEP8749 - Folio 03002.020		
Registered Owners of Land(s)	City of Castlegar		
Crown Land Tenure/License No./Permit No.(s)	N/A		
Compliance With Regulations			
The proponent shall in all respects abide by and comply with all applicable lawful rules, regulations and bylaws of the federal, provincial or local governments, or any other governing body whatsoever, in any manner affecting the Project.			
Have you consulted with a building official?	<input type="checkbox"/>	Yes	
	<input checked="" type="checkbox"/>	No	
Have you applied and received a building permit?	<input type="checkbox"/>	Yes, Permit No. _____	
	<input checked="" type="checkbox"/>	No	
If No, please explain: Unsure - still confirming			

Application Content

Must include all of the following:

- 1.0 - Description of the Project including management framework
- 1.1 - Project timeline and supporting documents
- 2.0 - Project budget
- 3.0 - Accountability Framework Financial statements that adhere to Project accountability

1.0 Description of the Project including management framework

RECOMMENDATIONS

The following section summarizes key results of this Program Advisor report:

- The packaged rooftop unit at the KDHS Bistro buildings has suffered from repeated issues and has required costly repairs. It is not longer reliable for the building and thus its replacement is the number one priority for KDHS at this time. This end-of-life replacement provides an opportunity to install an air source heat pump roof top unit with electric heating backup which will achieve improved energy efficiency. Due to the existing roof top unit using electric resistance heating there is minimal GHG emissions reduction associated with this replacement. However, the reduced electrical energy use, energy cost savings, and improved equipment reliability presents a valuable opportunity for the applicant. This project has a negative ROI based on energy cost savings, but presents value as a Climate Adaptation/Resiliency measure.
 - The South Annex building currently has no cooling or ventilation for occupants. Another opportunity exists to install a split-system air source heat pump to provide high efficiency heating and cooling along with a heat recovery ventilator (HRV) to efficiently ventilate the space while using heat recovered from exhaust air streams. These additions, combined with an upgraded programmable thermostat, will significantly improve indoor conditions for occupants and stored archives while also achieving energy savings. This project has a negative ROI based on energy cost savings, but presents value as a Climate Adaptation/Resiliency measure.
 - Upgrading remaining fluorescent and incandescent lighting in the Bistro building represents a relatively low-cost measure which achieves a positive ROI based on energy cost savings and improves equipment longevity due to LED's extended lifespan.
 - During the site visit there was discussion about the potential energy savings and operational improvements of adding insulation to the basements of the AV Building and Communal House building. Prism conducted investigation and high-level heat loss modelling for these two sites and found that the reduction in envelope heating by adding basement insulation was minimal (<1% of total site electricity use). Reasons for low savings potential include:
 - o Heat loss from the above ground envelope (especially the Communal House) building was such that the proportional loss through the below-grade basement was relatively small.
 - o The higher coefficient of performance (efficiency) of air source heat pump based heating in these two sites resulted in reduced savings due to the efficiency of the heating equipment.
 - o The basements were either unconditioned or kept at low setpoints such that the rate of heat transfer through the basement is already relatively low.
- Another important factor for the AV Building basement is that adding heating/cooling to the space would result in a net increase in energy use. Given these considerations, the negligible savings and the high capital cost of insulation upgrades these would not be recommended within the eligibility of the Non-Profit SMART program at this time. However, one of KDHS's main concerns with this measure was to attempt to improve the conditions for archive and artifact storage in the AV Building basement. To gather information on current conditions it is recommended that KDHS purchase and use a temperature/humidity data logger capable of interval logging to gather a dataset on the space conditions in the basement space under both summer and winter conditions. These values can then be compared to the t

(If needed, please provide additional information on separate page)

1.1 Project Costs including Timeline and Supporting Documents

Approximately \$50,000.
See attached consultant report for full details.

(If needed, please provide additional information on separate page)

1.2 Project Impact

Please see attached report from Prism Consulting.

(If needed, please provide additional information on separate page)

1.3 Project Outcomes

PROGRAM OPPORTUNITIES – EFFICIENCY AND EMISSIONS REDUCTION

Table 1 summarizes the opportunities identified as part of the SMART program. These can have benefits including energy savings, climate impact mitigation via greenhouse gas emissions reduction, improved resiliency to climate events, or benefits to occupant health and safety. Many measures will have benefits in multiple categories. The energy and cost savings below represent each measure in isolation and do not consider interactive effects between measures.

(If needed, please provide additional information on separate page)

1.4 Project Team and Qualifications

CONSULTANT CONTACT PRISM ENGINEERING LTD. Address 330 Baker Street, Nelson BC Website www.prismengineering.com Contact Name Matt Swallow Title Energy Engineer, EIT Phone: (778) 833 0939 Email MattS@prismengineering.com Contact Name Jacob Erickson Title Energy Engineer, EIT Phone: (604) 298-4858 Email JacobE@prismengineering.com

(If needed, please provide additional information on separate page)

2.0 Project Budget
List anticipated and confirmed Project revenue and expenses that have been deemed necessary for the implementation of the Project. Schedule B outlines eligible costs for eligible recipients (see attached).

Project Revenue
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Revenue	Value (\$)
CBT Grant		\$ 37,250.00
Area J Contribution		\$ 12,550.00
		\$
		\$
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Revenue	\$ 49,800.00

Project Expenses
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)

Item	Description of Expenses	Value (\$)
Replace Bistro RTU with ASHP RTU:	"	\$ 26,500.00
South Annex Building HVAC Upgrade:		\$ 22,000.00
LED Lighting Upgrade in the Village Bis		\$ 1,300.00
		\$
		\$
(If needed, please see page 7 to provide additional budget information)	Sub-Total Project Expenses	\$ 49,800.00

Project Revenue (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Project Revenue	Value (\$)
		\$
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	Total Project Revenue	\$ 49,800.00
Project Expenses (continued)		
(Capital, Professional, Environmental Assessment, Employee, Equipment, Incremental)		
Item	Description	Value (\$)
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		\$
	Total Project Expenses	\$ 49,800.00

2.1 Additional Budget Information		
Quote rationale to be reviewed by RDCK Chief Administrative Officer		
(If needed, please provide additional information on separate page)		
3.0 Accountability Framework		
<p>The eligible recipient will ensure the following:</p> <ul style="list-style-type: none"> - Net incremental capital spending is on infrastructure or capacity building - Funding is used for eligible Project and eligible costs - Project is implemented in diligent and timely manner - Where recipient is a Local Government, undertake Integrated Community Sustainability Planning - Provide access to all records - Comply with legislated environmental assessment requirements and implement environmental impact mitigation measures - Provide a Project Completion Report including copies of all invoices - 		
4.0 Schedule of Payments		
<p>The RDCK shall pay the grant to the proponent in accordance with the following schedule of payments:</p> <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		
<p>Gas Tax-funded projects aim to achieve national objectives: a clean environment; strong cities and communities; and productivity and economic growth.</p> <p>By signing below, the recipient agrees to prepare and submit a Project completion report outlining Project outcomes that were achieved and information on the degree to which the Project has contributed to the above mentioned objectives. The Project completion report must include details of project revenue s and expenses and copies of invoices or receipts that support funding expenditures. In addition, an annual report (for 10 years) is to be submitted to the RDCK prior to October 31st of each year detailing the beneficial impacts on the community as a result of the completed Project.</p>		
Authorized Signature for Proponent	Name	Date
CBarlow	Chris Barlow	2026/01/29

Columbia Basin Trust Non-Profit SMART Grant Program Advisor Report



Kootenay Doukhobor Historical Society – Doukhobor Discovery Centre
Address: 112 Heritage Way, Castlegar, BC V1N 4M5

Revision	Issue Date
0.1	2025-09-02
1.0	2025-09-05

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Disclaimer

This report was prepared by Prism Engineering Limited for the Columbia Basin Trust and the program participant. The material in it reflects our professional judgement in light of the information available to us at the time of preparation. Without express written permission, any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. Prism Engineering Limited accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

1. INTRODUCTION

This report summarizes the findings from an assessment conducted by Prism Engineering and funded by the Columbia Basin Trust (Trust). The study investigated opportunities for greenhouse gas (GHG) emissions reduction, energy savings, and climate resiliency adaptation as part of the Trust’s Non-Profit SMART program.

The Non-Profit Sustainable Mitigation, Adaptation, and Resilience Transition (SMART) Grants support non-profits and Indigenous communities in the Columbia Basin to make operational and/or infrastructure upgrades that help them mitigate or adapt to the impacts of climate change, and/or reduce GHG emissions. The Program supports community well-being and climate resilience, both of which are priorities in the Columbia Basin Management Plan.

The intent of this report is to provide the participant with the information needed to make a decision on whether they wish to pursue any grant applications, and to provide them with information needed to support the application.

For more information on this program including applicant and project eligibility criteria, please contact Trust staff.

2. METHODOLOGY

The following methodology was used to complete the study:

Site Visit

A site visit was conducted by Prism Engineering on August 12th, 2025. We met with Ryan Dutchak and examined the organization's current equipment and operations; his assistance is much appreciated.

Audit and Analysis

The study focused on upgrade opportunities which align with the organization's goals, equipment renewal schedules and the goals of the Non-Profit SMART study

- building energy efficiency;
- reduction of GHG emissions; and
- provide improved climate resiliency for the organizations or communities.

Energy Use Analysis

Prism reviewed the existing energy use with historical metered electrical and fuel consumption where available. The estimated energy savings and greenhouse gas (GHG) emissions reduction were determined.

Climate Vulnerability Assessment

To evaluate the potential climate vulnerability of various attributes based on different climate events that this facility might face, we have applied a scoring system. This system uses the matrix shown below to estimate the likelihood and consequence that a climate event might have on various aspects of the facility. The overall risk score for an event is determined by multiplying the *Likelihood* rating by the *Consequence* rating. The intent of providing a numerical scoring system is to allow the community to prioritize upgrades based on the level of potential risk.

Scores have been applied to each climate event based on our understanding of the local climate, but have not been validated by climate models or specialists. This is intended to provide a comparative evaluation only.

		Consequence				
		Negligible 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Likelihood	5 Almost certain	Moderate 5	High 10	Extreme 15	Extreme 20	Extreme 25
	4 Likely	Moderate 4	High 8	High 12	Extreme 16	Extreme 20
	3 Possible	Low 3	Moderate 6	High 9	High 12	Extreme 15
	2 Unlikely	Low 2	Moderate 4	Moderate 6	High 8	High 10
	1 Rare	Low 1	Low 2	Low 3	Moderate 4	Moderate 5

Figure 1: Risk Evaluation Matrix

3. BUILDING AND SYSTEM DESCRIPTION

3.1 General Building Description

The Kootenay Doukhobor Historical Society (KDHS) operates the Doukhobor Discovery Centre at 112 Heritage Way, Castlegar, BC which consists of ten historical buildings. This application to the Columbia Basin Trust Non-Profit SMART grant is focussed on the site’s South Annex Building, AV Building and Village Bistro Building.

3.1.1 South Annex Building

The KDHS South Annex building is a single storey building which contains an office and archives storage room used by KDHS staff, a room leased to the Selkirk Weavers Guild and a washroom.

The building is heated exclusively by electric resistance baseboard heaters which are controlled by integrated dial thermostats. There is no mechanical ventilation or cooling in the building.

The building envelope consists of an uninsulated slab-on-grade foundation with brick walls that have framed inner walls and a drywall interior finish. The attic-style roof is insulated with fibreglass batting (insulation thickness could not be assessed while on site due to limited access from the ceiling hatch.) Site windows and doors were observed to be in generally good condition without excessive visible gaps for air leakage.



Figure 2: Exterior Photo of the South Annex Building

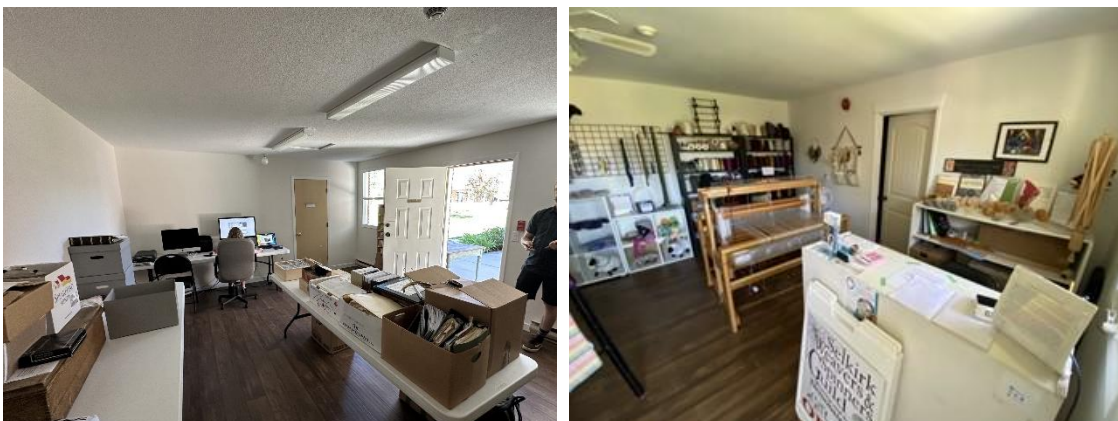


Figure 3: KDHS Office/Archives Storage Space and Selkirk Weavers Guild Space



Figure 4: Typical Electric Baseboard Heater and Integrated Control Dial

3.1.2 AV Building

The KDHS AV Building is used for artifact and audio-visual displays. It consists of one main floor gallery with an upper mezzanine level and a basement used for archive and artifact storage. KDHS has recently performed significant upgrades to facilitate use of the AV building basement, including the purchase of additional storage shelving and use of volunteer time to organize archived items.

The building was upgraded with the installation of a ducted 3.0 ton Friedrich WFPU18Z363C air source heat pump (ASHP) system in 2024 as part of a previous iteration of the Non-Profit SMART program. This ASHP system provides ventilation, heating and cooling to the main gallery room. Supplemental heating is provided by a system of 11 x 1250W and 2 x 2500W electric resistance baseboard heaters. The ASHP is controlled by a new programmable thermostat while the baseboard heaters are controlled by a non-programmable thermostat.

The lighting in the AV building was also upgraded to LEDs as part of the previous Non-Profit SMART program.

The building's above-grade walls are brick with framed inner walls and a drywall interior finish. The below-grade foundation walls in the basement have an added layer of poly sheet for a moisture barrier and are partially covered by approximately 2" of polystyrene insulation. There is no ceiling/subfloor insulation in the basement. Roof insulation condition was not assessed during this site visit.



Figure 5: Exterior Photo of the AV Building



Figure 6: Main Floor Display Areas and Basement Archive Storage Room



Figure 7: Air Source Heat Pump Outdoor and Indoor Units



Figure 8: Typical Electric Baseboard Heaters



Figure 9: Interior Photo of the Basement Showing Partially Insulated Walls

3.1.3 Village Bistro Building

The KDHS Village Bistro building is a single storey building located on the northern section of the Doukhobor Discovery Centre property. The Bistro was originally constructed to provide lunches for volunteer workers supporting the construction of the village and was then expanded. It continues to be used by volunteers to make Doukhobor specialty foods for visitor groups and represents a major operational hub for the KDHS.

Ventilation heating and cooling for the building has been provided by a packaged rooftop unit (RTU) which combines electric resistance heating and a direct-expansion cooling coil. This unit is controlled by a non-programmable thermostat. KDHS reports that the RTU has reached the end of its service life and has poor reliability, needing frequent repairs. The unit was not accessible during the site visit but equipment data provided by the City of Castlegar indicates that the unit has a 60 kW electric resistance heating coil and uses R-22 refrigerant. The kitchen equipment in the Bistro is primarily electric and the main exhaust hood is controlled by a local switch.

Domestic hot water for the kitchen and washrooms in the building is provided by a 4.5 kW, 285 litre Rheem electric hot water tank.

Lighting in the building is a mix of LED, fluorescent and incandescent lighting. Generally, the kitchen areas now use LED lighting while the dining room main and accent lighting is incandescent and fluorescent, respectively.

Based on available drawings the Bistro building envelope was most recently renovated in 1993, with date stamps on the windows indicating that they were installed in 1974.



Figure 10: Exterior Photo of the Bistro Building



Figure 11: Interior Photos of the Bistro Dining Room and Kitchen Areas



Figure 12: Packaged Rooftop Unit and Non-Programmable Thermostat

3.1.4 Communal House Building

The Communal House is another of the main buildings in the Doukhobor Discovery Centre and is set up with a range of displays showing various artifacts and information on Doukhobor living and communities. The building has two storeys above grade and an unfinished basement.

Heating and cooling is primarily provided by an ASHP system consisting of three indoor units served by a single 3.0 ton multi-zone Gree GWHD36ND3EO outdoor unit. This ASHP system was installed in 2016 and is controlled by programmable remote-style thermostat controls. Supplemental heating for the building is provided by electric baseboard heaters with integrated dial controls. Heating in the basement is provided by a 3.0 kW electric resistance unit heater which is primarily used for freeze protection.

KDHS staff highlight that they experience significant heat loss from the building and find that the heating system is unable to maintain high temperature setpoints. Much of this heat loss is believed to be attributed to the older windows and minimally insulated walls. These elements have been retained to preserve the historical character of the building, but they have relatively poor thermal performance when compared to modern equivalents. There is also no subfloor insulation, leading to additional heat loss to the unfinished basement. Roof insulation condition was not assessed during this site visit.



Figure 13: Exterior Photo of the Communal House Building



Figure 14: Typical Indoor ASHP Unit and Multi-Zone Outdoor ASHP

4. PROGRAM OPPORTUNITIES – EFFICIENCY AND EMISSIONS REDUCTION

Table 1 summarizes the opportunities identified as part of the SMART program. These can have benefits including energy savings, climate impact mitigation via greenhouse gas emissions reduction, improved resiliency to climate events, or benefits to occupant health and safety. Many measures will have benefits in multiple categories. The energy and cost savings below represent each measure in isolation and do not consider interactive effects between measures.

Return on investment (ROI) is calculated by: $ROI = ((\text{Lifetime Cost Savings} - \text{Initial Capital Cost}) / \text{Initial Capital Cost}) \times 100\%$. Lifetime cost savings include energy cost savings with a 2.5% annual increase in utility rate.

Table 1: Summary of Opportunity Findings

Section	Opportunity:	Opportunity Type:			Lifetime Savings Impact:	ROI (%)	Estimated Cost (\$)	Total Cost Savings (\$)	Lifetime Metric tons of CO2 Emissions Reduced	Climate Vulnerability Risk Score
		Energy Efficiency	Climate Impact Mitigation	Climate Adaption / Resiliency						
4.1	<p>Replace Bistro RTU with ASHP RTU: The existing RTU serving the Bistro building has reached the end of its service life and is becoming increasingly unreliable and costly to operate. To reduce energy consumption this measure proposes installing a replacement RTU which incorporates an air source heat pump (ASHP) to provide cooling and primary heating, while keeping an electric resistance heating coil for backup heating. Cost estimates and energy savings analysis for this measure also assume the addition of a new programmable thermostat to control the new RTU and allow for the use of occupancy schedules.</p>	X		X	<p>Electricity Savings: 106,500 kWh (over 15 year project life)</p>	<p>-34% Over 15 Year Life</p>	<p>\$26,500 (Estimate)</p>	<p>Estimated Energy Cost Savings \$975 Annually</p>	<p>1.2 tCO₂e Over 15 Year Life</p>	<p>10 (high) Relevant Climate Events: - Equipment Outages Limiting the Site's Operation During Hot or Cold Seasons.</p>
4.2	<p>South Annex Building HVAC Upgrade: The South Annex building currently uses energy-intensive baseboard heating and has no means of providing mechanical ventilation or cooling. Since this building is used as office space and archive storage it is important that space conditions be maintained.</p>	X		X	<p>Electricity Savings: 13,500 kWh (over 15 year project life)</p>	<p>-90% Over 15 Year Life</p>	<p>\$22,000 (Estimate)</p>	<p>Estimated Energy Cost Savings \$125 Annually</p>	<p>0.2 tCO₂e Over 15 Year Life</p>	<p>8 (high) Relevant Climate Events: - Heat Wave</p>

Section	Opportunity:	Opportunity Type:			Lifetime Savings Impact:	ROI (%)	Estimated Cost (\$)	Total Cost Savings (\$)	Lifetime Metric tons of CO2 Emissions Reduced	Climate Vulnerability Risk Score
		Energy Efficiency	Climate Impact Mitigation	Climate Adaption / Resiliency						
	<p>KDHS aims to perform an HVAC upgrade for the South Annex to improve occupant comfort and energy efficiency in the building. This measure proposes the installation of a ductless split-system air source heat pump (ASHP) to provide heating and cooling along with a heat recovery ventilator (HRV) to provide ventilation (fresh air) to the space. Both systems would be controlled by programmable thermostats. The existing electric baseboards can be retained to provide supplemental backup heating.</p> <p>Note that there are multiple approaches to implementing this measure, including opting for a ducted heat pump system. Cost estimates and energy savings assume the installation of a split ASHP system with two indoor units and an HRV sized to provide ventilation per ASHRAE 62.1 requirements.</p>									
4.3	<p>LED Lighting Upgrade in the Village Bistro Building</p> <p>The Bistro building has a mix of lighting types. The kitchen area has already been upgraded to use LED fixtures. However, the building’s dining areas are lit by ceiling-mounted incandescent bulbs, along with recessed fluorescent accent lighting located along the perimeter.</p> <p>This measure involves the replacement of remaining non-LED lighting in the building with modern LED equivalents. This will significantly reduce the lighting energy consumption and will also extend the lifespan of the lights, reducing operating costs for KDHS.</p>	X			<p>Electricity Use Savings: 7,500 kWh (over 25 year project life)</p>	<p>23%</p> <p>Over 15 Year Life</p>	<p>\$1,300 (Estimate)</p>	<p>Estimated Energy Cost Savings \$50 Annually</p>	<p>0.03 tCO₂e</p> <p>Over 15 Year Life</p>	n/a

5. RECOMMENDATIONS

The following section summarizes key results of this Program Advisor report:

- **The packaged rooftop unit at the KDHS Bistro buildings has suffered from repeated issues and has required costly repairs.** It is not longer reliable for the building and thus its replacement is the **number one priority for KDHS** at this time. This end-of-life replacement provides an opportunity to install an air source heat pump roof top unit with electric heating backup which will achieve improved energy efficiency.

Due to the existing roof top unit using electric resistance heating there is minimal GHG emissions reduction associated with this replacement. However, **the reduced electrical energy use, energy cost savings, and improved equipment reliability** presents a valuable opportunity for the applicant. This project has a negative ROI based on energy cost savings, but presents value as a Climate Adaptation/Resiliency measure.

- The South Annex building currently has **no cooling or ventilation** for occupants. Another opportunity exists to install a split-system air source heat pump to provide high efficiency heating and cooling along with a heat recovery ventilator (HRV) to efficiently ventilate the space while using heat recovered from exhaust air streams. These additions, combined with an upgraded programmable thermostat, will **significantly improve indoor conditions for occupants and stored archives while also achieving energy savings.** This project has a negative ROI based on energy cost savings, but presents value as a Climate Adaptation/Resiliency measure.
- Upgrading remaining fluorescent and incandescent lighting in the Bistro building represents a **relatively low-cost measure** which **achieves a positive ROI** based on energy cost savings and improves equipment longevity due to LED's extended lifespan.
- During the site visit there was discussion about the potential energy savings and operational improvements of adding insulation to the basements of the AV Building and Communal House building. Prism conducted investigation and high-level heat loss modelling for these two sites and found that the **reduction in envelope heating by adding basement insulation was minimal** (<1% of total site electricity use). Reasons for low savings potential include:
 - Heat loss from the above ground envelope (especially the Communal House) building was such that the proportional loss through the below-grade basement was relatively small.
 - The higher coefficient of performance (efficiency) of air source heat pump based heating in these two sites resulted in reduced savings due to the efficiency of the heating equipment.
 - The basements were either unconditioned or kept at low setpoints such that the rate of heat transfer through the basement is already relatively low.

Another important factor for the AV Building basement is that adding heating/cooling to the space would result in a **net increase in energy use.** Given these considerations, the negligible savings and the high capital cost of insulation upgrades these would not be recommended within the eligibility of the Non-Profit SMART program at this time.

However, one of KDHS's main concerns with this measure was to attempt to **improve the conditions for archive and artifact storage** in the AV Building basement. To gather

information on current conditions it is recommended that KDHS purchase and use a temperature/humidity data logger capable of interval logging to gather a dataset on the space conditions in the basement space under both summer and winter conditions. These values can then be compared to the temperature and humidity requirement for archives as outlined by the Canadian Conservation Institute (CCI). Based on this exercise, this will inform future planning on what the space requires in terms of envelope and HVAC.

APPENDIX A: CONTACT INFORMATION

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