



# Development Variance Permit Application

Referral Form – RDCK File V2608B

Date: May 12, 2026

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO JUNE 12, 2026)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

**LEGAL DESCRIPTION & GENERAL LOCATION:**

7745 Highway 3, Yahk, Electoral Area 'B'  
 DISTRICT LOT 12974 KOOTEANY DISTRICT, EXCEPT THE MOST SOUTHERLY 40 CHAINS  
 013-872-664

**PRESENT USE AND PURPOSE OF PERMIT REQUESTED:**

The subject property is in Yahk and is accessed off Highway 3. The property has been improved with a residence and carport and is used for residential purposes.

The owners have applied for this variance to construct an oversized (297m<sup>2</sup>) accessory building on the property. The zoning permits an accessory building up to 250m<sup>2</sup>, so the variance would be required to increase the size by 47m<sup>2</sup>.

The accessory building use is proposed to be used for personal storage and as a vehicle and trailer repair home based business.

AREA OF PROPERTY	ALR STATUS	ZONING	OCP
22.27 ha	n/a	Rural Resource (R4) in ELECTORAL AREA 'B' COMPREHENSIVE LAND USE BYLAW NO. 2316, 2013	Rural Residential (RR) in ELECTORAL AREA 'B' COMPREHENSIVE LAND USE BYLAW NO. 2316, 2013

**APPLICANT:** Jenna Traxel and Jeshua Gibson

Please provide your response via email.

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

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

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

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input type="checkbox"/> AGRICULTURAL LAND COMMISSION <input type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input type="checkbox"/> SCHOOL DISTRICT NO.	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input checked="" 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 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 B <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES
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<input checked="" type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT	<input type="checkbox"/> RDCK RESOURCE RECOVERY
<input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input type="checkbox"/> RDCK REGIONAL PARKS

The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), [info@rdck.bc.ca](mailto:info@rdck.bc.ca), or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.


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

# RDCK Map



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

## Legend

- Place Names
-  Electoral Areas

## Map Scale:

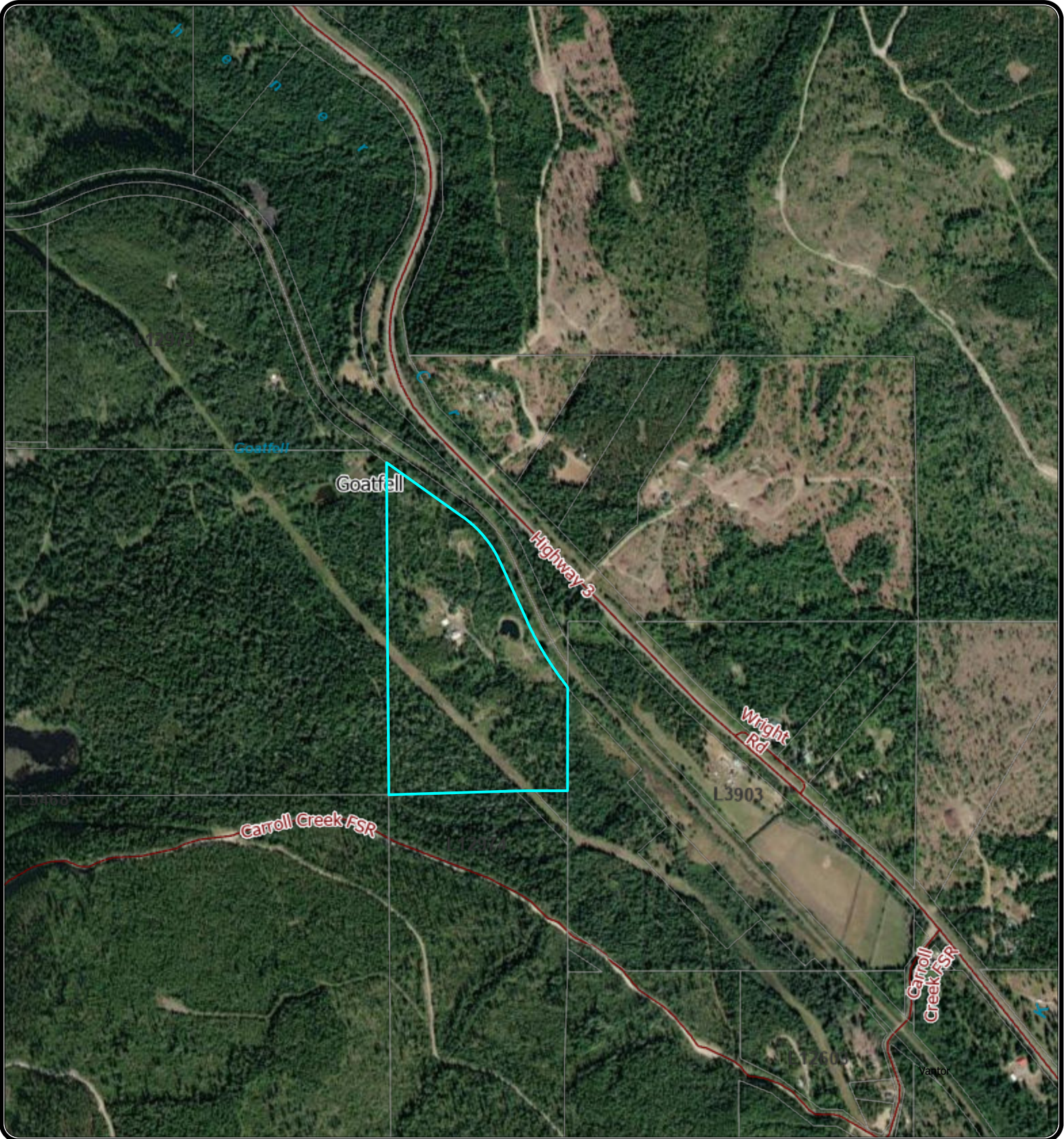
1:72,224

Date: April 17, 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.

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maps@rdck.bc.ca

## Legend

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

## Map Scale:

1:18,056

Date: April 17, 2026







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## Legend

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

## Map Scale:

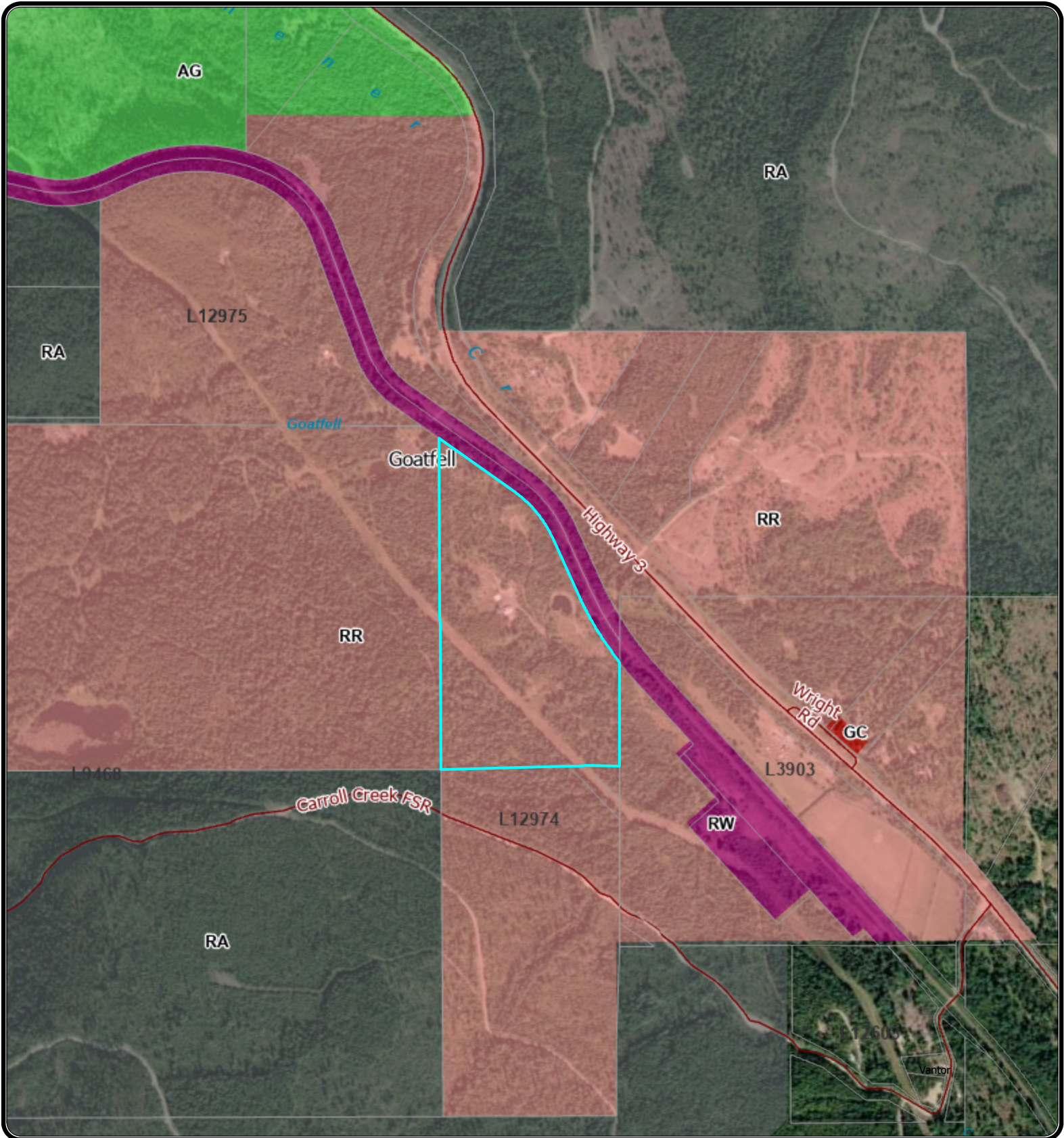
1:9,028

Date: April 17, 2026



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## Official Community Plan

- Agriculture
- Commercial
- Resource Area
- Rural Residential

### Legend

- Utility, Railway and Transportation
- Place Names
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

### Map Scale:

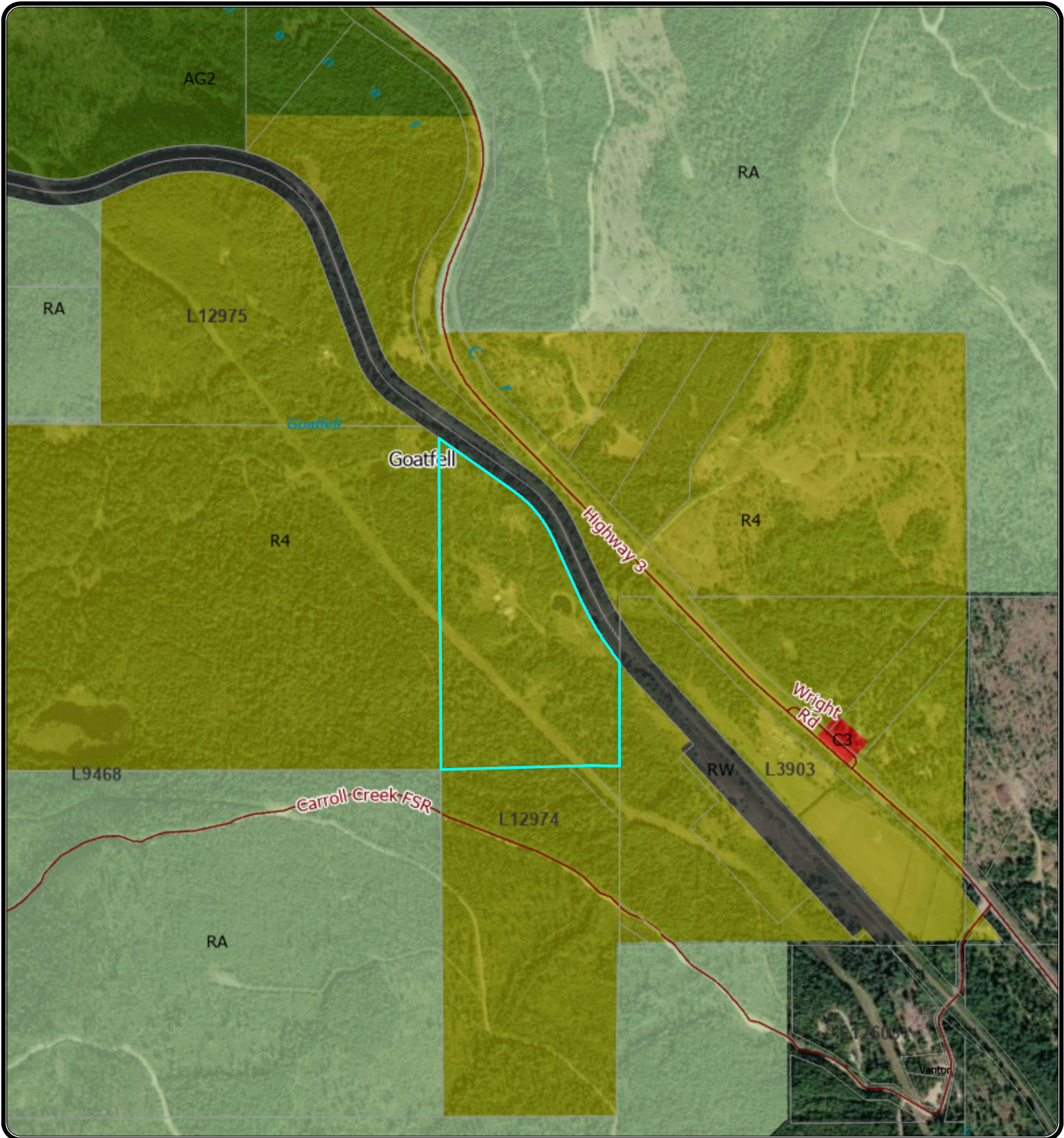
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## Zoning Class

- Agriculture
- Commercial
- Railway
- Residential 4

## Legend

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

## Map Scale:

1:18,056

Date: April 17, 2026










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 maps@rdck.bc.ca

### Legend

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

### Map Scale:

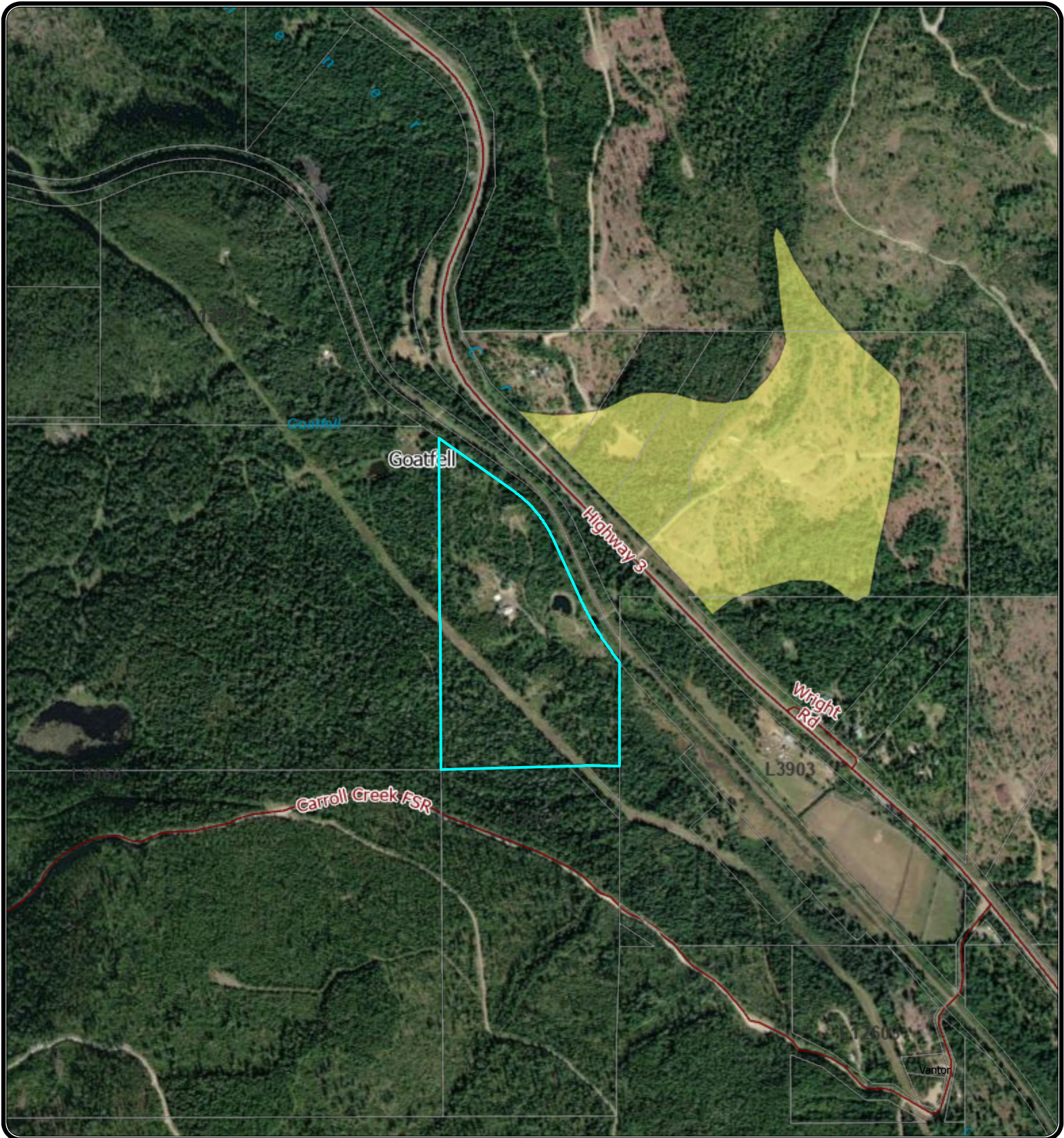
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## Legend

-  Non Standard Flooding Erosion Area
- Place Names
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

## Map Scale:

1:18,056

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 maps@rdck.bc.ca

### Legend

-  ParcelMap BC - Crown Land
-  RDCK Streets
-  Cadastre - Property Lines
-  Electoral Areas
-  Address Points
- Place Names

### Map Scale:

1:9,028

Date: April 17, 2026



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## 20.0 RURAL RESOURCE (R4)

### Permitted Uses

1. Land, buildings and structures in the Rural Resource (R4) zone shall be used for the following purposes only:

Dwellings:

- Single Detached Housing
- Duplex Housing

Horse Riding Stables and Boarding Stables

Horticulture

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nurseries, Greenhouses and Florists Veterinary Clinics

Kennels

Accessory Uses:

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

### Development Regulations

2. The minimum lot size is 2.0 hectares.
- 2b. The maximum density is 2 Dwelling Units.
3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. The keeping of farm animals shall comply with the requirements of section 16.0 (79).
5. Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
6. Portable Sawmills shall be located a minimum of 30 metres from any property line.
7. The minimum setback for a kennel shall be 30 metres from any lot line.
8. *Removed by Bylaw 2748.*
9. The maximum height of any accessory building or structure shall not exceed 8 metres.
10. The maximum footprint of any accessory building or structure shall not exceed 250 square metres.
11. The cumulative gross floor area of all accessory buildings or structures shall not exceed 500 square metres.



266.02 m

139.82 m

P/L

111.83 m

92.36 m

Total: 2,093.70 m

260.89 m

P/L

405.76 m

P/L

766.95 m

P/L

D = 227 m

D = 86 m

D = 181 m

D = 150 m

D = 133 m

D = 432 m

Highway 3

Right of Way - Gas Line

Proposed Construction

Existing - Covered Parking

Septic Field

Existing - House

Pond

Well

Access from Highway 3

Scale 1: 9,028

Go



Creek Ecn

Proposal Summary to: Regional District of Central Kootenay

Applicant: Jenna Traxel & Jeshua Gibson

Property Legal Description: District Lot 12974 Kootenay District Except the Most Southernly 40 Chains

PID: 013-872-664

Electoral Area: B

Property Zoning: R4

Request: This proposal is to request a variance to the RDCK Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013. Variance request relates to Section 20 Rural Resource (R4) Development Regulation No. 10 which states:

"The maximum footprint of any accessory building or structure shall not exceed 250 square metres."

Rationale: As per the included Site Plan and Design Plans, an accessory building with a footprint of 297 square meters is being proposed for the property in question. This is larger than the outlined regulation of 250 square meters. The proposed larger building size is being requested to accommodate covered storage at our rural property for our personal vehicles, equipment and trailers as well as the operation of a home-based business. The business is estimated to take up less than two thirds of the shop area with personal storage taking up the remaining space. No more than 200 square meters of the shop will be used for business purposes and no other structures on the property will house business operations.

Jeshua has operated a sole proprietor business since 2009 and has experience in the repair of trailers and equipment. Future plans for the building include business operations for the repair of recreational vehicles such as trailers and campers and repairs for the logging industry including tractor trailers and logging equipment. To have the required space for the business operations to work on large vehicles and equipment such as a full-size logging truck and trailer, the building must be in excess of the regulated 250 square meters. The location of the property is at an elevation of 900 meters at the top of the Goatfell hill, which is known for its high snow accumulation. In many years the snow is on the ground on our property from November to April making interior space a priority in a snowbelt location such as ours.

Effects to surrounding properties: Due to the remote location of the property and distance from neighbours, there will be no effect to surrounding properties. From the proposed location, there are no other neighbouring structures in sight. The closest parcel line from the proposed location is 86 meters, with the neighbouring property being private managed forest with no structures.

# Structure diagram

