



Development Variance Permit Application

Referral Form – RDCK File V2607A

Date: April 21, 2026

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO MAY 22, 2026). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

5033 Highway 3A, Wynndel, BC, Electoral Area 'A'

LOT 1 DISTRICT LOT 191 KOOTENAY DISTRICT PLAN NEP72779 EXCEPT PLAN EPP118106 (PID: 025-583-468)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is located in the rural community of Wynndel and is accessed by a private driveway from Highway 3A. There is presently a single detached dwelling that is serviced by an on-site wastewater (septic) system and a connection to the Wynndel Irrigation District.

The purpose of this Development Variance Permit (DVP) is to vary Section 18.18 of the Zoning Bylaw in order to authorize the construction of an accessory building with a 3 metre setback from a lot line that is adjacent to the Agriculture Land Reserve (ALR) whereas the Bylaw requires that buildings or structures shall be setback a minimum of 15 metres from lot lines adjacent to the Agriculture Land Reserve.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.74 ha (1.82 acres)	Not within the ALR	Country Residential (R2) in Comprehensive Land Use Bylaw No. 2315, 2013	Suburban Residential (RS) Comprehensive Land Use Bylaw No. 2315, 2013

APPLICANT: David Comer

Please provide your response via email. If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this permit.

**ZACHARI GIACOMAZZO, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input checked="" type="checkbox"/> AGRICULTURAL LAND COMMISSION <input checked="" type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> ARCHAEOLOGY BRANCH <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input checked="" type="checkbox"/> WYNNDEL IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K ALTERNATIVE DIRECTORS FOR: <input checked="" type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA 'A' <input type="checkbox"/> CRESTON VALLEY AGRICULTURE ADVISORY COMMISSION (CVAAC) <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input checked="" type="checkbox"/> RDCK UTILITY SERVICES (ERICKSON WATER SYSTEM) <input type="checkbox"/> RDCK RESOURCE RECOVERY <input type="checkbox"/> RDCK REGIONAL PARKS
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The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

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

RDCK Map



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

Legend

- | | |
|------------------------|---------------------------|
| Place Names | Electoral Areas |
| Lakes and Rivers | RDCK Streets |
| Streams and Shorelines | Cadastre - Property Lines |

Map Scale:

1:18,056

Date: April 13, 2026



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

RDCK Map







Microsoft, Vantor



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Legend

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

Map Scale:

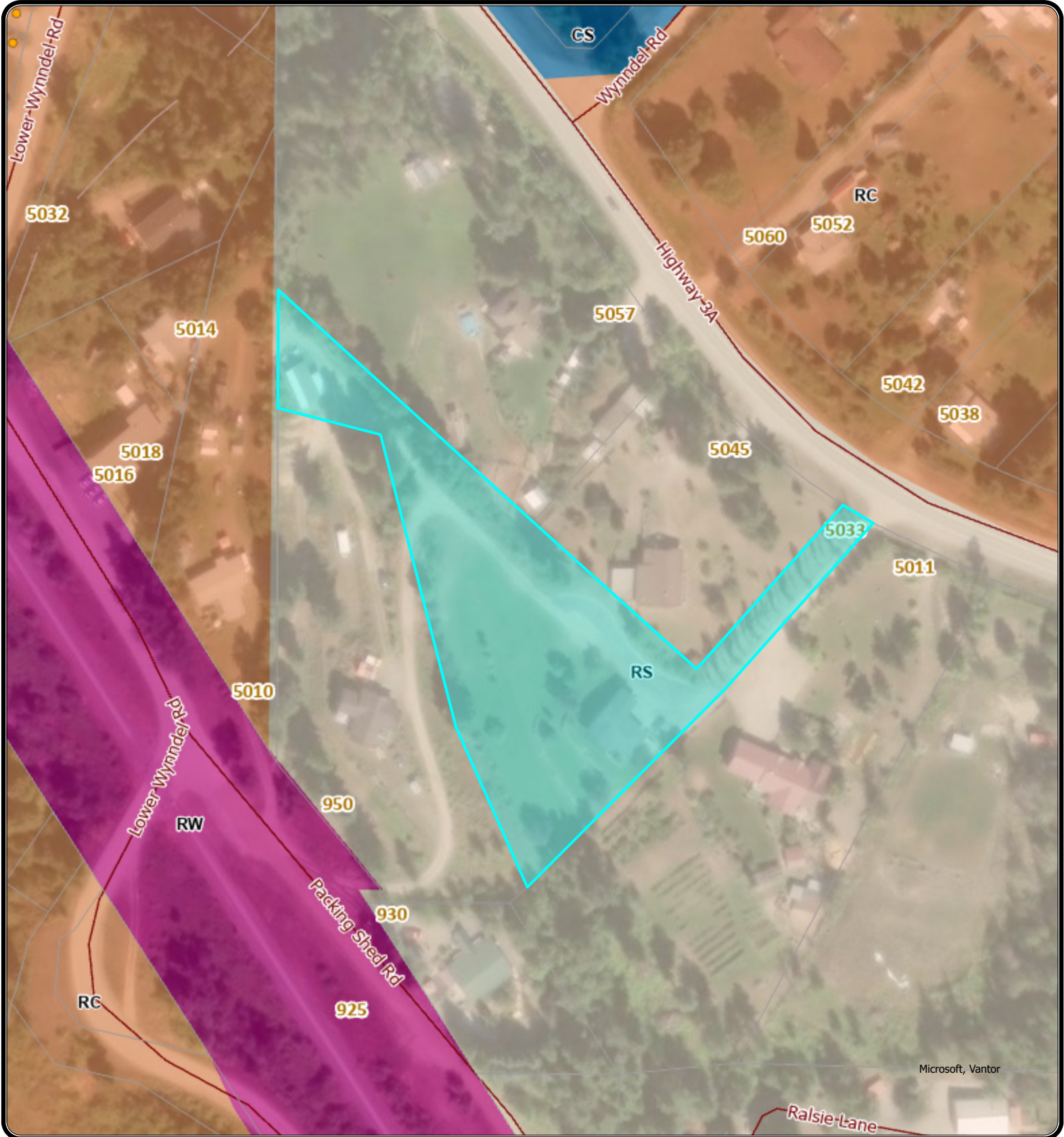
1:2,257

Date: April 13, 2026



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RDCK Map



Microsoft, Vantor



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Official Community Plan

- Community Services
- Country Residential
- Suburban Residential
- Utility, Railway and Transportation

Legend

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

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Zoning Class

- Commercial
- Community Services
- Railway
- Residential 2

Legend

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

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Legend

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

Map Scale:

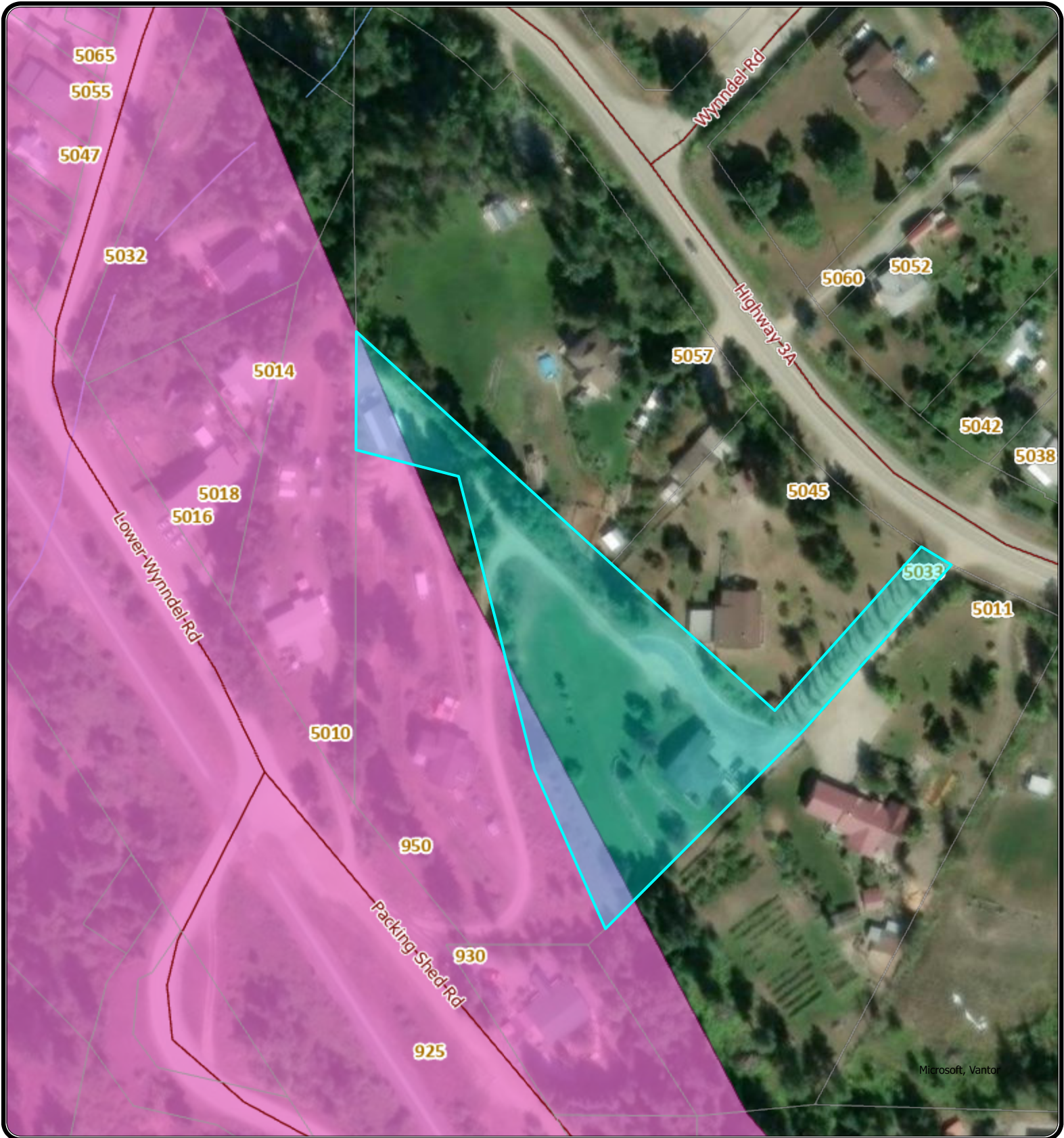
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RDCK Map



Microsoft, Vantor



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Legend

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

Map Scale:

1:2,257

Date: April 13, 2026



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Proposal Summary prepared by applicant

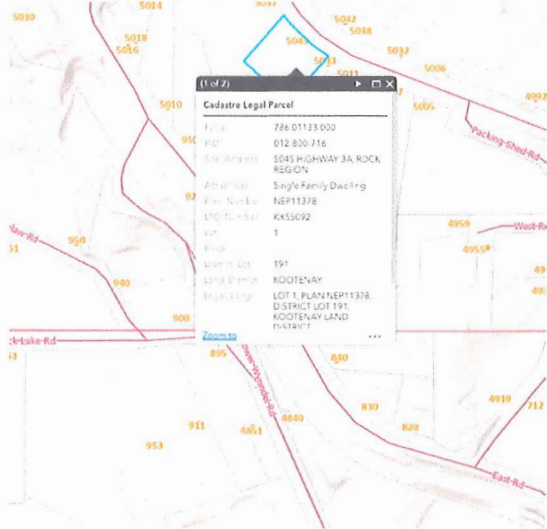
Proposal Summary for 5033 Hwy 3A Wynndel BC Variance Application

We are wanting to build a 26x40 shop on our property. The property adjacent to ours, 5045 Hwy 3A, Wynndel is currently zoned ALR.

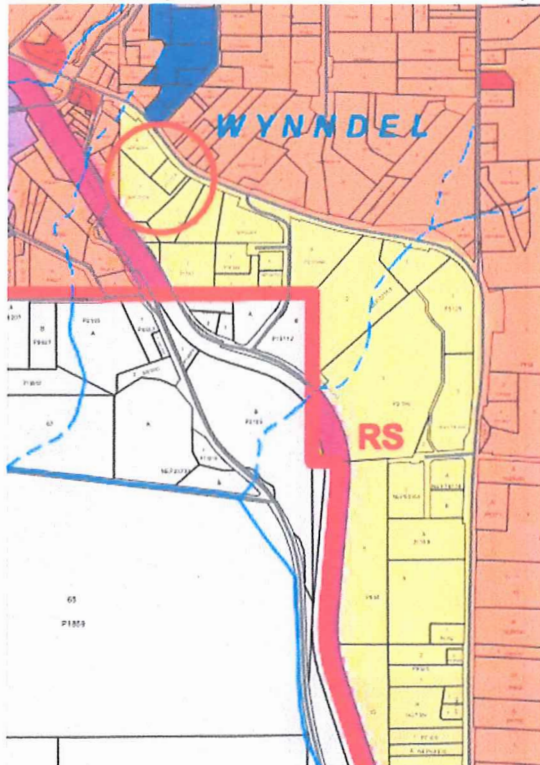
The PID of our property is 025-583-468

The PID of 5045 Hwy 3A is 012-800-716

The ALR property is under 1 acre in size, with its current actual use being listed as Single Family Dwelling. There are no farming operations being performed on the property.



The property is listed on the CURB map as RS.



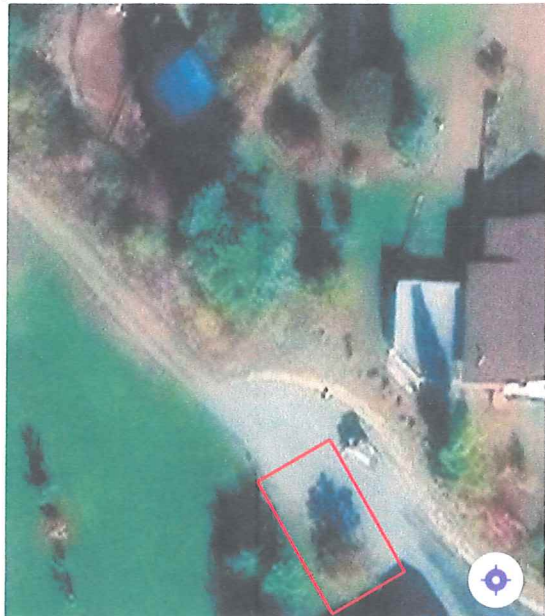
Overall view



There are currently structures built within 1.5 meters of the lot line, and the house footprint on 5045 Hwy 3A is within 1.6 meters of my property line at 5011 Hwy 3A.

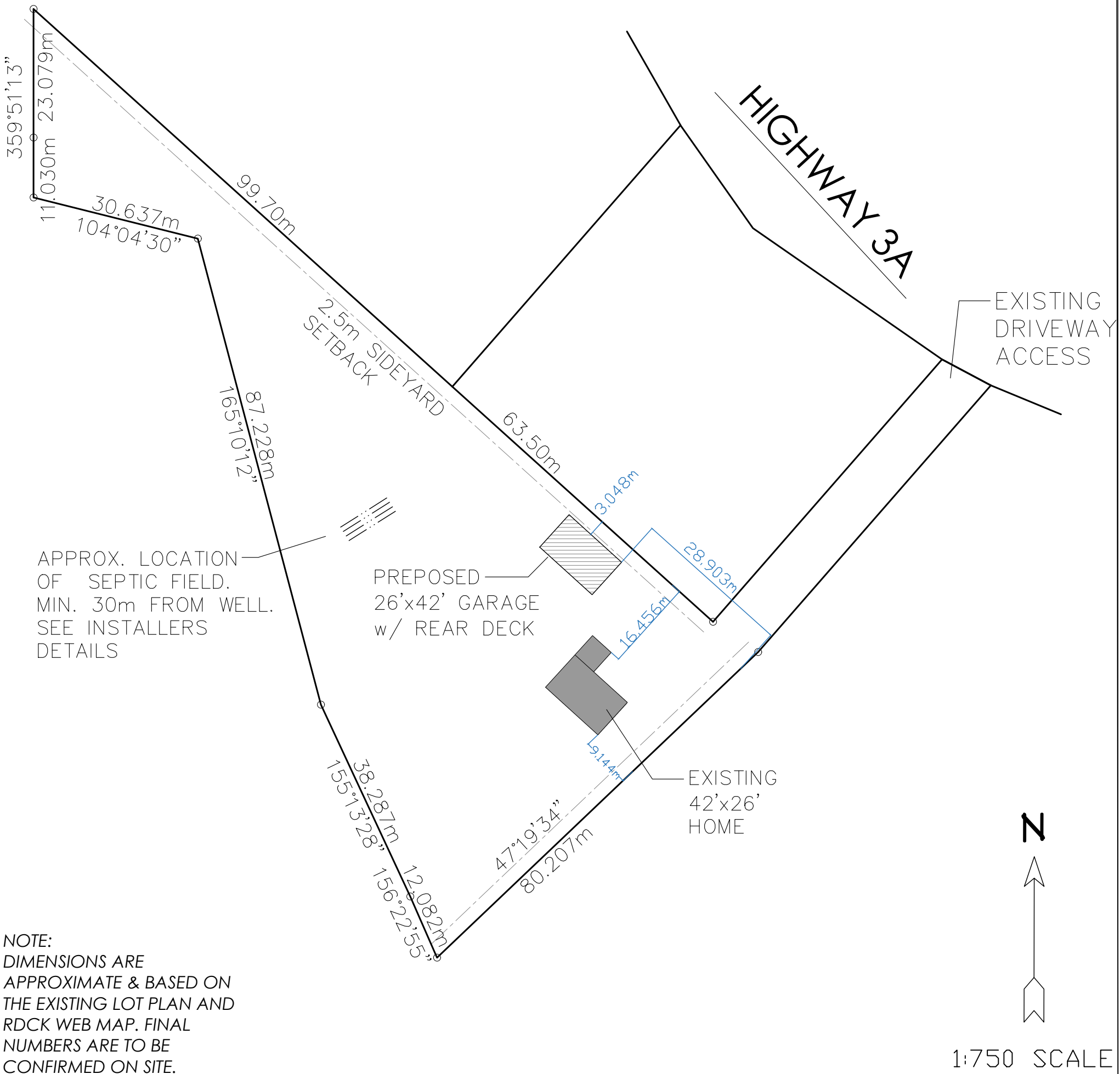


My proposed location of my shop would maintain a minimum of 7 meters from the ALR property. The current zoning for the setback from an ALR property is 15 meters.



We are seeking a variance to Section 18.18 in [Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013](#).

The setback is currently 15 meters. We are seeking to reduce this to 5 meters



5033 HWY 3A,
WYNNDEL, BC
LOT 1
PLAN #NEP72779
P.I.D. 025-583-468
DISTRICT LOT 191
LAND DISTRICT KOOTENAY
ZONING: R2

LOT: 1.82 ACRES (7365.279sq.m)
APPROX HOUSE FOOTPRINT: 1212sqft (112.60sq.m)
PROPOSED GARAGE FOOTPRINT:
1092sqft (101.45sq.m)
LOT COVERAGE BY BUILDINGS: 2.9%



CLIENT: COMER

ADDRESS: 5033 HWY 3A

PRINT: 11"x17"
SCALE: SEE PLANS
DRAWN: KJ

LOT: 1
DISTRICT LOT: 191
PLAN: NEP72779
KOOTENAY DISTRICT

REVISIONS
18OCT2025

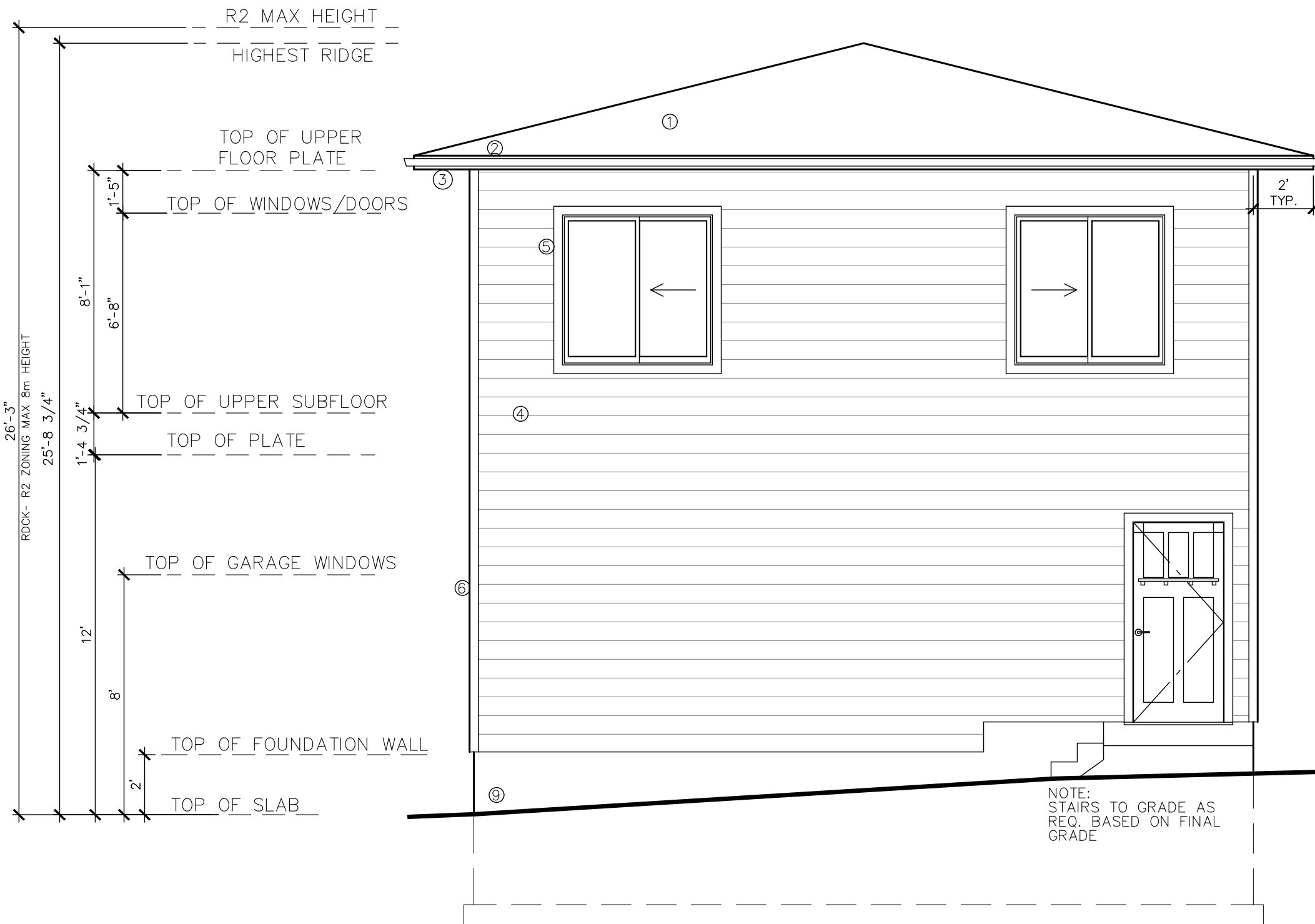
CUSTOMER APPROVAL

X

X

PAGE #

PLOT



NOTE:
RENDERS ARE FOR REFERENCE
ONLY. REFER TO FINAL SPECS
FOR EXTERIOR MATERIALS

EXTERIOR MATERIALS KEY NOTES	
①	ASPHALT SHINGLES (OR SIMILAR)
②	6" ALUM. FASCIA & EAVESTROUGH
③	ALUM. SOFFIT w/ VENTING AS REQ. AND MATCHING J-TRIM
④	HARDIE BOARD FIBRE CEMENT LAP SIDING - TO MATCH HOUSE
⑤	4" HARDIE TRIM AROUND WINDOWS AND DOORS - TO MATCH HOUSE
⑥	4" HARDIE CORNER BOARDS
⑦	42" HEIGHT ALUMINUM RAILING
⑧	6"x6" WOOD POSTS
⑨	PARGING AS REQUIRED

FRONT ELEVATION

REVISIONS

15	SEPT2025
18	OCT2025
21	NOV2025
22	NOV2025
08	FEB2026
10	MAR2026

CLIENT: COMER	ADDRESS: 5033 HWY 3A, WYNDEL	GARAGE: 1040 SQ.FT.
SCALE: 1/4" = 1'-0"	LOT: 1	UPPER LEVEL: 832 SQ.FT.
DRAWN: KFJ	PLAN: NEP72779	DECK: 208 SQ.FT.
PRINT: 11"x17" PAPER	LAND DISTRICT: KOOTENAY	
	DISTRICT LOT: 191	

* THIS DRAWING IS PROPERTY OF KT-J DESIGN. AND SHALL NOT BE REPRODUCED IN ANY FORM WITHOUT THE WRITTEN CONSENT OF THE DESIGNER *



R2 MAX HEIGHT
HIGHEST RIDGE

TOP OF UPPER FLOOR PLATE

TOP OF WINDOWS/DOORS

TOP OF UPPER SUBFLOOR

TOP OF PLATE

TOP OF GARAGE WINDOWS

TOP OF FOUNDATION WALL

TOP OF SLAB

RDCK- R2 ZONING MAX 8m HEIGHT
26'-3"
25'-8 3/4"

1'-4 3/4"
8'-1"
6'-8"
12'
8'
2'



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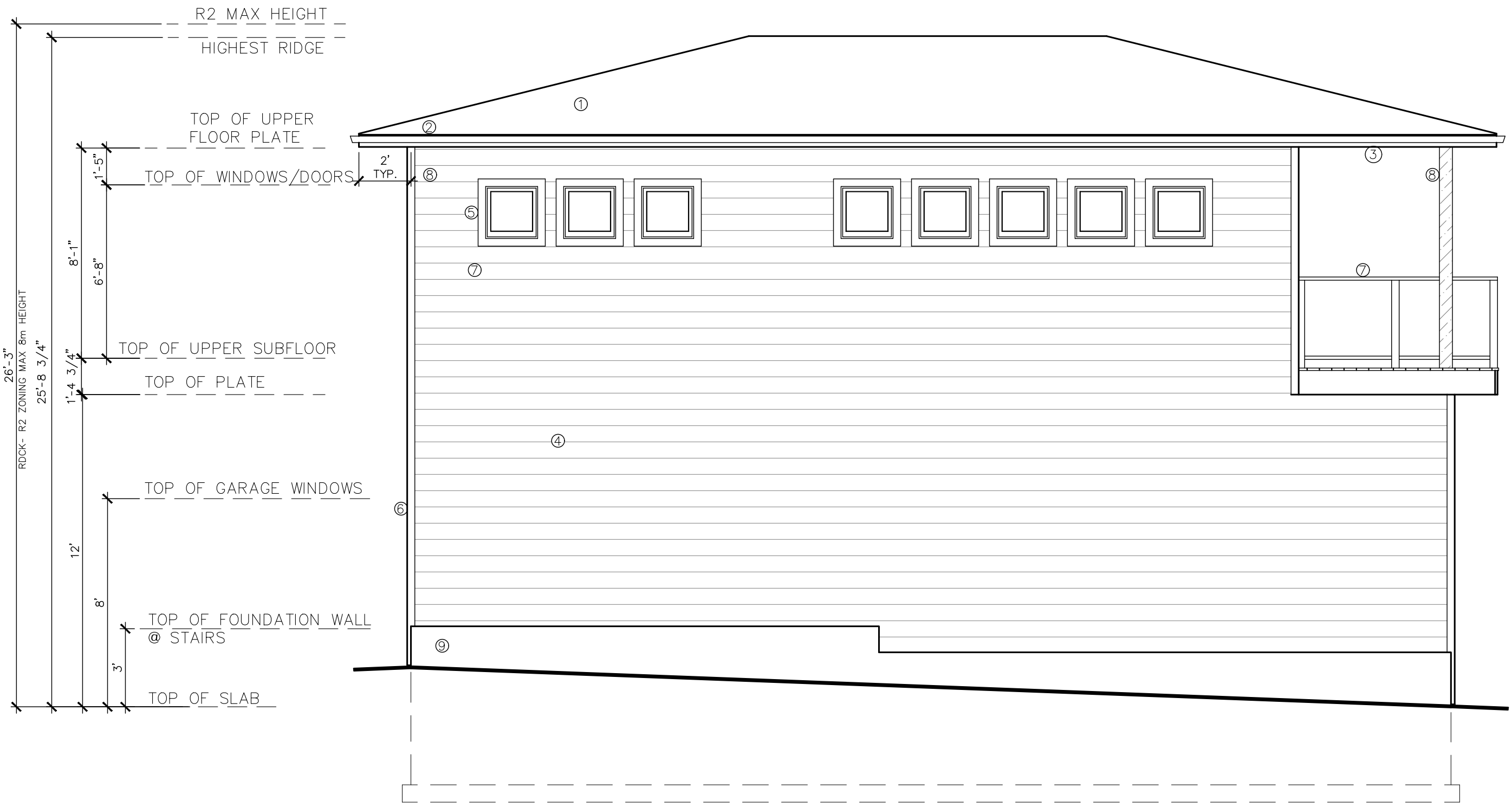
REAR ELEVATION

REVISIONS
15SEPT2025
18OCT2025
21NOV2025
22NOV2025
08FEB2026
10MAR2026

CLIENT: COMER	ADDRESS: 5033 HWY 3A, WYNNDEL	GARAGE: 1040 SQ.FT.
SCALE: 1/4" = 1'-0"	LOT: 1	UPPER LEVEL: 832 SQ.FT.
DRAWN: KFJ	PLAN: NEP72779	DECK: 208 SQ.FT.
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	DISTRICT LOT: 191	



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⑨	PARGING AS REQUIRED

RIGHT ELEVATION

REVISIONS
15SEPT2025
18OCT2025
21NOV2025
22NOV2025
08FEB2026
10MAR2026

CLIENT: COMER	ADDRESS: 5033 HWY 3A, WYNDEL	GARAGE: 1040 SQ.FT.
SCALE: 1/4" = 1'-0"	LOT: 1	UPPER LEVEL: 832 SQ.FT.
DRAWN: KFJ	PLAN: NEP72779	DECK: 208 SQ.FT.
PRINT: 11"x17" PAPER	LAND DISTRICT: KOOTENAY	
	DISTRICT LOT: 191	

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26'-3" RDCK- R2 ZONING MAX 8m HEIGHT
25'-8 3/4"

R2 MAX HEIGHT
HIGHEST RIDGE

TOP OF UPPER FLOOR PLATE

1'-5" TOP OF WINDOWS/DOORS

8'-1" 6'-8" TOP OF UPPER SUBFLOOR

1'-4 3/4" TOP OF PLATE

12' 8' TOP OF GARAGE WINDOWS

2' TOP OF FOUNDATION WALL

TOP OF SLAB



EXTERIOR MATERIALS KEY NOTES	
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⑨	PARGING AS REQUIRED

LEFT ELEVATION

REVISIONS
15SEPT2025
18OCT2025
21NOV2025
22NOV2025
08FEB2026
10MAR2026

CLIENT: COMER
SCALE: 1/4" = 1'-0"
DRAWN: KFJ
PRINT: 11"x17" PAPER

ADDRESS: 5033 HWY 3A, WYNNDL

LOT: 1
PLAN: NEP72779
LAND DISTRICT: KOOTENAY
DISTRICT LOT: 191

GARAGE: 1040 SQ.FT.
UPPER LEVEL: 832 SQ.FT.
DECK: 208 SQ.FT.



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562166 BC LTD
PO BOX 266
CRAWFORD BAY, BC
V0B 1E0

Telephone 250 354 8498
Email: dsh.16440@gmail.com

October 26, 2025

To: whom this may concern.

Re: the impact of a proposed office on the septic system at 5033 Hwy 3A, Wynndel, BC
LOT 1, PLAN NEP72779, DL 191, KLD.

Since no bedrooms are proposed for this office space there is no additional impact on the existing septic system constructed and permitted in 2011.

Although permitted in 2011 the existing septic field meets the needs for a three-bedroom home under the Sewerage System Standard Practice Manual Version 3, September 2014.

Under no circumstances should this space be converted into a bedroom suite for additional accommodation.

Respectfully submitted,



Dave Hough, ROWP 0112



20.0 COUNTRY RESIDENTIAL (R2)

Permitted Uses

1. Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Temporary Guest Accommodation
- Portable Sawmills (for processing of materials harvested on-site only)

Development Regulations

2. The minimum lot size is 1.0 hectare.
- 2b. The maximum density is 2 Dwelling Units.
3. The minimum lot size for a parcel subdivided for a relative under Section 514 of the *Local Government Act*, with the approval of the Interior Health Authority, shall be 0.8 hectares.
4. The maximum site coverage permitted shall be 50 percent of the lot area.
5. The keeping of farm animals shall comply with the requirements of Section 18.0 (78).
6. Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate further subdivision of the lot or adjacent lots.
7. *Removed by Bylaw 2747.*
8. The maximum height of any accessory building or structure shall not exceed 8 metres.
9. The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres.
10. The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

11. *Removed by Bylaw 2953.*
12. *Removed by Bylaw 2953.*
13. *Removed by Bylaw 2953.*
14. *Removed by Bylaw 2953.*

Temporary Guest Accommodation

15. Subject to compliance with the requirements of the Province for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single family or two-family dwelling subject to the following:
 - a. the minimum site area for a cabin shall be 1.4 hectares (ha); and
 - b. the maximum gross floor area for a cabin shall not exceed 100 square metres (m²).
16. Subject to subsection 15, a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot at any one time. Recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle. A recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin and must conform with the density provisions under subsection 15.
17. The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
18. Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.

allow property owners to legitimize the structure as long as no lot is reduced in lot size.

Subdivision Servicing Requirements

14. All subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.
15. All subdivisions shall be in full compliance with any Regional District of Central Kootenay Subdivision Bylaw currently in effect for the area.
16. All subdivisions shall comply with the *Drinking Water Protection Act*, the *Health Act* and the *Waste Management Act*.

Setback Requirements

17. Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line. Lands on the Kootenay Lake side of Highway 3A shall be permitted a 3.0 metre setback from front or exterior side lot line due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.
18. Despite sub-section 17, buildings or structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve.
19. Unless otherwise stated, no portable sawmill may be located within 100 metres from a property line.
20. Despite sub-section 17, on all lots less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres, with the exception of lots on the Kootenay Lake side of Highway 3A that shall be permitted a 3.0 meter setback from front or exterior side lot lines due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.

Setback Exceptions

21. Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
22. Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, flagpoles, up to ten (10) metres in height may be sited on any portion of a lot.
23. Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may