



REGIONAL DISTRICT OF CENTRAL KOOTENAY

AREA D ADVISORY PLANNING AND HERITAGE COMMISSION OPEN MEETING AGENDA

7:00 PM

Tuesday, June 16, 2026

Remote 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/93670305357?pwd=4JWaKOzxcGCK6EoLRj9bI6CbdAxk2.1>

Join by Phone:

855 703 8985 Canada Toll-free

Meeting Number (access code): 936 7030 5357

Meeting Password: 076449

1. CALL TO ORDER

Chair Wells called the meeting to order at ____ 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 June 16, 2026 Electoral Area D Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried/Defeated

4. RECEIPT OF MINUTES

The April 21, 2026 Electoral Area D Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS

5.1 FOR INFORMATION: AREA D COMMUNITY PLANNING

The approved Area D Community Planning Project Charter dated May 1, 2026 from Dana Hawkins, Planner was received.

Planning staff to provide an update on the Area D Community Planning Project. This project follows up on completed work in 2021 to host land use planning discussions (virtually) for most communities in Area D. The goal of the project is to continue community land use discussions and update/implement land use planning regulations where desired.

The project will be launching to the public mid-June with community engagement events happening July and August throughout Area D.

5.2 DEVELOPMENT PERMIT APPLICATION (DP2604D) – Hamill Creek Timber Homes

The Development Permit Application Form dated from Zachari Giacomazzo , Planner, has been received.

Move and seconded
AND Resolved

That the Area D Advisory Planning and Heritage Commission SUPPORT/NOT SUPPORT the Development Permit Application to Hamill Creek Timber Homes c/o Dwight Smith for the property located at 1339 Hamill Lane, Johnson’s Landing, BC, Strata Lot 8 DISTRICT LOT 7827 Kootenay District Strata Plan.

Carried/Defeated/Referred

5.3 DEVELOPMENT PERMIT APPLICATION (DP2606) – Camille & Derek Baker/Tanya Momtazian

The Development Permit Application dated May 13, 2026 from Sadie Chezenko, Planner was received.

Moved and seconded,
AND Resolved:

That the Area D Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Development Permit Application to Camille Baker, Derek Baker and Tanya Momtazian for the property located at 5 Murphy Lower Road, Murphy Creek, Electoral Area D, Lot 1 DISTRICT LOT 12417 KOOTENAY DISTRICT PLAN NEP66900.

Carried/Defeated/Referred

5.4 BYLAW AMENDMENT REFERRAL FORM – RDCK Planning Department

The Zoning Bylaw Amendment Application dated May 4, 2026, from Sadie Chezenko, Planner 1, was received.

Moved and seconded,
AND Resolved:

That the Area D Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Amendment Bylaw No. 3052.

Carried/Defeated/Referred

6. DISCUSSION ITEM: PROPOSAL OF NEW MEETING TIME

A request was made via email by an existing member to revisit the scheduled time of this meeting. To ensure any decisions reflect the full Area D Advisory Planning and Heritage Commission, staff suggest waiting to discuss a new meeting time until the two new members join next month.

7. PUBLIC TIME

The Chair will call for questions from the public at ____ p.m.

8. NEXT MEETING

The next Electoral Area D Advisory Planning and Heritage Commission Meeting is scheduled for July 21, 2026 at 7:00 p.m.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area D Advisory Planning and Heritage Commission meeting be adjourned at ____ p.m.



REGIONAL DISTRICT OF CENTRAL KOOTENAY

AREA D ADVISORY PLANNING AND HERITAGE COMMISSION OPEN MEETING MINUTES

7:00 PM

Tuesday, April 21, 2026

Remote 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/93670305357?pwd=4JWaKOzxcGCK6EoLRj9bl6CbdAxk2.1>

Join by Phone:

855 703 8985 Canada Toll-free

Meeting Number (access code): 936 7030 5357

Meeting Password: 076449

COMMISSION MEMBERS PRESENT

Commissioner Member B. Wells	Chair, Area D
Commissioner Member S. Sinclair	Area D

COMMISSION MEMBERS ABSENT

Commissioner Member F. Bonner	Area D
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STAFF

Planner D. Hawkins	RDCK Planner
S. Kindred	Meeting Coordinator

1. ELECTION OF CHAIR CALL FOR NOMINATIONS (3 Times)

Member Sinclair nominated Member Bill Wells.

No other nominations.

DECLARATION OF ELECTED OR ACCLAIMED CHAIR

Planning Staff ratified the appointed Member Bill Wells as Chair of the Area D Advisory Planning and Heritage Commission for 2026.

2. CALL TO ORDER

Chair Wells called the meeting to order at 7:00 p.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the April 21, 2026 Electoral Area D Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

5. RECEIPT OF MINUTES

The December 16, 2025 Electoral Area D Advisory Planning and Heritage Commission minutes, were received.

6. STAFF REPORTS

6.1 FOR INFORMATION: AREA D COMMUNITY PLANNING

Planning staff provided an update and presentation on the Area D Community Planning Project.

Following up on completed work in 2021 to host land use planning discussions (virtually) for most communities in Area D. The goal of the project is to continue community land use discussions and update/implement land use planning regulations where desired.

The project is currently in its pre-project design phase with an anticipated public launch in Summer 2026.

- The Commission provided feedback on the draft work plan.

Planning Staff answered the Commission Members questions regarding community engagement:

- The Commission suggested the Lardeau Farmer's Market and May days as great opportunities for public participation.
- Clarity was given that the survey is not just open to landowners.
- Concerns were shared regarding the number of times one person can submit a response to a survey and the use of VPNs.

Tentative next steps

- Take the APHC’s feedback and meet with Director Watson and planning staff.
- The draft Project Charter goes to May Board.
- If approved, green light to launch the public engagement.
- Return to the Area D APHC in June for further discussions and plan to launch the project in June with engagement happening in July / August.

Planning Staff shared their contact information should the Commission have further questions before the next Area D APHC meeting.

6.2 FOR INFORMATION: CROWN LAND TENURE APPLICATION – KASLO INFONET SOCIETY

The Crown Land Referral Package dated from Planning Technician Laura Christie for Utilities – Telecommunications Line purposes was received.

The Commission is in support of the application.

7. PUBLIC TIME

No members of the public were present.

8. NEXT MEETING

The next Electoral Area D Advisory Planning and Heritage Commission Meeting is scheduled for May 19, 2026 at 7:00pm.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area D Advisory Planning and Heritage Commission meeting be adjourned at 7:55 p.m.

Carried



Project Charter

Project Name: Area D Community Planning
Date: May 1, 2026
Project No.: 5100\20\D_Ainsworth\2026 Project
Revision No.: 0

Project Overview

The Area D Community Planning project follows up on completed work in 2021 to host land use planning discussions for communities in Area D. The goal of this project is to continue community land use education and discussion and update/implement land use planning regulations where desired. The project will have a team-led approach with the Planner 2 as acting project manager with support from Development and Community Sustainability staff and an accompanying budget of approximately \$4550 from S104. The anticipated timeline of the project is 1.5 years with a goal completion date of Fall 2027.

The project is guided by the following Board resolutions:

200/26: That the Board direct staff to initiate a Sub-Regional Official Community Plan update for areas F, J, and K and staff to initiate the Area D Community Planning and Area H North Official Community Plan update; and these projects be the top priority for the planning department workplan.

149/22: That the Board direct staff to continue the next phase of community planning for Area D in 2022 with a specific focus on the following unincorporated communities: the Kaslo Corridor; Woodbury; Schroeder Creek; Mirror Lake (including Amundsen Road); and the Allen Sub-division not excluding the remaining communities for future discussion.

Objectives

The project will be guided by the following objectives:

- Complete a technical/background review and analysis to understand the historic, current and forecasted trends, developments, and conditions regarding land use in key areas that are of interest to be explored for future zoning.
- Develop and implement a comprehensive community education, awareness, and engagement campaign to ensure wide-spread communications, information sharing, and opportunities to provide direction and feedback for key audiences, while hearing community concerns and building support. This includes gauging the level of support in Area D communities for zoning to inform whether or not to proceed to future implementation stages.
- Identify options and recommendations for zoning that align with community needs, conditions, and trends. This includes developing potential zoning regulations that could be applied in different targeted areas, phasing strategies, and other recommendations to support community buy-in and support.

Scope

Through community engagement and technical analysis, the project will amend Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 by updating the zoning regulations and expanding them to desired communities

For more information

info@rdck.bc.ca | 250.352.6665 | 1.800.268.7325 (BC) | or visit rdck.ca

within Area D. The project may also include updates to the Official Community Plan (OCP) portion of the bylaw including policies and development permit areas to align with community priorities identified during the engagement process, although that is not the main focus of the project.

Project Approach

It is essential that this project is a community-driven process. To facilitate this, the project has been split into three phases (refer to Figure 1 below). Each phase will have its own community engagement with summarized reporting back to the Board. Each phase will have a decision point made by the Board directing the next phase to increase transparency.

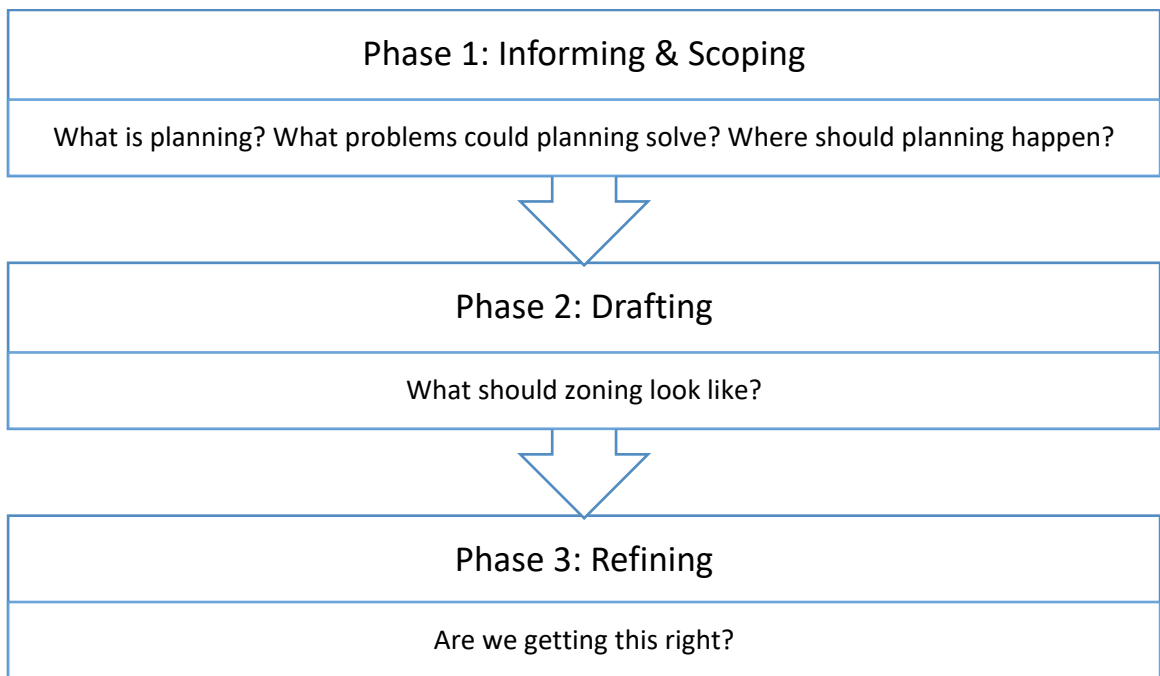


Figure 1. Project Phases

Phase 1 is intended to check back in with Area D residents and build off work completed in 2021. As time has passed and community priorities and concerns may have shifted, it is proposed the first phase will:

- refresh planning knowledge;
- get communities engaged;
- understand community needs;
- scope the project; and,
- determine communities that have a desire for zoning.

Phase 2 will work with interested communities and delve deeper into what zoning could look like in their communities. Technical land use analysis combined with input from the public, technical advisors, First Nations and internal RDCK stakeholders will work together to shape draft zoning regulations. This phase will also uncover if any areas of further study are required. This could include the study of hazards, water issues or agricultural land (no professional studies are currently anticipated at this time).

Phase 3 will bring draft zoning regulations and mapping back to Phase 2 communities for further refinement. Only once those changes are made will the proposed bylaw be brought forward for Board consideration of readings

and a public hearing. This phase will also include any implementation activities to ensure a smooth transition for any new regulations.

Workplan, Deliverables and Schedule

Phase 1

Task 1: Project Start Up

- Pre-project meetings – three meetings to review, discuss, and confirm the scope of work, schedule, existing reports/information to review, and other key project details with the Area D Director.
- Area D Advisory Planning and Heritage Commission (APHC) meeting – meeting to review 2021 results and seek feedback on the draft workplan.
- Project Charter – draft a workplan, schedule, budget, and communications and engagement plan to outline the proposed project.
- Rural Affairs Committee (RAC) staff report – present the proposed workplan and other broader project details and seek Board adoption of the project charter.

Deliverables:

- Project Charter

Timing: March - May 2026

Task 2: Technical Review

- Background document review - including the existing Area 'D' Comprehensive Land Use Bylaw and other related policies, bylaws, reports, studies, and information relevant to the project.
- Land use and development review - review and analysis of historic and current land use and development trends that exist within Area D, including key areas of interest for zoning. This will help better understand what activities may inform and drive the development of future zoning regulations and provide key context needed to support community engagement activities.
- Technical review memo - results and key findings/recommendations from the reviews will be summarized into a technical review memo.
- Context graphics for engagement – key statistics and mapping from the technical review memo can be used to create context graphics to be used to further community understanding during the engagement process.

Deliverables:

- Technical review memo
- Context graphics for engagement

Timing: May - June 2026

Task 3: Phase 1 Engagement

- Project launch communications - formally launch the project, including project branding, overviews of the project, findings from 2021, community context, and future planned engagement activities and events.
- Land Use Planning 101 communications - includes visual and user-friendly resources that provide key background information on identified land use and development issues and trends, and more broadly on land use regulations (i.e. zoning) to enhance community awareness and understanding. These materials would be made available online, in key physical locations, and at project engagement activities.

- Phase 1 engagement activities – a series of engagement activities to engage residents, landowners, land users, and other public stakeholders. The focus of this engagement is to build knowledge and awareness on land use planning/zoning and the project objectives, update 2021 assumptions, better understand local land related issues/developments, and gauge public perceptions and support on zoning.

Deliverables:

- Project launch materials (e.g. project branding, media release, social media posts, mailout, and online engage webpage)
- Land use planning 101 materials (e.g. brochure, backgrounders, brief zoning overview video)
- First Nations letters for early and ongoing engagement
- APHC meeting – meeting to share approved workplan and provide awareness on Phase 1 engagement activities
- “Zoning-in-a-day” engagement, which includes one-day of intensive engagement in Area D South, Kaslo fringe, and North Kootenay Lake. This would include the following activities:
 - All day pop-up and information booth in key locations (e.g. farmers markets, community events, public parks/beaches)
 - Evening community open house (e.g. Ainsworth Hall, Argenta Community Hall, Kaslo Legion)
- Village of Kaslo meeting
- Community survey

Timing: June – August 2026

Task 4: Phase 1 Report Back

- Engagement summary report – summarize the results of the engagement activities completed to date including key themes and findings.
- Zoning directions memo – develop a technical memo that provides recommendations for zoning options as informed by tasks completed to date, including the background and technical review and community engagement. This memo would include recommendations on communities to apply zoning, and initial direction for drafting zoning regulations and OCP amendments, and possible phasing.
- APHC meeting – meeting to review and provide feedback on the phase 1 engagement activities and zoning directions memo and to provide a recommendation to the Board on communities that should move forward in the zoning process.
- RAC presentation and staff report – to present the engagement summary report and zoning directions memo and to seek a Board decision on where zoning should happen.

Deliverables:

- Engagement summary report
- Zoning directions memo
- Rural Affairs Committee presentation

Timing: September - October 2026

Phase 2

Task 5: Phase 2 Engagement

- Phase 2 engagement activities – a series of engagement activities to engage the public, internal stakeholders, First Nations, and technical advisors. The focus of this engagement is to review results from the first round of engagement and broader recommendations and direction contained in the zoning directions memo and to begin to seek input for drafting zoning regulations with communities identified in Phase 1 as having interest.

Deliverables:

- Open houses in each community where zoning is proposed – the open houses will be charette-style organized around different themes for zoning. The workplan currently budgets for five open houses that correspond with the communities identified in resolution no. 149/22 (Kaslo Corridor, Woodbury, Schroeder Creek, Mirror Lake, and Allen Subdivision) - this may be amended after the completion of Phase 1. Depending on geography different communities may be hosted at the same open house.
- Take home kitchen workbooks – for those unable to attend the open house a take home work book will be made available that mirrors the selected themes.
- First Nations, technical advisors, and internal stakeholder meetings

Timing: October – December 2026

Task 6: Phase 2 Report Back

- Engagement summary report update - update to the existing engagement summary report to include the results of the Phase 2 engagement activities completed, including key findings, and recommendations for next steps.
- APHC meeting - meeting to review and provide feedback on the engagement activities and to provide a recommendation to the Board on preparing zoning regulations.
- RAC staff report – to present the updated engagement summary report and to seek Board direction on preparing a draft bylaw.

Deliverables:

- Updated engagement summary report

Timing: January – February 2027

Phase 3

Task 7: Draft Zoning Regulations

- Develop draft zoning regulations - develop zoning regulations, accompanying OCP amendments, and associated mapping. The scope and scale of the regulations will be informed by the zoning directions memo (Task 4) and input gathered through community engagement (Phase 1 & 2).
- Prepare amending bylaw and mapping schedules – prepare bylaw wording and schedules for an amending bylaw to Area 'D' Comprehensive Land Use Bylaw.

Deliverables:

- Draft amending bylaw to Area 'D' Comprehensive Land Use Bylaw

Timing: February – April 2027

Task 8: Phase 3 Engagement

- Project update communications - prepare and distribute community update materials on the proposed zoning regulations. This will include connections between community feedback and how it informed the zoning regulations developed.
- Phase 3 engagement activities – a series of engagement activities to engage the public, internal stakeholders, First Nations, and technical advisors. The focus of this engagement is to present and seek feedback on the draft zoning regulations.

Deliverables:

- Communication materials (e.g. website content, newsletter, social media)
- Virtual open house with presentation and online engagement activities
- Community survey
- Formal 30 day referral
- APHC meeting

Timing: April – May 2027

Task 9: Phase 3 Report Back

- Engagement summary report update - update to the existing engagement summary report to include the results of the Phase 3 engagement activities completed, to be received by RAC at the time of first reading.

Deliverables:

- Updated engagement summary report

Timing: May 2027

Task 10: Adoption Process

- Amend bylaw and schedules as needed – make changes to zoning regulations, accompanying OCP amendments, and mapping schedules as needed from Phase 3 engagement.
- RAC presentation – presentation summarizing process to date and a walk through of proposed zoning regulations.
- First & second reading – staff report including finalized engagement summary report to be brought to RAC for a decision on first and second reading of the amendment bylaw.
- Public hearing – preparation of advertising and presentation materials for formal public hearing to meet *Local Government Act* requirements. This can be designed to take place in two locations due to the large geographical area.
- Amend bylaw and schedules as needed – depending on the results of the public hearing there may be a need to make amendments to the proposed bylaw. This would require rescinding and rereading second reading and scheduling a second public hearing and would add additional time to the proposed timeline.
- Third reading and adoption – staff report summarizing public hearing results and seeking Board adoption of the amending bylaw. The bylaw will require signature from the Ministry of Transportation and Transit in between 3rd reading and adoption.

Deliverables:

- Final version of amendment bylaw
- RAC presentation/workshop
- Public Hearing materials

Timing: June – September 2027

Task 11: Project Closure

- Project completion communications – ensure widespread awareness of project completion and new regulations.

- Create public materials for any new processes - draft any necessary circulars, website updates, application forms, or policies to ensure a smooth implementation across RDCK departments. This may include internal staff training sessions.
- Ensure consistency across RDCK bylaws – draft any bylaw necessary amendments that are required to align existing bylaws with the new bylaw (e.g. Planning Procedures and Fees Bylaw).

Deliverables:

- Communication materials (e.g. website content, newsletter, media release, circulars)

Timing: August - September 2027

Budget

The largest cost to be incurred is staff time which will be inhouse. The bulk of the project will be completed by the Planner 2 (project manager). Support from the Planning Manager and other planning staff will be required, mostly to support engagement activities. GIS staff support will be required for land use analysis, engagement materials, and final maps and schedules. Other costs will be incurred to complete engagement across the three phases including hall rentals, advertising, a mail out, and material costs (estimated to be \$4550 spread over two years). Professional fees are not anticipated at this time, but if as the project progresses and further study is required, they may occur. This is considered a base budget and should additional time or extra tasks occur the budget may need adjusted. Funds will come from the S104 account.

Engagement Framework

Engagement Principles

Engagement will be guided by the following guiding principles:

- Purposeful - engagement is initiated with a clear, specific aim to respect participants' time and efforts.
- Genuine - interactions are conducted in good faith, emphasizing the value of public input.
- Inclusive - diversity, equity, and inclusion are included in designing engagement processes, aiming to reach a broad cross-section of residents.
- Collaborative - the project recognizes and respects the grass roots nature of this project and continues to take a community-driven approach in exploring zoning in Area D.
- Transparent - results of engagement and how they are used in decision making are made accessible to the public.

Target Audience

A Target Audience list is attached as Appendix 3. This list is a starting point, and further participants may be included as the project progresses. The list is sorted into the following four categories:

- Public – intended to capture the diverse communities of Area D including residents, landowners, land users, families, youths, seniors, and newcomers. This includes organized groups that can connect the project team to the communities. Engagement activities targeted to the public have been included in each phase of the project and are designed to be as inclusive as possible with virtual, in person and follow up opportunities. The workplan includes measures to ensure public feedback is compiled and reported back on including how it is used in decision-making.
- Internal Stakeholders – include RDCK representatives such as staff from relevant internal departments, elected officials, and committee members. The Area D Director and APHC have been identified to provide feedback at multiple checkpoints throughout the project with RAC and Board having ultimate decision-making authority.

- First Nations – identified through the Consultative Areas Database. First Nations will be sent a letter in Phase 1 explaining the project and inviting their participation. This is proposed to be focused meetings in Phase 2 and a formal referral in Phase 3. However, flexibility is anticipated to accommodate First Nations’ desired level of participation.
- Technical Advisors – include representatives from other organizations that have expertise in the project area. This group will be engaged to close data gaps and provide advice in the drafting of zoning regulations. Their participation is proposed to be focused meetings in Phase 2 and a formal referral in Phase 3. The Village of Kaslo has been identified as an important stakeholder with concurrent projects to update their Zoning Bylaw and South Kaslo Development Plan, and staff propose to engage the Village starting in Phase 1.

See workplan for proposed engagement and communication activities. Each phase of engagement includes details on the intended target audience and the activities proposed to engage them.

Key Issues, Risks and Challenges

Two main challenges have been identified and considered in the workplan. Firstly, the potential for misinformation and disinformation, which poses an even greater threat in these times of weakened trust in government institutions generally. Mitigation measures proposed include clear communications, multiple engagement activities to hear from communities at each phase, prioritizing in person engagement, scheduled reporting back, and open decision points with each phase to increase transparency.

Secondly, the project is to be launched in the final months of this electoral term and that may present some challenges such as the potential for the project to get side tracked with other election issues and a potential change in Board direction after the election. Phase 1 engagement has been scheduled over summer 2026 with reporting back to RAC in October 2026 to have clear community direction provided and documented in advance of the election. There is still the possibility of the project becoming an election issue. As well engagement over the summer season may be affected by wildfire season with lessened staff and community capacity.

Related Documents

Appendix 1: Workplan Schedule

Appendix 2: Target Audience List

Area D Community Planning Workplan Schedule

Year:		2026										2027								
Month:	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	
PHASE 1																				
1	Project Start Up																			
2	Technical Review																			
3	Phase 1 Engagement																			
4	Phase 1 Report Back																			
PHASE 2																				
5	Phase 2 Engagment																			
6	Phase 2 Report Back																			
PHASE 3																				
7	Draft Zoning Regulations																			
8	Phase 3 Engagement																			
9	Phase 3 Report Back																			
10	Adoption Process																			
11	Project Closure																			

	Task Completion
	Board Decision Point

Area D Community Planning Target Audience List**Public**

Ainsworth Hall Society
Argenta Community Association
Business Owners
Gar Creek Water Users Association
Howser Water Users
J V Humphries Elem-Secondary students
Johnsons Landing Community Association
Kaslo and Area Senior Citizens Society
Kaslo and Area Chamber of Commerce
Kaslo and Up the Lake Youth Network
Kaslo Climate Action Team
Kaslo Community Services
Kaslo Housing Society
Kaslo Outdoor Recreation and Trails Society
Kaslo Search and Rescue
Kootenay Food Council
Lardeau Valley Community Club
Lardeau Valley LINKS
Lardeau Water Users Association
Loki Lots Water Users
Mirror Lake Water Users
Pine Ridge Water Utility Society
Property owners and tenants
Schroeder Creek Home Owners Society
Schroeder Creek Water Society
Sourdough Water System
South Beach Working Group
Woodbury Water System Community Advisory Committee
Young Agrarians

Internal RDCK Stakeholders

Area D Director
Area D Advisory Planning and Heritage Commission
Community Services staff
Development and Community Sustainability Services staff
Environmental Services staff
North Kootenay Lake Service Committee
Kaslo Volunteer Fire Department
Rural Affairs Committee

First Nations

?akisq?nuk (Columbia Lake)
?aq?am (St. Mary's)
Sexqeltqín (Adams Lake)
Ktunaxa Nation Council

Area D Community Planning Target Audience List

First Nations

Kłk'ər'míws (Lower Similkameen)

Sk-emtsin (Neskonlith)

Suknaqínx (Okanagan)

Okanagan Nation Alliance

Kenpésqt (Shuswap)

Sinixt Confederacy

Skwl?x te Secwepemcu?l?ecw (Little Shuswap)

Snpíntktn (Penticton)

?Akink'um?Asnuq?l?It (Tobacco Plains)

Spaxomən (Upper Nicola)

yaqan nu?kiy (Lower Kootenay)

Technical Advisors

Agricultural Land Commission

BC Housing

BC Hydro (Duncan Dam)

BC Transit

Columbia Basin Trust

Columbia Shuswap Regional District

Community Futures Central Kootenay

Fisheries and Oceans Canada

Fletcher Creek Improvement District

Fortis

Interior Health Authority

Kaslo & District Community Forest Society

Kaslo Infonet Society

Kootenay & Boundary Farm Advisors

Kootenay Conservation Program

Kootenay Lakes Partnership

Logging Companies

Ministry of Agriculture and Food

Ministry of Environment and Parks

Ministry of Forests

Ministry of Mining and Critical Minerals

Ministry of Transportation and Transit

Ministry of Water, Land and Resource Stewardship

Nature Trust of BC

North Kootenay Lake/ Nelson and Kootenay Lake Tourism

Regional District of Kootenay Boundary

School District 8

Village of Kaslo



Development Permit Application

Referral Form – RDCK File DP2604D

Date: April 21, 2026

You are requested to comment on the attached DEVELOPMENT 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:

1339 Hamill Lane, Johnson's Landing, BC, Electoral Area 'D'
 STRATA LOT 8 DISTRICT LOT 7827 KOOTENAY DISTRICT STRATA PLAN NES3603 TOGETHER WITH AN INTEREST IN THE COMMON PROPERTY IN PROPORTION TO THE UNIT ENTITLEMENT OF THE STRATA LOT AS SHOWN ON FORM V (PID: 027-792-935)

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is located in the Bulmers Pointe residential community south of Argenta and north of Johnson's Landing on the east side of Kootenay Lake. The lots within the Bulmers Pointe subdivision are serviced by a community water and a community wastewater system. There are currently accessory buildings and structures on the property and the site has been prepped for the construction of a single detached dwelling.

During the review of the Building Permit application (BP029084) for the proposed dwelling it was recognized that there had been unauthorized disturbance to portions of the property that were intended to remain free and clear of any vegetation removal or development activity through the registration of no-disturb covenants and by the Watercourse Development Permit (WDP) Area guidelines in the Area 'D' OCP. This unauthorized disturbance is detailed in the Riparian Assessment Report that forms part of the Development Permit application.

This WDP application has been submitted to retroactively seek approval for the disturbance that has occurred within the Riparian Areas/WDP Areas of Kootenay Lake and Bulmer Creek and also to consider the siting and construction of the proposed single detached dwelling which is located partially within the WDP Area of both Kootenay Lake and Bulmer Creek.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.38 ha (0.95 acres)	n/a	n/a	Country Residential (RC) in Comprehensive Land Use Bylaw No. 2435, 2016

APPLICANT: Hamill Creek Timber Homes c/o Dwight Smith

Please provide your response via email.

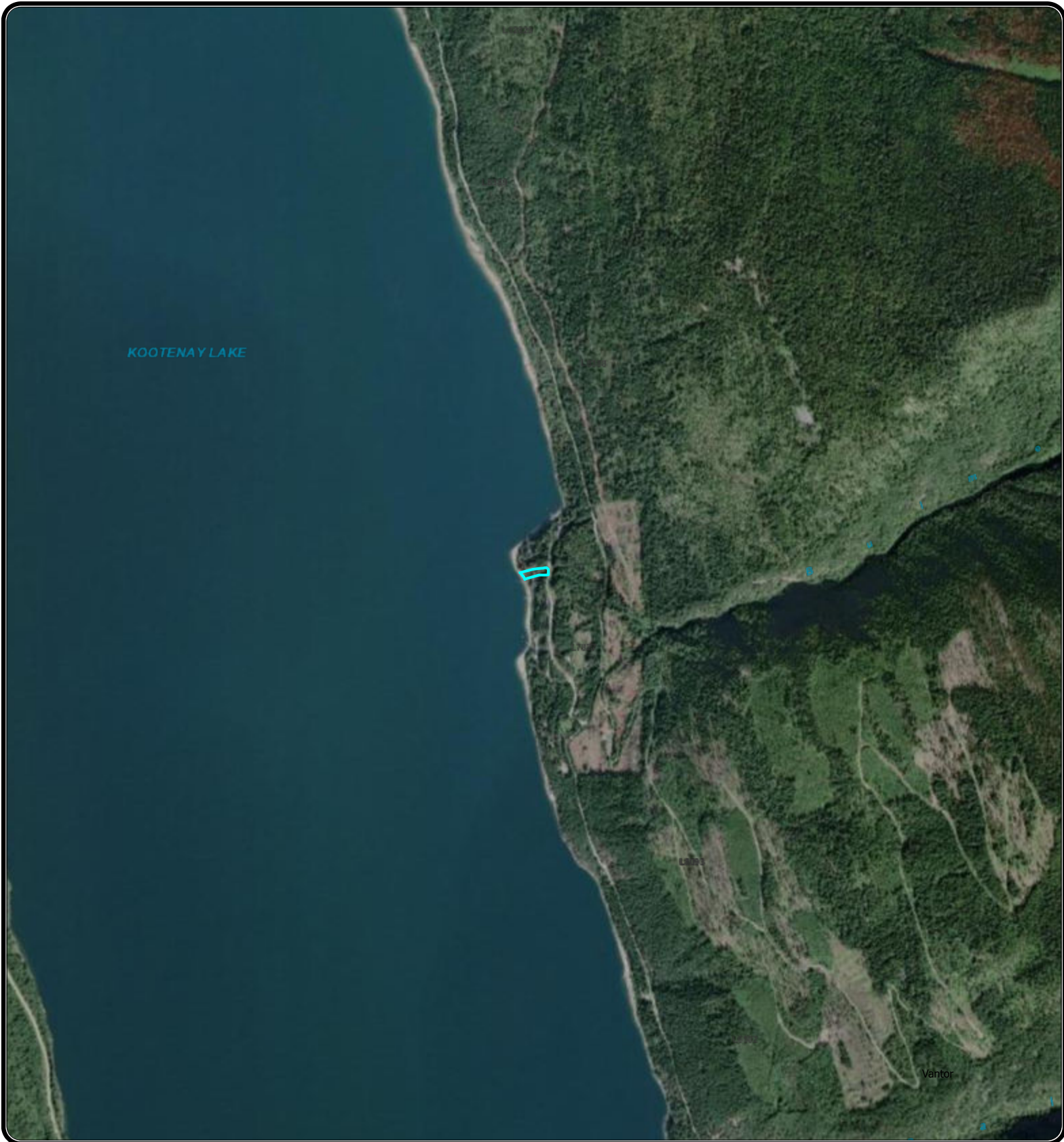
If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government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

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND TRANSIT <input checked="" type="checkbox"/> HABITAT BRANCH <input checked="" type="checkbox"/> FRONTCOUNTER BC <input checked="" type="checkbox"/> ARCHAEOLOGY BRANCH <input type="checkbox"/> AGRICULTURAL LAND COMMISSION <input type="checkbox"/> REGIONAL AGROLOGIST	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" 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 checked="" 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 'D' <input checked="" type="checkbox"/> RDCK FIRE SERVICES
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<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. <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK RESOURCE RECOVERY <input type="checkbox"/> RDCK REGIONAL PARKS FIRST NATIONS <input checked="" type="checkbox"/> KTUNAXA NATION COUNCIL YAQAN NU?KIY (LOWER KOOTENAY) ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS) ?AKISQNUK (COLUMBIA LAKE) ?AQ'AM (ST. MARY'S)
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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.

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

 Electoral Areas

Map Scale:

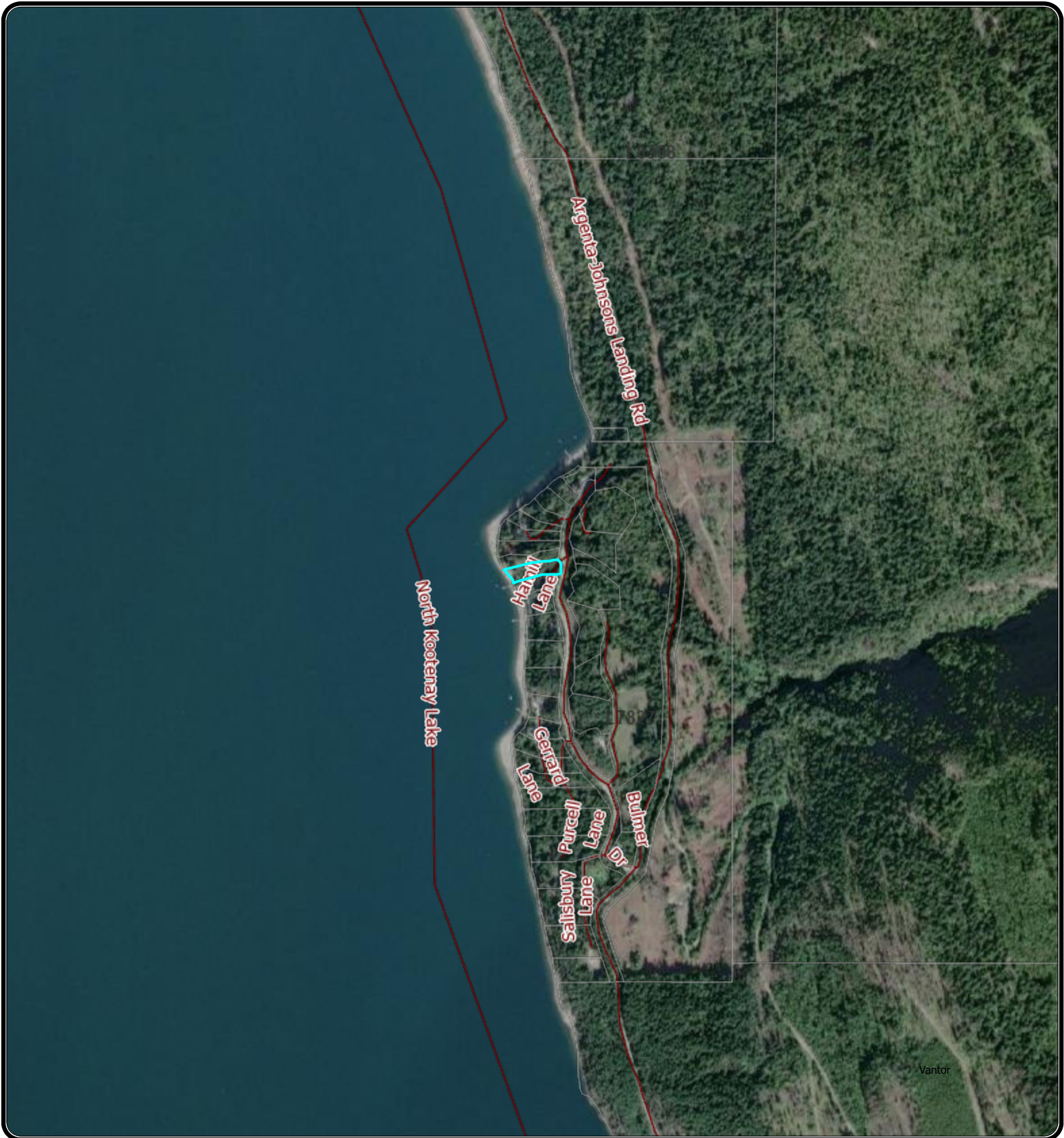
1:36,112

Date: April 10, 2026



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RDCK Map






Vantor



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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

Map Scale:

1:18,056

Date: April 10, 2026



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RDCK Map



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Legend

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

Map Scale:

1:4,514

Date: April 10, 2026



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RDCK Map







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Legend

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

Map Scale:

1:1,128

Date: April 10, 2026



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RDCK Map









Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community



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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points
-  Country Residential
-  Resource Area

Official Community Plan

Map Scale:

1:2,257

Date: April 10, 2026



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RDCK Map



Source: Esri, Vantor, Earthstar Geographics, and the GIS User Community



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 Phone: 1-800-268-7325 www.rdck.bc.ca
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Legend

- | | |
|------------------------------------|---------------------------|
| Non Standard Flooding Erosion Area | Electoral Areas |
| Flood Construction Levels - 1990 | RDCK Streets |
| Lakes and Rivers | Cadastre - Property Lines |
| Streams and Shorelines | Address Points |

Map Scale:

1:2,257

Date: April 10, 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.

19.0 DEVELOPMENT PERMIT AREAS

Background

The OCP may designate Development Permit Areas under the authority of local government legislation. Unless otherwise specified, a development permit must be approved by the Regional Board prior to any development or subdivision of land within a designated Development Permit Area.

Development Permit Areas allow for implementation of special guidelines for the protection of the natural environment, protection from hazardous conditions, for revitalization of designated areas, or to guide the form and character of development within the Kootenay Lake and the Lardeau Valley Plan area. Development Permit Areas can also be used to meet targets for carbon emission reductions and energy and water conservation.

Where land is subject to more than one Development Permit Area designation, a single development permit is required. The application will be subject to the requirements of all applicable Development Permit Areas, and any development permit issued will be in accordance with the guidelines of all such Areas.

Development Permit Area #1: Watercourse Development Permit (WDP) Area

Category

The WDP area is designated under Section 488 (1) (a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity.

Area

The WDP area is comprised of:

1. Riparian assessment areas (Figure 1) for fish and wildlife habitat and drinking water, which include all watercourses and adjacent land:
 - a. within 30 m of the high water mark of a watercourse;
 - b. within 30 m of the top of the ravine bank in the case of a ravine less than 60 m wide; and
 - c. within 10 m of the top of the ravine bank in the case of a wider ravine that link aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential upland vegetation that exerts an influence on the watercourse; and as identified in Schedule 'A.1'.

HIGH WATER MARK means the visible high water mark of a watercourse where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the watercourse a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain;

TOP OF RAVINE BANK means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is greater than 3:1 for a minimum distance of 15 m measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

WATERCOURSE means any natural or man made depression with well-defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year and/or having a drainage area of two square kilometres (0.8 square miles) or more upstream of the point of consideration.

Justification

The primary objective of this Development Permit Area designation is to regulate development activities in watercourses and their riparian areas so as to protect aquatic habitat; and to conserve, enhance and, where necessary, restore watercourses and their riparian areas.

The impact of development on watercourses can be minimized by carefully examining the proposed development and taking appropriate measures in relation to the environmentally sensitive riparian area.

Determining whether development falls within the WDP Area

To confirm whether a proposed development is within land identified as a riparian assessment area in the WDP area for which a development permit application is required, the following applies:

2. Any area located within 30 m of the high water mark of a watercourse; within 30 m of the top of the ravine bank in the case of a ravine less than 60 m wide; and within 10 m of the top of the ravine bank in the case of a wider ravine that link aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential upland vegetation that exerts an influence on the watercourse;
3. Unless the proposed development or alteration of land is clearly outside the riparian assessment area the location of the development shall be determined accurately by survey in relation to the WDP Area to determine whether a development permit application is required.

Guidelines

4. A development permit is required, except where specified under the Exemptions Section, for development or land alteration on land identified as a riparian assessment area within the WDP Area. Where not exempt, development requiring a development permit includes any of the following associated with or resulting from residential, commercial or industrial activities or ancillary activities to the extent that they are subject to local government powers under local government legislation:
 - a. removal, alteration, disruption or destruction of vegetation;
 - b. disturbance of soils;

- c. construction or erection of buildings and structures;
- d. creation of non-structural impervious or semi-impervious surfaces;
- e. flood protection works (with the exception of those constructed during emergency events);
- f. construction of roads, trails, docks, wharves and bridges;
- g. provision and maintenance of sewer and water services;
- h. development of drainage systems;
- i. development of utility corridors; and
- j. subdivision as defined under Section 455 of the *Local Government Act*.

Development shall be in accordance with the following guidelines:

- 5. All development proposals subject to this permit will be assessed by a Qualified Environmental Practitioner (QEP) in accordance with the Riparian Areas Regulation established by the Provincial and/or Federal governments as used elsewhere in the Province.
- 6. A WDP shall not be issued prior to the RDCK ensuring that a QEP has submitted a report certifying that they are qualified to carry out the assessment, that the assessment methods have been followed, and provides in their professional opinion that a lesser setback will not negatively affect the functioning of a watercourse or riparian area and that the criteria listed in the Riparian Areas Regulation has been fulfilled.
- 7. The Riparian Areas Regulation implemented through the WDP does not supersede other Federal, Provincial and or local government requirements, including that of other development permit areas, building permits, flood covenants, Federal or Provincial authorization. Land subject to more than one development permit area designation must ensure consistency with the guidelines of each development permit area, to provide comprehensive stewardship of both fish and wildlife habitat.

Exemptions

The WDP area does not apply to the following:

- 1. existing construction, alteration, addition, repair, demolition and maintenance of farm buildings and agricultural activities including clearing of land for agricultural purposes;
- 2. existing institutional development containing no residential, commercial or industrial aspect;
- 3. construction, renovation, or repair of a permanent structure if the structure remains on its existing foundation. Only if the existing foundation is moved or extended in to a riparian assessment area would a WDP be required; and

- an area where the applicant can demonstrate that the conditions of the WDP Area have already been satisfied or a development permit for the same area has already been issued in the past and the conditions in the development permit have all been met, or the conditions addressed in the previous development permit will not be affected.

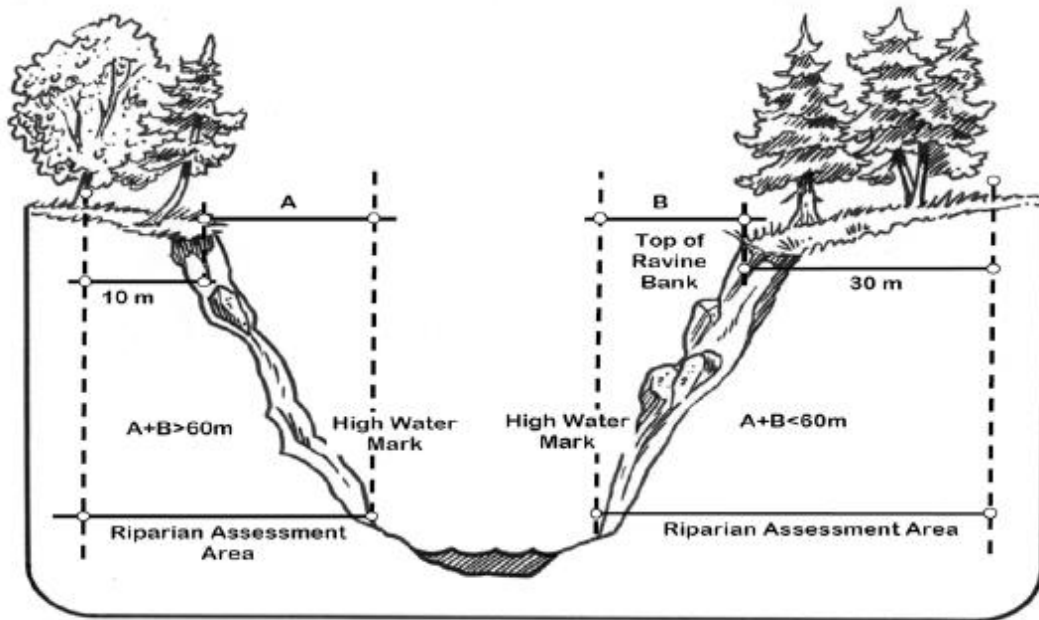


FIGURE 1: RIPARIAN ASSESSMENT AREA: means the area within 30 m of the high water mark of a watercourse; within 30 m of the top of the ravine bank in the case of a ravine less than 60 m wide; and within 10 m of the top of the ravine bank in the case of a wider ravine that link aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential upland vegetation that exerts an influence on the watercourse.

Source: British Columbia Ministry of Environment, *Riparian Areas Regulation Implementation Guidebook*, March 2005

Development Permit Area #2: Industrial Development Permit (IDP) Area

Category

The IDP area is designated under Section 488 (1) (a) and (f) of the *Local Government Act* for the establishment of objectives for the protection of the natural environment and form and character of industrial uses within the Plan area.

Area

- The IDP area is comprised of all privately owned or leased lands designated as Industrial (M) on Schedule 'A.1'.

Justification

April 9/2026

Proposal Summary for RE: BP#29084 - Watercourse DP information - 1339 Hamill Lane (PID: 027-792-935) a water Development Permit

1. Riparian assessment at Lot 8 Bulmer Point Drive Watercourse Development Permit (WDP) application.

- Disturbance that has occurred within the covenanted area along Kootenay Lake as described in the Section 219 Covenant (CA7000667) that is registered on title for the subject property (Lot 8)
- Disturbance that has occurred within the 30-meter Development Permit Area associated with Bulmer Creek, which flows through the common strata property between Lot 7 and Lot 8

The scope of work that a QEP included the following:

- Background review of site (site plans, site history, aerial photos, species at risk, environmentally sensitive areas);
- Completed riparian assessment of the property in accordance with the RDCK North Kootenay Lake Electoral Area D Rural Official Community Plan Bylaw No. 2345 and the Riparian Area Protection Regulation (RAPR);
- riparian assessment report including description of terrestrial and aquatic environments and recommendations relating to protection of sensitive habitats;
- Preparation of a mitigation plan to address site impacts
- implement and meet all requirements as per QEP report for mitigation to address the disturbances within riparian area

2. Building Permit Application BP#29084 –

Application of Building was sent on November 04 2025

Owner is proposing a house outside of the covenant areas shown in (CA7000667 and CA000671 which complies with the report conditions. (allowable setbacks from both Kootenay lake and Bulmer’s creek as verified by Riparian assessment Report (attached)

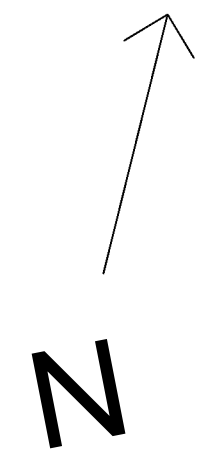
The location of the proposed house also complies with

“Debris Flood Hazard Assessment – Bulmer’s Pointe” dated March 2008 by Skmana Creek Consulting Ltd covenant set back review was completed in January 2026 by Skmana Geo Tech Engineers which states “Based on their field review and understanding of the proposed site development, the proposed building is located outside of the minimum allowed swale offset and can reasonably conclude that the building location satisfies the requirements of the covenant registered on Title. Full Geo Tech report is with BP 29084

3. We are respectfully requesting that since the siting of the house complies within the allowable building area in respect to **all covenants** on the property that the building permit application be allowed to be processed at the same time as this WDP application.

Thank you Dwight Smith

ADDRESS: 1339 HAMILL LANE, JOHNSON'S LANDING B.C.
 FOLIO: 786.08836.280
 PID: 027-792-935
 PLAN#: NES3603
 STRATA LOT: 8



LOT 7

BULMER'S CREEK

COMMON STRATA
PROPERTY

COMMON STRATA
PROPERTY

BULMER'S DRIVE

KOOTENAY LAKE
BEACH

RIPARIAN
ZONE

LOT 8

HAMILL LANE
ACCESS ROAD EASEMENT

LOT 9

① Site Plan
1 : 250

DATE	ISSUE
20251104	PERMIT SET
20251219	TO ENG V3
20260105	RDCK REVIEW
20260114	GEOTECH REVIEW/ENG V4
20260127	CONSTRUCTION DRAWINGS

NO	DATE	ISSUE
01	260316	MASSE SITE PLAN REQUEST
02	260408	WDP

PROJ. NO.: BROW0925BC
 DRAWN BY: KH
 CHECKED BY: DS
 ISSUE DATE: 2026.04.09

DRAWING TITLE
SITE PLAN
 SCALE 1:250
 DRAWING NO.
A2



1339 Hamill Lane, Bulmer Pointe Subdivision,
Johnsons Landing BC
Riparian Assessment V1.0



Prepared for:
Patricia Brown
3658 2nd Street SW
Calgary, Alberta

April 2, 2026

Prepared by:
Masse Environmental Consultants
812 Vernon Street
Nelson, BC, V1L 4G4

Project Number 2026-1265

Riparian Assessment Report Revision History

Name	Date	Version
Sylvie Masse, RPBio and Fiona Lau, ASCT.	April 2, 2026	1.0

Disclosure Statement

This report has been prepared by Sylvie Masse, RP Bio and Fiona Lau, ASCT.

1. The authors are Qualified Environmental Professionals as defined under Section 21(2) of the Riparian Areas Protection Regulation,
2. The content of, and all associated statements in, this report are consistent with:
 - a. The Riparian Areas Protection Regulation methodology.
 - b. Provincial and federally recognised best management practises.
 - c. Relevant Species at Risk management Plans under the Species at Risk Act.
 - d. The habitat protection provisions of the Fisheries Act.
3. This report has been prepared for the property owner to support a development permit approval.
4. The report has been prepared for the owner at their expense. The RDCK may rely upon the information and recommendations in this report for the purposes of a Watercourse Development Permit Area application.

Limitations

This report has been prepared by the authors solely for the client, Patricia Brown. The content reflects the authors' professional judgment based on the information available at the time of preparation. Any use, reliance, or decisions made by third parties based on this report are solely at their own risk. The authors assume no liability for any damages, losses, or consequences arising from actions or decisions taken by third parties in reliance on this report. A record copy of this report is maintained at Masse Environmental and is considered the official version, superseding any copies or reproductions of the report.

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1 INTRODUCTION

Masse Environmental Consultants Ltd. was retained by Patricia Brown (Owner) to conduct a riparian assessment on the Property at 1339 Hamill Lane, Bulmer Point Subdivision, Johnsons Landing (STRATA LOT 8, PLAN NES3603, DISTRICT LOT 7827, KOOTENAY LAND DISTRICT, PID: 027-792-935). The RDCK has determined that a Watercourse Development Permit (WDP) application is required to address disturbance within the Riparian Zone of Kootenay Lake (Covenant Area 8), and the 30 m Development Permit Area associated with nearby Bulmer Creek, located within the Common Property immediately to the north of Lot 8.

A site visit was completed on February 26, 2026 by Sylvie Masse, MSc, RPBio and Fiona Lau, ASCT to conduct a riparian assessment on the Property. The assessment evaluates the current condition within 30 m of the high water mark (HWM) of a watercourse (RDCK Area D), calculates a Streamside Protection and Enhancement Area (SPEA) setback following the methodology of the Riparian Area Protection Regulation (RAPR; BC 2019), identifies potential environmental impacts from the development, and provides recommendations to mitigate for the alteration of the riparian area. It is based on the following regulatory framework and best management practices:

- Electoral Area 'D' Comprehensive Land Use Bylaw 2435, 2016
- RDCK Floodplain Management Bylaw No. 2080, 2009
- British Columbia Riparian Areas Protection Regulation
- British Columbia Water Sustainability Act
- British Columbia Wildlife Act
- Federal Migratory Birds Convention Act
- Kootenay Lake Shoreline Management Guidelines.

2 PROJECT OVERVIEW

2.1 Site Description

2.1.1 Location

The subject Property is located at 1339 Hamill Lane, Johnson's Landing, BC, along the eastern shore of Kootenay Lake and is within the Bulmer Pointe Subdivision. The Property is 0.95 acres in size with 37.2 m water frontage, has a western aspect and slopes up from the lake with an average gradient of 18%. There is a short steep bank 9-10 m from the HWM ~ 2 m high and 5 m wide. The property is bordered by Kootenay Lake to the west, Bulmer Drive to the east and private property to the south (Lot 9; Figure 1). North of the property there is a narrow band of Common Property owned by the Bulmer Pointe Strata Corporation, which was designed to provide a riparian buffer along Bulmer Creek.

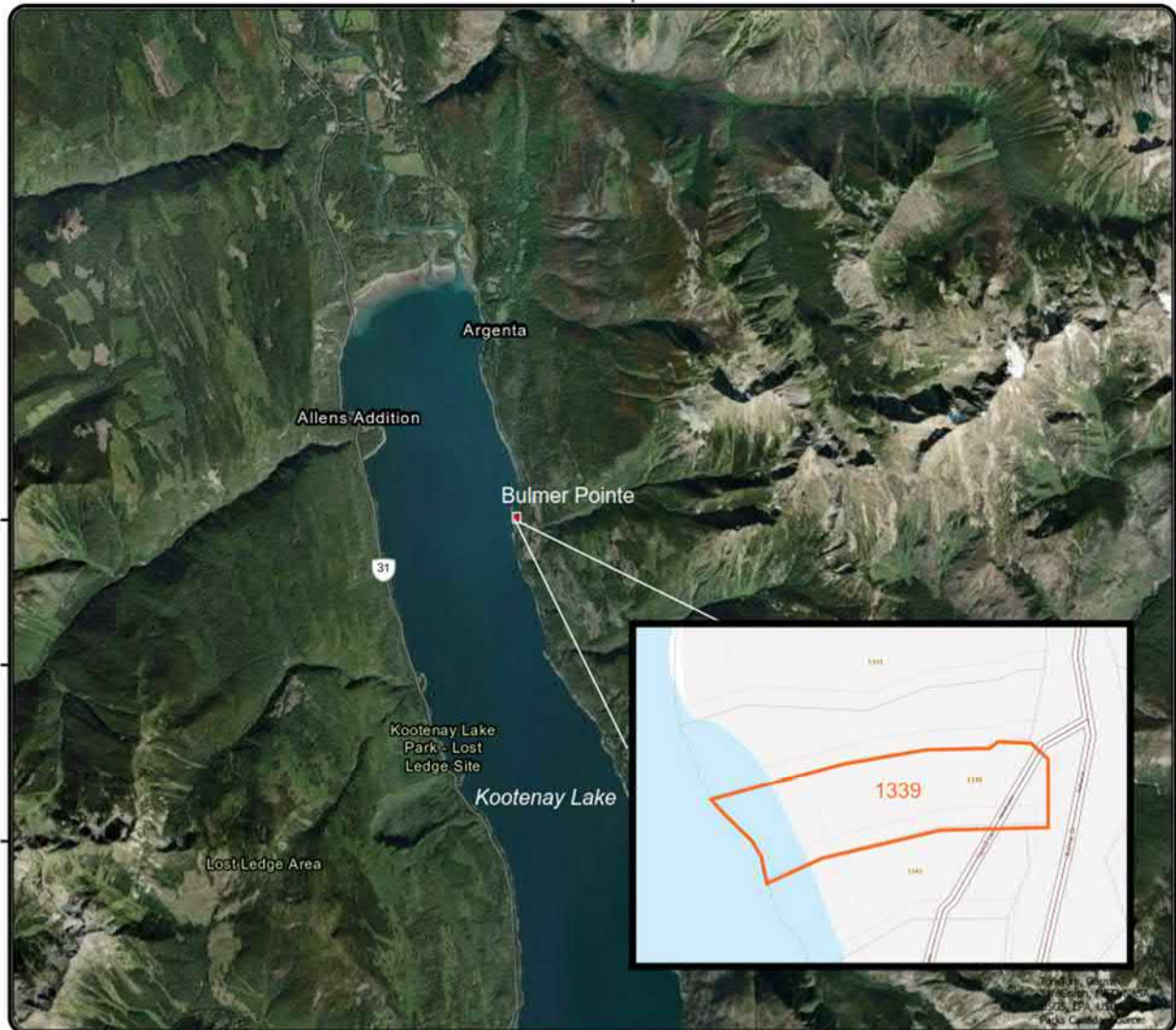


Figure 1. Location Map.

2.1.2 Existing Site Conditions

2.1.2.1 Permitting

In early May 2016, an accidental fire started in the Kootenay Lake riparian area of Lot 8. The fire rapidly increased in severity due to the presence of buried old wood materials such as pilings, fencing, and dock parts as well as large woody debris (LWD), and required the use of large equipment to extinguish the fire, causing disturbance to the foreshore. A Change Approval and Notification application was submitted soon after, on June 13, 2016, under Section 11 of the Water Sustainability Act and Part 3 of the Water Sustainability Regulations by the Owner to conduct further repairs to the area. Permit A4-6831 was issued

on February 17, 2017 and approved the works as per the plans and specifications contained in the Change Approval and Notification application as per the following:

- Removal of 4 piles of debris, which were created during the containment of the fire, using an excavator.
- Removal of any other household waste encountered during reclamation works.
- Stabilization of slope below the large, mature western red cedar to protect exposed root systems (due to the fire) and prevent future beach erosion. Large rocks found on the property was to be used and back fill placed as necessary.
- Blending in and smoothing tracks created by excavator during fire suppression.
- Planting small Douglas fir trees, willow trees and some native deciduous trees mixed throughout.
- Preparing an ~ 3.5 m wide footpath, within the riparian area using the existing excavator track within the 0-15 m area and gravel to stabilize the sloped footpath at 15-30 m.

Further recommendations were provided by the Provincial Habitat Officer and included in the permit:

- The piles of cobbles and wood located below the high water mark are to be dispersed evenly around the lands below the high water mark;
- Permission is provided to keep up to 15% of the area below the high water mark free of cobbles to be used as a coarse beach; and
- Cobbles must not be placed with the intention of being used for bank protection.

It is important to note that this permit does not supersede Local Government requirements for a Watercourse Development Permit and have any disturbance (other than a 1.5 m wide foot path) within the Kootenay Lake Riparian Covenant and Bulmer Creek WDP area is assessed by a Qualified Environmental Professional.

2.1.2.2 Works Completed

Works conducted under Permit A4-6831 included as observed during site visit on February 27, 2026:

- The access road that was created along the steep bank during fire suppression efforts providing access to the fire suppression equipment is still in place (Photo 1).
- Removal of 4 piles of debris created during fire suppression efforts. No piles were observed.
- All wastes encountered were removed. No wastes were observed.
- Slope stabilization using large rocks in two areas (north and south of access road (Photo 2 and Photo 3). Note that the permit application included slope stabilization in one area below a large cedar tree.

- Smoothing of excavator tracks (none were observed).
- One planted deciduous tree was observed at the north end of bench.

In addition to the approved works the following features were created within the Kootenay Lake Riparian Covenant and Bulmer Creek WDP area:

- Creation of flat bench south of access road within Lot 8 Covenant (Photo 4). Area measures ~ 8 m wide by 15 m long and up to ~1 m high along the west side. Imported crush rock was spread over the bench and angular rocks (such as those found on the foreshore) were used for armouring the bench. This bench has been used as a seating area. The bench appears to extend into Lot 9 Covenant to the south.
- In addition to the access road that was planned to be converted to a footpath, concrete steps were installed along the steep bank from the south bench connecting to the upper property (Photo 5). The concrete footsteps appear to extend into Lot 9 Covenant to the south.
- Creation of flat bench north of access road within Lot 8 Covenant (Photo 6). Area measures ~ 4.5 m wide by 20.4 m long and ~1.5 m high. One deciduous planting was observed at north end of bench as well as invasive species.
- Access road used during fire suppression activities is still in place and goes up steep bank on a diagonal (Photo 1). The road appears to have been smoothed out and was intended to be used as a footpath to access the beach. The road is 3.5 m wide and is wide enough to allow vehicle access, however the RDCK as well as the Covenant restrictions only allows for 1.5 m wide foot path and therefore will need to be altered.
- Rock wall (~20 m long) within Common Property and Bulmer Creek WDP area creating a flat area with gazebo (~2.5 m x 4 m; Photo 7). Rock wall is 14.8 m from Bulmer Creek and gazebo is 1.7 m from the rock wall. Written authorization from the Strata Corporation was given for the use of the Common Property for the rock retaining wall to remain, according to Ryan O' Connor from the Strata Corporation.
- Excavation with concrete footings for new house within the Bulmer Creek 30 m WDP area (Photo 8). Northeast corner is 22.2 m away from Bulmer Creek.
- A small shed (3.9 m by 2.5 m) is 15.9 m from Bulmer Creek (Photo 8).

Refer to Appendix 1 for Site Plan showing existing development.



Photo 1. Access road created during fire suppression activities (Feb. 27, 2026).



Photo 2. Erosion protection north of access road (Feb. 27, 2026).



Photo 3. Erosion protection south of access road (Feb. 27, 2026).



Photo 4. Bench south of access road within Lot 8 covenant (Feb. 27, 2026). Note large rocks used to armour bench.



Photo 5. Concrete steps from south bench to upper property (Feb. 27, 2026).



Photo 6. Bench north of access road within Lot 8 covenant (Feb. 27, 2026). Note invasive weeds growing on bench.



Photo 7. Rock wall and gazebo within Bulmer Creek common property (Feb. 27, 2026).



Photo 8. Excavation site with footings for future house and small shed at the back on the left of photo (Feb. 27, 2026).

2.1.3 Watercourses and Aquatic Habitat

2.1.3.1 Kootenay Lake

Kootenay Lake borders the Property along the western boundary for ~37 m; and consists of a rocky shore with a gradual slope of ~ 18% gradient and is composed of a mixture of angular cobbles and gravels, dominated by large cobbles (Photo 9 and Photo 10) with a few pieces of LWD.

Kootenay Lake is a long, narrow, and deep lake with a surface area of approximately 400 km². Kootenay Lake's main inflows are the Kootenay River to the south and the Duncan River to the north. The lake drains through the West Arm into the Kootenay River. Lake levels can vary up to 4 m throughout the year, affecting the extent of the exposed shoreline (Fortis 2024).

Kootenay Lake supports a variety of fish species, including several species of regional interest such as Kokanee (*Oncorhynchus nerka*), Rainbow Trout (*O. mykiss*), Bull Trout (*Salvelinus confluentus*; BC-Blue-Listed; SARA Special Concern), White Sturgeon (*Acipenser transmontanus* pop.1; BC Red-Listed, SARA Endangered), Westslope Cutthroat Trout (*O. clarki lewisi*; BC Blue-Listed; SARA Special Concern), and Burbot (*Lota lota* pop.1; BC-Red-Listed).). Most of the Property shoreline is located within Foreshore Inventory Mapping (FIM) Segment 100 which includes the Bulmer Creek fan and continues to the south. The aquatic habitat index rating for this segment was rated as high (Table 3; Ecoscape 2016). The shoreline has potential to support juvenile fish rearing and adult staging habitat, migration and shore spawning (Photo 10). The Bulmer Pointe Subdivision is located ~ 5 km south of the Duncan River mouth and delta. This area has been identified as critical habitat for White Sturgeon and where millions of kokanee fry migrate through from the Duncan River every spring. A Section 16 Reserve was established in the bay

immediately north of Lot 8, starting in front of the common property. This bay is generally north facing and provides shelter from the southerly winds.



Photo 9. Rocky foreshore in front of Lot 8 looking south (Feb. 27, 2026).



Photo 10. Mixture of substrate on foreshore looking west (Feb. 27, 2026).

2.1.3.2 Bulmer Creek

Bulmer Creek is a third order tributary stream with an approximate length of 6 km and drainage area of 8.14 km²; flows west into Kootenay Lake and originates from the Purcell Mountains. The channel had an average channel width of 2.1 m, average stream gradient of 14% and step-pool morphology and becomes further confined upstream of the Bulmer Drive culvert (Photo 11 to Photo 13). There was no distinct channel within the foreshore of Kootenay Lake (Photo 14). The first 33 m of the stream channel has been modified by the owners of Lot 7 to the north with armouring placed instream (Photo 15). The channel was completely dry throughout the Bulmer Pointe Subdivision at the time of the survey; however, flows were observed in the stream channel upstream of the Argenta-Johnsons Landing Road. There was no fisheries information for Bulmer Creek (Habitat Wizard), however, due to the lack of fish habitat, and stream flows is considered non fish bearing.

A debris flood hazard assessment was completed in 2008 (Skmana) to provide more site specific information and recommendations for mitigation of flood hazards within the Bulmer Pointe Subdivision. An initial geotechnical hazard assessment had been completed in 2007 by Golder Associates Ltd. to identify the potential for geotechnical hazards and identified the need for mitigation works to mitigate for the potential risks of debris flows. Mitigation measures included in the Skmana report consisted of the construction of a 2 m high berm along either side of Bulmer Creek extending 100 m downstream from Bulmer Drive. North berm is visible on left side of Photo 11.



Photo 11. Bulmer Creek showing engineered berm on north side of stream (Feb. 27, 2026).



Photo 12. Stream becomes confined in steep gully upstream of Bulmer Road (Feb. 27, 2026).



Photo 13. Culvert (1400 mm) under Bulmer Drive (Feb. 27, 2026).



Photo 14. View of Bulmer Creek mouth with no distinct channel (Feb. 27, 2026).



Photo 15. View of lower Bulmer Creek with armouring (Feb. 27, 2026).



Photo 16. Upstream view of Bulmer Creek upstream of subdivision with water flowing in the channel (Feb. 27, 2026).

2.1.4 Vegetation

The Property is within the West Kootenay Interior Cedar – Hemlock dry, warm (ICHdw1) biogeoclimatic subzone. This subzone typically ranges in elevation from 600-1225 m and is characterized by moist warm springs; hot to very hot dry summers; and mild dry winters with a moderately shallow snowpack. This subzone is highly productive with a great variety of plant and wildlife species (MacKillop and Ehman 2016). Invasive plant species are widespread in the ICHdw1 and include knapweeds (*Centaurea* spp.), sulphur cinquefoil (*Potentilla recta*), and hawkweeds (*Hieracium* spp.) (MacKillop and Ehman 2016).

The riparian area consists of a narrow band of trees (5 to 7 m wide) along the steep bank as most of the property was cleared of vegetation (Photo 17 and Photo 18). Mature tree species on the bank include Western redcedar (*Thuja plicata*), Douglas fir (*Pseudotsuga menziesii*), and birch (*Populus papyrifera*). Shrubs include Oregon grape (*Mahonia aquifolium*), red-osier dogwood (*Cornus sericea*), rose (*Rosa* sp.), and Western red cedar regen. Cottonwood regen was present below the HWM. The benched area west of the narrow riparian band is lacking native vegetation and had invasive weed species such as knapweed, mullein and grasses. The area east of the vegetation band still within Lot 8 Covenant was also cleared.



Photo 17. View of narrow band of vegetation along foreshore, disturbed area with invasive species and grasses (Feb. 27, 2026). Note sweeping trees along bank.



Photo 18. Vegetation along access trail to lake (Feb. 27, 2026).

2.1.5 Wildlife

The riparian area on the Property has potential to provide perching and stop-over habitat for migratory birds. The proximity to Bulmer Creek and protected riparian area within the Common Property and potential use as a migration corridor from the lake to upland habitat may increase the potential for wildlife sightings. Small mammals are likely to utilize areas that are denser with shrubs and understory vegetation. Large mammals such as ungulate and bears are likely to frequent the area.

2.1.5.1 Species at Risk

Species at risk information pertinent to the Property was obtained through searches using Habitat Wizard, iMap, and iNaturalist (2025) with a 5 km buffer. Based on these queries, white sturgeon (*Acipenser transmontanus* – Upper Kootenay River population, BC Red-Listed, SARA Endangered), Great Blue Heron (*Ardea herodias herodias*, BC Blue- Listed), Monarch (*Danaus Plexippus*, BC Red-Listed, SARA Endangered), northern rubber boa (*Charina bottae*, SARA species of special concern), western skink (*Plestiodon skiltonianus*, BC Blue-Listed, SARA species of special concern), and western toad (*Anaxyrus boreas*, SARA species of special concern) were identified as potentially occurring within the buffered area.

The property is within the Southern Mountain Caribou (*Rangifer tarandus*; BC Red listed; SARA Endangered) critical habitat polygon. Southern Mountain Caribou have largely been extirpated from their historic range; however, efforts to recover the population may result in successful reintroductions that will depend on suitable intact habitat.

Some of these species are wide ranging or have broad habitat requirements and may transiently use the area, however; no critical habitat, dens, or nests for species at risk were identified during the site visit.

2.1.6 Invasive Species

Invasive species observed during field surveys include knapweed, and mullein. Other species may be present but were not observed due to the time of year. Spotted knapweed and mullein are listed as priority 4 “Strategic Control”. Priority 4 indicates that the species is widespread, beyond landscape level control, and has a relatively low impact.

2.2 Proposed Development

The proposed development includes the construction of a house and garage within the Kootenay Lake and Bulmer Creek 30 m WDP area immediately east of the designated building envelope footprint (Skmana 2008). The area has already been cleared of vegetation, and the excavation and installation of footings has been completed (Photo 8). No additional clearing or excavation will be required in association with building of the house. Refer to Site Description (Section 2.2) for current site conditions.

The Owner is proposing to retain a portion of the existing sitting area (~25 m²; Photo 4) within the lake Covenant area, along with a 2 m wide access trail within the existing alignment (Photo 1), in order to support safe and practical access for an immediate family member with limited mobility. This trail width allows for a small side by side off-road vehicle to drive down to the sitting area and beach.

3 REGULATORY OVERVIEW

3.1 Lot 8 Covenants

The Bulmer Pointe Subdivision, a 32.52 ha property, was subdivided in 2007 and included the creation of 25 residential lots along the Kootenay Lake foreshore. A riparian assessment was completed for the entire property to assess potential impacts of the subdivision on the riparian habitat along Kootenay Lake. Riparian setbacks were developed for each lot and were based on riparian vegetation, wildlife habitat, topography and building envelopes to ensure riparian habitat is maintained over the entire property, with each lot having its own setback (Masse & Miller 2007).

Riparian covenants were registered on title against each lot by the Kamloops Land Title Office on August 15, 2018. This agreement includes the exemption from Section 19.0 – Watercourse Development Permit Area of Kootenay Lake and Lardeau Valley portion of Electoral Area 'D' Official Community Plan Bylaw No. 1996, 2009 (which preceded Bylaw 2435, 2016). Riparian covenant for Lot 8 is 20 m. The covenant specifies that no buildings, structures, or improvements of any kind be constructed within the riparian setback, as well as no removal or disturbance to any soil, vegetation (with the exception of weeds and dead foliage and the removal of any foliage as is reasonably necessary for, or incidental to, fire prevention) or trees, however provides allowance for a 1.5 m wide walkway to access the beach (2018). Any area damaged by the subdivision shall be rehabilitated.

A covenant was also designated on the south side of Lot 8 as a no build area in the event of a debris flood (Skmana 2008).

3.2 Streamside Protection and Enhancement Area (SPEA)

The Streamside Protection and Enhancement Area for the property was determined by completing a detailed assessment following the Riparian Area Protection Regulation (RAPR) methodology.

The SPEA for Kootenay Lake was determined as 15 m from the high-water mark, as the SPEA is determined based on the zone of sensitivity (ZOS) with the greatest width. The large woody debris (LWD) and litter ZOS were plotted 15 m inland from the HWM of Kootenay Lake and the shade ZOS is 0 m since the property is generally west facing (Table 1). Even though the SPEA was determined to be less than the 20 m Covenant riparian setback, the Covenant takes precedence.

The SPEA for Bulmer Creek was based on an average channel width of 2.1 m, an average gradient of 14% and a step-pool morphology, which results in a zone of sensitivity (ZOS) for large woody debris (LWD) and

litter fall of 10 m from the high-water mark. The shade ZOS is based on 3 times the channel width totalling 6.3 m to the south of the high water mark of the stream channel.

Results for the Zones of Sensitivity (ZOS) and SPEA are presented in Table 1 and the SPEA is mapped in Appendix 1.

Table 1. Results of detailed RAPR assessment for Kootenay Lake and Bulmer Creek.

Feature Type	SPVT ¹	Zones of Sensitivity			SPEA ³
		LWD ²	Litter fall	Shade	
Kootenay Lake	TR	15 m	15 m	0 - m	15 m ⁴
Lot 8 Covenant					20 m
Bulmer Creek	TR	10	10	6.3	10 m

¹ SPVT: site potential vegetation type (TR-tree)

² LWD- large woody debris

³SPEA- streamside protection and enhancement area

⁴Note that the 20 m Covenant riparian setback takes precedence over the 15 m SPEA in this case.

3.3 Kootenay Lake Shoreline Management Guidelines

The Kootenay Lake Foreshore Integrated Management Planning (FIMP; Schleppe and McPherson 2022), the Foreshore Inventory Mapping (FIM; KLP 2023) and the Kootenay Lake Shoreline Management Guidelines (KLP 2020) were used to help determine site-specific risks for riparian habitat, Ktunaxa Nation cultural values, and archaeological resources along the shoreline. The Property is located within FIM Segment 100. The aquatic habitat index rating was rated as High for this segment, with high rating for juvenile rearing and potential for staging, migration and shore spawning (Table 2). A Section 16 Reserve (which is a temporary designation for the protection of sensitive fisheries areas and wetlands from habitat alteration or destruction) has been designated immediately north of Lot 8, starting in front of the common property.

Table 2. Aquatic and archaeological risk results

Aquatic Habitat Index Rating (AHI)	Aquatic Sensitivity	Archaeological Risk	Enhanced Engagement Required
High	Yes	Orange	Yes

The ecological risk matrix provided in the Kootenay Lake Shoreline Management Guidelines indicates a risk assessment rating of “Very High” associated with the removal of native riparian vegetation.

Kootenay Lake is part of the traditional territory of the Ktunaxa, Sinixt and Syilx (Okanagan) First Nations and archaeological evidence is documented at multiple sites along the shoreline and mountain sides of Kootenay Lake, and most of the east side of Kootenay Lake is considered to have archaeological potential.

The cultural values engagement matrix provided in the Kootenay Lake Shoreline Management Guidelines outlines the level of risk a proposed activity would have on cultural values and the type of engagement required. As per the guidelines, Segment 100 would require enhanced engagement with Ktunaxa for any land development, including building permit applications and native vegetation removal.

The archaeological risk matrix provided in the Kootenay Lake Shoreline Management Guidelines outlines the level of risk a proposed activity would have on potential archaeological sites. As per the guidelines, Segment 100 was assigned an orange classification, which indicates a high level of risk associated with native vegetation modification/removal and moderate level of risk associated with building permit applications. A high level of risk pertains to localized and/or relatively superficial effects in locations where the physical evidence is likely to be very sparse, highly localized, deeply buried and/or already too highly disturbed to be of further archaeological value. Consulting an archaeologist is recommended in situations where the activity is deemed to be high risk. A moderate level of risk is one where the activity itself might not constitute a potential threat to intact archaeological materials but ancillary activities (e.g. those involving access to, from or across land or some disturbance of mineral soil) may cause impacts to known archaeological sites or where such are likely to be present. Following an Archaeological Chance Find Procedures is recommended for moderate risk activities.

4 IMPACT ASSESSMENT

Historical photos from the 2007 riparian assessment were compared to current conditions (Photo 19 to Photo 24). The riparian area consisted of a mixture of young coniferous trees mostly Douglas fir within the first 15 m with some deciduous species mixed throughout and abundant LWD (Masse & Miller 2007). Douglas fir were present in relatively low density in this section (Photo 20, 22 and 24). Some of the deciduous shrubs had been cleared at the time, but vigorous regrowth was expected. Mature Douglas fir and Western red cedar were present along the bank. Much of the vegetation west of the mature trees along the bank has been removed and the ground recontoured to create two benches, one on either side of the access road and the access road. Most of the LWD that was present along the shoreline has been removed (Photo 22). Imported material including pea gravel was placed on top of the south bench. Most of the vegetation along the foreshore of the property has been removed leaving a narrow band of trees, 5 to 7 m wide. Some of this removal may have been caused by the accidental fire that happened in 2016,

but was to be restored as per Permit A4-6831. Vegetation east of the narrow band of trees within the covenant was also removed.

The impacts associated with the proposed retention of the sitting area and a slightly wider access path reduces the restoration area by ~35 m². Prior to disturbances, the proposed sitting area and lower section of the path had less dense vegetation (Photo 24) and therefore the impacts associated with this development are relatively small as long as the surfaces remain pervious (i.e. gravel and soil).

The rock wall and gazebo located within the Common Property and the Bulmer Creek WDP area are outside of the 10 m SPEA. The small shed is also outside of the Bulmer Creek 10 m SPEA and outside of the Common Property.

Table 3. Summary of Areas of Impact

Area ID	Area Description	Area (m ²)	Vegetation removal	Large Woody Debris (LWD) removal	Development
A	North Lower Bench	155 m ²	Yes- Removed during 2016 fire and fire suppression efforts.	Yes- Removed during 2016 fire suppression.	Yes- Flat bench was created (20 m long by 4.5 m wide). Owner attempted replanting but failed.
B	South Lower Bench	90 m ²	Yes-Vegetation removed during 2016 fire and suppression efforts.	Yes- Removed during 2016 fire suppression.	Yes- Flat bench was created for seating area (15 m long x 8 m wide). Imported pea gravel placed on sitting area surface).
C	Access Road	85 m ²	Yes-3.5 m wide path cleared to create machine access for fire suppression and clean-up.	Yes- along shoreline as part of fire suppression work in 2016.	Yes- Access road cut into bank to accommodate machine for fire suppression in 2016.
D	North Upper Bench	105 m ²	Yes- Vegetation removed and replaced with lawn.	Unknown	Yes- Area was excavated to create flat bench. Rock retaining walls constructed at north end within Strata Lot.
E	South Upper Bench and Foreshore Access Stairs	80 m ²	Yes-Vegetation removed. Currently exposed dirt.	Unknown	Yes- Area was regraded to create flat bench in front of house. Concrete access stairs (6 m x 1.5 m) placed at south-west corner of property encroaching into neighbour's covenant.
F	South Strip of Trees	55 m ²	Potential understorey vegetation damaged by rock placement around conifer trees.	Unknown	Yes-Rock was placed around trees.



Photo 19. View of disturbed foreshore and narrow strip of trees along bank (Feb. 27, 2026).



Photo 20. View of vegetated area in front of mature trees along foreshore in 2007 (March 27, 2007).



Photo 21. View of disturbed foreshore, access road and narrow strip of trees along bank (Feb. 27, 2026).



Photo 22. View of natural vegetation in 2007 and abundant LWD (March 27, 2007).



Photo 23. View of disturbed foreshore, access road and narrow strip of trees along bank (Feb. 27, 2026).



Photo 24. View of natural vegetation in 2007 and area where existing seating area is (March 27, 2007).

5 MEASURES TO PROTECT THE INTEGRITY OF THE SPEA

This section provides measures to protect the integrity of the SPEA as described in the RAPR, as well as recommended best management practices to minimize the potential effects of development.

5.1 Danger Trees

Professional assessment of danger trees is outside the scope of this report and should be conducted by a certified Danger Tree Assessor. If trees are felled within the Lot 8 Covenant and the Bulmer Creek SPEA, they should be left as coarse woody debris and should be replaced according to the provincial tree replacement criteria. Where possible, danger trees should be topped rather than felled.

5.2 Windthrow

The foreshore of Kootenay Lake is susceptible to strong winds and may be prone to windthrow. A formal assessment of windthrow risk is beyond the scope of this report and any such assessment should be conducted by a Registered Professional Forester (RPF). If trees felled within the Lot 8 Covenant and the Bulmer Creek SPEA, they should be left as coarse woody debris and should be replaced according to the provincial tree replacement criteria (BC 2019). Trees with wildlife attributes (cavities, peeling bark), should be left standing where they do not pose a threat to structures.

5.3 Slope Stability

The property is mostly gently sloping towards Kootenay Lake with a short steeper bank within the Riparian Covenant with some signs of instability including trees sweeping. A geotechnical assessment was conducted on January 26, 2026 by Skmana to assess the house foundation subgrade and the subgrade was found to be suitable for development as foundation support. Further assessment of geotechnical hazard is beyond the scope of this report, and any such assessment should be led by a P.Geol. or P.Eng.

5.4 Protection of Trees and Vegetation in the SPEA

The Property in the vicinity of the development was historically cleared and is already developed therefore limited options for the protection of the Riparian Covenant are present at the location. The following protection measures should be taken to minimize further impacts to existing and potential trees and vegetation within the Riparian Covenant:

- Avoid removal of any vegetation within the Riparian Covenant.
- Protect existing tree roots along the Riparian Covenant boundary.
- Plant native vegetation in areas that have been impacted to improve the resilience of existing and potential vegetation.

- Any future developments on the Property should consider clearly identifying limits of disturbance along the Riparian Covenant boundary to prevent impacts to trees and their roots. This should include: no trenching through the root zone, no paving around trees, no changes to ground level around trees, no parking under trees, and no concrete washout or other pollutants around trees (BC 2019).

5.5 Encroachment

Protection measures to minimize effects of encroachment within the Riparian Covenant include:

- Avoid any new developments or additional disturbance within the Riparian Covenant.
- Restrict human use to existing trails, and minimize noise, bank disturbance and vegetation trampling (BC 2019).

5.6 Erosion and Sediment Control

Erosion and sediment control measures shall be incorporated as required, to protect riparian vegetation and water quality in Kootenay Lake.

5.7 Stormwater Management

The following mitigation measures will help decrease stormwater impacts to the Riparian Covenant:

- Design roof rainwater collection systems that direct rainwater into suitable landscape features which can absorb and utilize runoff.
- Do not use the vegetated area within the Riparian Covenant to filter sediment laden water.
- Stormwater management infrastructure should not be located in the Riparian Covenant and any discharges to streams will require meeting the Water Sustainability Act and any other applicable legislation.

5.8 Floodplain Concerns

No floodplain concerns were noted with respect to the Riparian Covenant as the property is elevated above the flood level of Kootenay lake. A debris flood hazard assessment was completed in 2008 (Skmana) to provide more site specific information and recommendations for mitigation of flood hazards within the Bulmer Pointe Subdivision.

A debris flood hazard assessment was completed in 2008 (Skmana) to provide more site specific information and recommendations for mitigation of flood hazards within the Bulmer Pointe Subdivision. An initial geotechnical hazard assessment had been completed in 2007 by Golder Associates Ltd. to

identify the potential for geotechnical hazards and identified the need for mitigation works to mitigate for the potential risks of debris flows. Mitigation measures included in the Skmana report consisted of the construction of a 2 m high berm along either side of Bulmer Creek extending 100 m downstream from Bulmer Drive. A covenant was also designated on the south side of Lot 8 as a no build area in the event of a debris flood.

5.9 Fish and Wildlife Protection

To minimize disturbance to fish, wildlife, and their habitat, the following measures are recommended for the property:

- Avoid any modifications to the foreshore substrate.
- Avoid removal of coarse woody debris (logs > 10 cm in diameter) and riparian area vegetation, including standing dead and wildlife trees, unless they are considered a hazard tree.
- No barriers will be developed that will impact natural fish/wildlife movement along the shoreline.

5.10 Invasive Plant Management

Invasive species were observed in the riparian area. Land use activities can potentially increase prevalence of these invasive plant species which can out-compete native riparian vegetation, causing damage to habitat and ecosystem function. Central Kootenay Invasive Species Society (CKISS) manages invasive species regionally using a prioritized approach. The management strategy for a specific species is based on a number of factors including the phase of invasion and the potential impacts of the species (CKISS 2023). The subject Property is located within the Kaslo North Invasive Plant Management Area, and the priority species list can be found at <https://ckiss.ca/invasive-plant-priority-lists/>.

The following mitigation measures are recommended to reduce impacts of plant species:

- Monitor existing invasive plants to ensure they do not spread or increase in distribution.
- Hand pull invasive plants, where possible.

6 PROPOSED RESTORATION PLAN

Mitigation for impacts of the development within the Kootenay Lake Lot 8 Riparian Covenant and the Bulmer Creek SPEA is based on the hierarchy of mitigation options outlined in RDCK 2024 to achieve a net loss of habitat. This is achieved by applying the following mitigation options: 1. Avoidance of environmental impacts; 2. Minimizing unavoidable impacts; 3. On-site restoration; and 4. Offsetting impacts that cannot be minimized.

In the case of this property, the unauthorized works have already occurred, of which ~270 m² of vegetation removal below the steep bank and 166 m² above the steep bank, and ~256 m² of ground disturbance within Lot 8 Riparian Covenant. Avoidance and minimizing is therefore not possible.

In order to restore the impacted area and protect the Lot 8 Riparian Covenant, restoration and mitigation measures are detailed in Table 4.

Table 4. Detailed Restoration Prescription for Impacted Areas.

Area ID	Area Description	Area (m ²)	Proposed Restoration
A	North Lower Bench	155 m ²	Remove weeds. Regrade area back to natural grade and create rough and loose conditions. Add habitat complexity. Place 5 large woody debris pieces and create rock clusters. Plant 40 plants in clusters of 3-5 plants. Flood tolerant species to be planted on lower half of this area (Table 5). Seed exposed soils on upper bank with Interior dryland seed mix (Table 6).
B	South Lower Bench	55 m ²	Retain existing vegetation. Remove placed fill material from east corner to natural ground. Create rough and loose conditions where soil is compacted outside of the proposed sitting area. Plant 20 plants in clusters of 3-5 plants. Flood tolerant species to be planted on lower half of this area (Table 5). Add habitat complexity by adding rock clusters on beach area
C	Access Road	28 m ²	Reduce path from 3.5 to 2.0 m wide walking path (to support safe and practical access for an immediate family member with limited mobility). Create rough loose conditions along edges to be planted. Plant 10 low shrubs and perennials (Table 5) and spread riparian seed mix (Table 6).
D	North Upper Bench	40 m ²	Retain existing vegetation. Create rough and loose conditions. Plant 20 plants- a minimum of 5 native trees and assortment of native shrubs and perennials (Table 5). Seed disturbed soils lightly with native dryland seed mix (Table 6).
E	South Upper Bench and bank	70 m ²	Retain existing vegetation. Create Rough and loose conditions. Plant 35 plants- a minimum of 5 native trees and assortment of native shrubs and perennials (Table 5). Seed disturbed soils lightly with riparian seed mix (Table 6).
F	South Strip of Trees		None

The final plant species selection and quantities should be determined by a QEP in consultation with the Owner and will be dependent on plant availability at the time of ordering. The re-vegetation design should provide mixed plant structure and layering. The proposed revegetation will require ongoing maintenance (i.e., irrigation and weeding) until it becomes established.

Table 5. Recommended riparian plant species.

Common Name	Latin Name
Areas A and B- North and South Lower Benches	
Lower portion	
black cottonwood*	Populus trichocarpa
red osier dogwood*	Cornus sericea
sandbar willow*	Salix exigua
Sitka willow*	Salix sitchensis
Nootka rose *	Rosa nootkana
prickly rose*	Rosa acicularis
Oregon Grape	Mahonia Aquifolium
Upper portion	
Douglas fir	Pseudotsuga menziesii
Oregon grape	Mahonia Aquifolium
kinnikinnick	Arctostaphylos uva-ursi
common snowberry	Symphoricarpos albus
Scoulers willow	Salix scouleriana
Douglas maple	Acer glabrum
shrubby penstemon**	Penstemon fruticosus
golden aster	Heterotheca villosa
Area C – Access Trail	
kinnikinnick	Arctostaphylos uva-ursi
common snowberry	Symphoricarpos albus
common yarrow**	Achillea millefolium
shrubby penstemon**	Penstemon fruticosus
Golden aster**	Hethrotheca villosa
Areas D and E– North and South Upper Benches	
Douglas fir	Pseudotsuga menziesii
Western larch	Larix occidentalis
Paper birch	Populus trichocarpa
Douglas maple	Acer glabrum
Saskatoon berry	Amelanchier almifolia
Scouler's willow	Salix scouleriana
Nootka rose	Rosa nootkana
prickly rose	Rosa acicularis
Oregon grape	Mahonia Aquifolium
kinnikinnick	Arctostaphylos uva-ursi
common snowberry	Symphoricarpos albus
shrubby penstemon**	Penstemon fruticosus
golden aster**	Hethrotheca villosa

*Flood tolerant species

**suitable for dry rocky slopes

Table 6. Recommended Interior Dryland Seed Mix blend.

Common Name	Latin Name	Weight %
Bluebunch Wheatgrass	<i>Pseudoroegneria spicata</i>	30%
Sandberg’s Bluegrass	<i>Poa secunda</i>	25%
Idaho Fescue	<i>Festuca idahoensis</i>	15%
Slender Wheatgrass	<i>Elymus trachycaulus</i>	10%
Annual Ryegrass	<i>Lolium multiflorum</i>	10%
June grass	<i>Koeleria macrantha</i>	5%
Sand Dropseed	<i>Sporobolus cryptandrus</i>	4%
Yarrow	<i>Achillea millefolium</i>	1%

*Applied at a rate of 20 kg/ha

General Planting and Maintenance Guidelines

- Planting should not occur during periods of hot dry weather unless they are irrigated daily.
- Locally adapted native plants are preferable to those collected or grown outside the region. The recommended plant species and seed mix are available from Sagebrush Nursery in Oliver <https://sagebrushnursery.com>. Alternatively, the Owners can transplant native species from other local areas with permission from landowner.
- Planting holes should be a minimum of 3 times the size of the pot.
- Specific locations of plants should be directed by a QEP.
- Use transplant fertilizer (ie. Mykes Mycorrhizae Tree and Shrub or similar) as per manufacturers specifications in each planting hole.
- Mix topsoil/compost and native soils together in each planting hole (50/50 mix).
- Within the beach restoration area, rake back native beach substrate around each plant (~2-3" deep), to protect soil from erosion.
- Within the riparian restoration area, place 3-4 inches deep of mulch around each plant.
- Ensure the objective of the restoration is to naturalize the riparian area and not create a landscaped garden.
- Regularly irrigate new plantings during the plant establishment period for a minimum of 2-years and thereafter as required.

7 ENVIRONMENTAL MONITORING AND POST INSPECTION

The anticipated effort for environmental monitoring and professional guidance on this project includes the following:

- QEP will be on site for a pre-construction meeting with Owner and Contractor to ensure that all parties are aware of environmental sensitivities and familiar with the proposed restoration plan and mitigation measures.

- QEP to provide guidance during site re-grading, habitat complexing and revegetation, as required.
- QEP will conduct a post-construction site visit once planting is complete to assess compliance and completion of the project.
- QEP will prepare an environmental summary report, and submit to the RDCK once restoration is complete.

Further effectiveness monitoring of restoration measures may also be required by the RDCK. The following indicators of success of riparian plantings should be documented:

- Plant composition includes mostly native trees, shrubs and grasses with <10% invasive species.
- Establishment of >50% of planted riparian species after 3 full years would be a reasonable indication that the restoration plan has been successfully completed.

8 CONCLUSION

The riparian area assessment conducted within the 30 m WDP Area in accordance with the Riparian Areas Protection Regulation determined that disturbance had occurred within the 20 m Riparian Covenant measured from the HWM of Kootenay Lake. To mitigate for the riparian vegetation removal and ground disturbance a restoration plan is proposed. The plan includes recontouring the benched area, reducing access road to a 2.0 m wide path and revegetation of the impacted areas within the Riparian Covenant.

We trust the information provided in this report meets your current requirements. If you have any questions or require further information do not hesitate to contact the undersigned.

Prepared by:



Sylvie Masse, RPBio
Masse Environmental Consultants Ltd.



Fiona Lau, ASCT
Masse Environmental Consultants Ltd.

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APPENDIX 1. SITE PLAN AND SPEA MAP



Box 151, Meadow Creek, BC, Canada
(250) 366-4320
www.hamillcreek.com

BROWN RESIDENCE

LOT 8 - BULMER'S POINTE, B.C.

DATE	ISSUE
20251104	PERMIT SET
20251219	TO ENG V3
20260105	RDCK REVIEW
20260114	GEOTECH REVIEW/ENG V4
20260127	CONSTRUCTION DRAWINGS

REVISIONS	NO	DATE	ISSUE
	01	260316	MASSE SITE PLAN REQUEST

PROJ. NO.:	BROW0925BC
DRAWN BY:	KH
CHECKED BY:	DS
ISSUE DATE:	2026.03.16

DRAWING TITLE
SITE PLAN - FIONA

DRAWING NO.

A2.1



LEGEND

- SPEA (Kootenay Lake 15m and Bulmer Creek 10m)
- WDP and Riparian Assessment Area (30 m)
- Covenant Lines (CA7000667, CA7000671, LB 0206291)
- LWD and Litterfall ZOS (Kootenay Lake 15m and Bulmer Creek 10 m)
- Shade ZOS (Kootenay Lake 0 m and Bulmer Creek 6.3 m)
- Areas of Impact (Area A, Area B, Area C, Area D, Area E, Area F)
- Existing Structures (Gazebo and Bunkhouse)
- Proposed New Home and Garage Footprint

Drawing: Site Plan
Address: 1339 Hamill Lane, Bulmer
Pointe Subdivision, Johnsons Landing

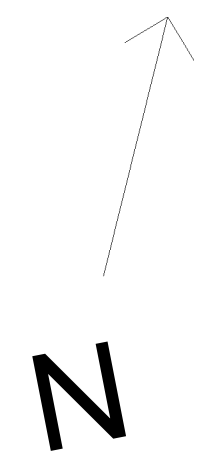
Edited by: Fiona Lau
Date: March 24, 2026



APPENDIX 2. MITIGATION PLAN



Box 151, Meadow Creek, BC, Canada
(250) 366-4320
www.hamillcreek.com



BROWN RESIDENCE

LOT 8 - BULMER'S POINTE, B.C.

DATE	ISSUE
20251104	PERMIT SET
20251219	TO ENG V3
20260105	RDCK REVIEW
20260114	GEOTECH REVIEW/ENG V4
20260127	CONSTRUCTION DRAWINGS

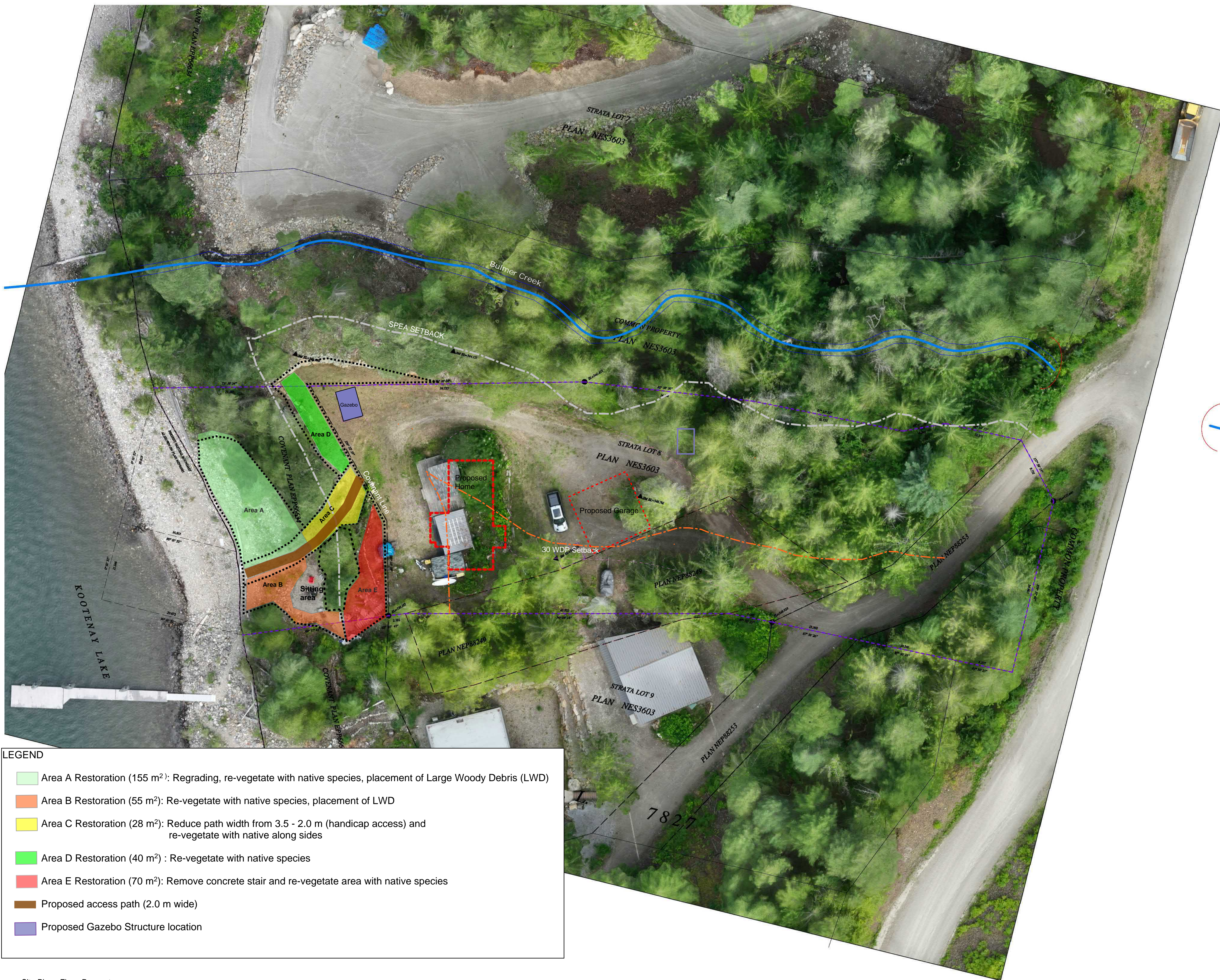
NO	DATE	ISSUE
01	260316	MASSE SITE PLAN REQUEST

PROJ. NO.:	BROW0925BC
DRAWN BY:	KH
CHECKED BY:	DS
ISSUE DATE:	2026.03.16

DRAWING TITLE
SITE PLAN - FIONA

DRAWING NO.

A2.1



LEGEND

- Area A Restoration (155 m²): Re-grading, re-vegetate with native species, placement of Large Woody Debris (LWD)
- Area B Restoration (55 m²): Re-vegetate with native species, placement of LWD
- Area C Restoration (28 m²): Reduce path width from 3.5 - 2.0 m (handicap access) and re-vegetate with native along sides
- Area D Restoration (40 m²): Re-vegetate with native species
- Area E Restoration (70 m²): Remove concrete stair and re-vegetate area with native species
- Proposed access path (2.0 m wide)
- Proposed Gazebo Structure location

1 Site Plan - Fiona Request
1 : 250



Development Permit Application

Referral Form – RDCK File DP2606D

Date: May 13, 2026

You are requested to comment on the attached DEVELOPMENT PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO JUNE 13, 2026). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

5 Murphy Lower Road, Murphy Creek, Electoral Area 'D'
 LOT 1 DISTRICT LOT 12417 KOOTENAY DISTRICT PLAN NEP66900 (SEE PLAN AS TO LIMITED ACCESS)
 024-793-132

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The subject property is located on the east side of Kootenay Lake in Murphy Creek. It is boat access only, with no road connecting the neighboring Murphy Creek community. The Property is 54 acres in size, has a western aspect, and is bordered by the Purcell Wilderness Conservancy Park to the north, Crown land to the east and Clute Creek to the south.

This Watercourse Development Permit (WDP) application has been submitted in response to the property owner's unauthorized disturbance and construction of various buildings within the 30m watercourse development permit area (WDPA).

AREA OF PROPERTY	ALR STATUS	ZONING	OCP
54.11 ha	N/A	N/A	Rural Residential (RR) Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

APPLICANT: Camille Baker, Derek Baker and Tanya Momtazian

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.

<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. <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input checked="" 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 D <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 <input type="checkbox"/> RDCK RESOURCE RECOVERY
--	---

<input type="checkbox"/> ARCHAEOLOGY BRANCH	<input type="checkbox"/> RDCK REGIONAL PARKS
<input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	<input checked="" type="checkbox"/> KTUNAXA NATION COUNCIL

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: 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

RDCK Map



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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

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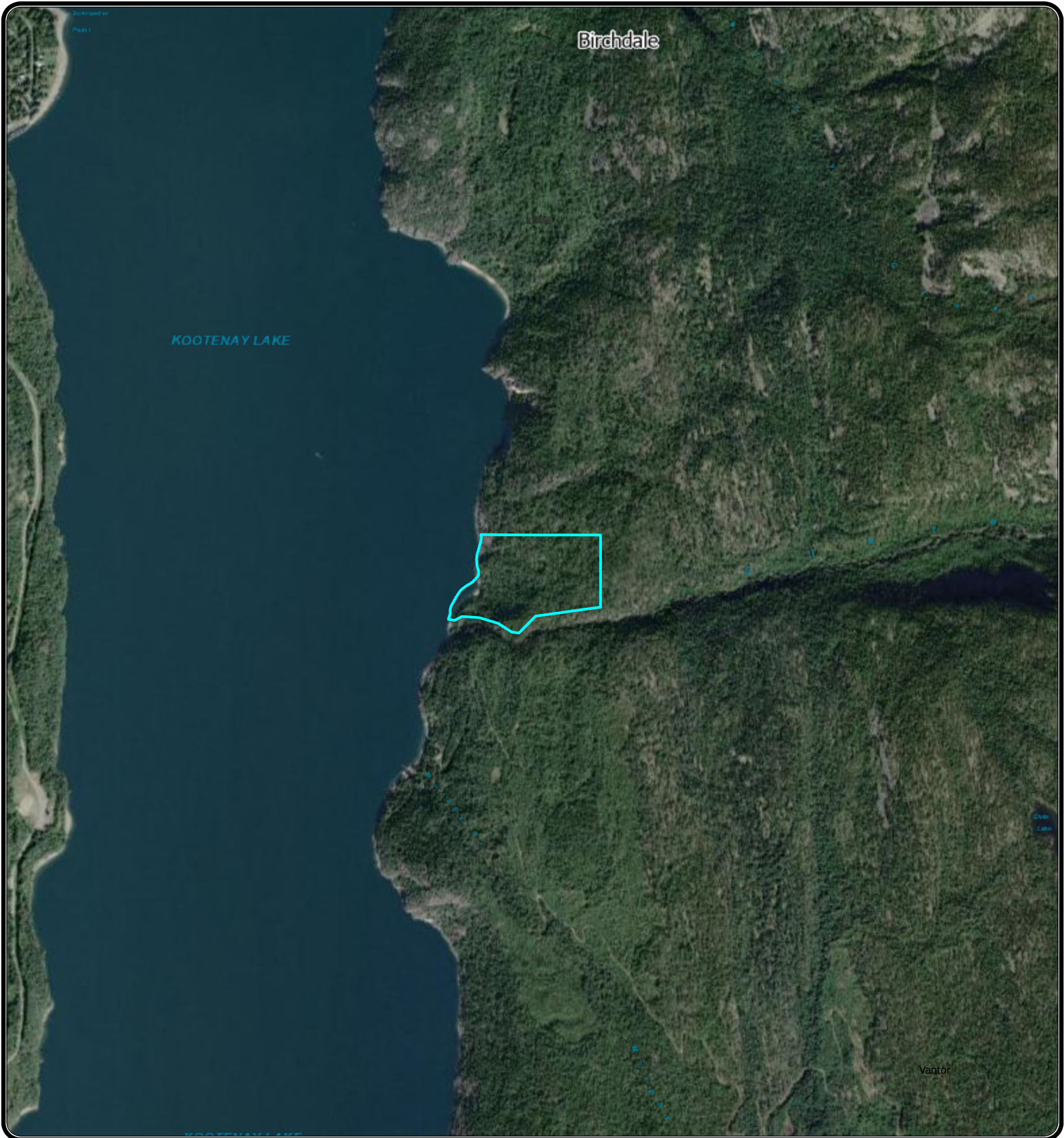
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Date: April 24, 2026




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RDCK Map



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maps@rdck.bc.ca

Legend

- Place Names
-  Electoral Areas

Map Scale:

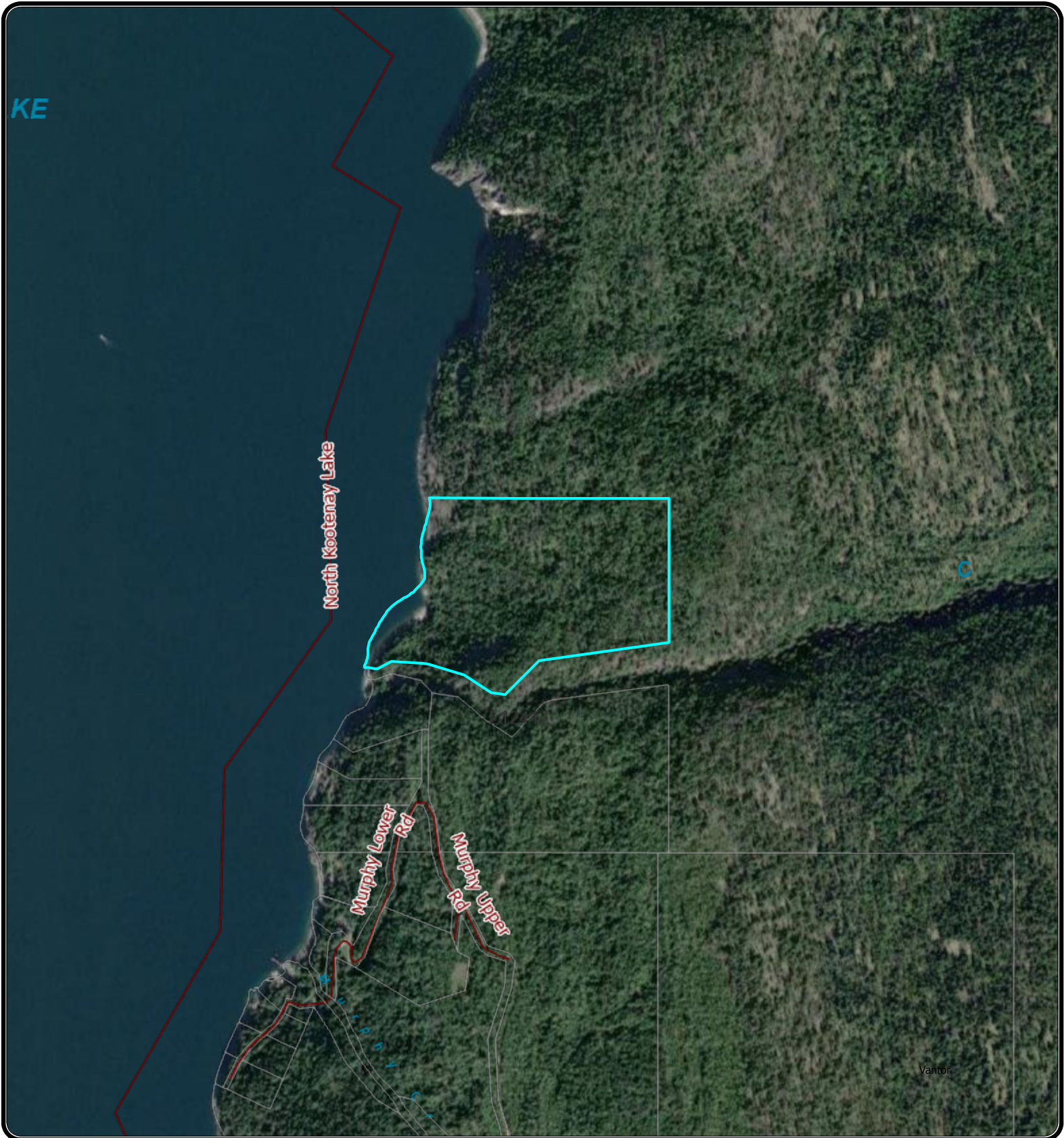
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Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

Map Scale:

1:18,056

Date: April 24, 2026







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maps@rdck.bc.ca

Legend

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

Map Scale:

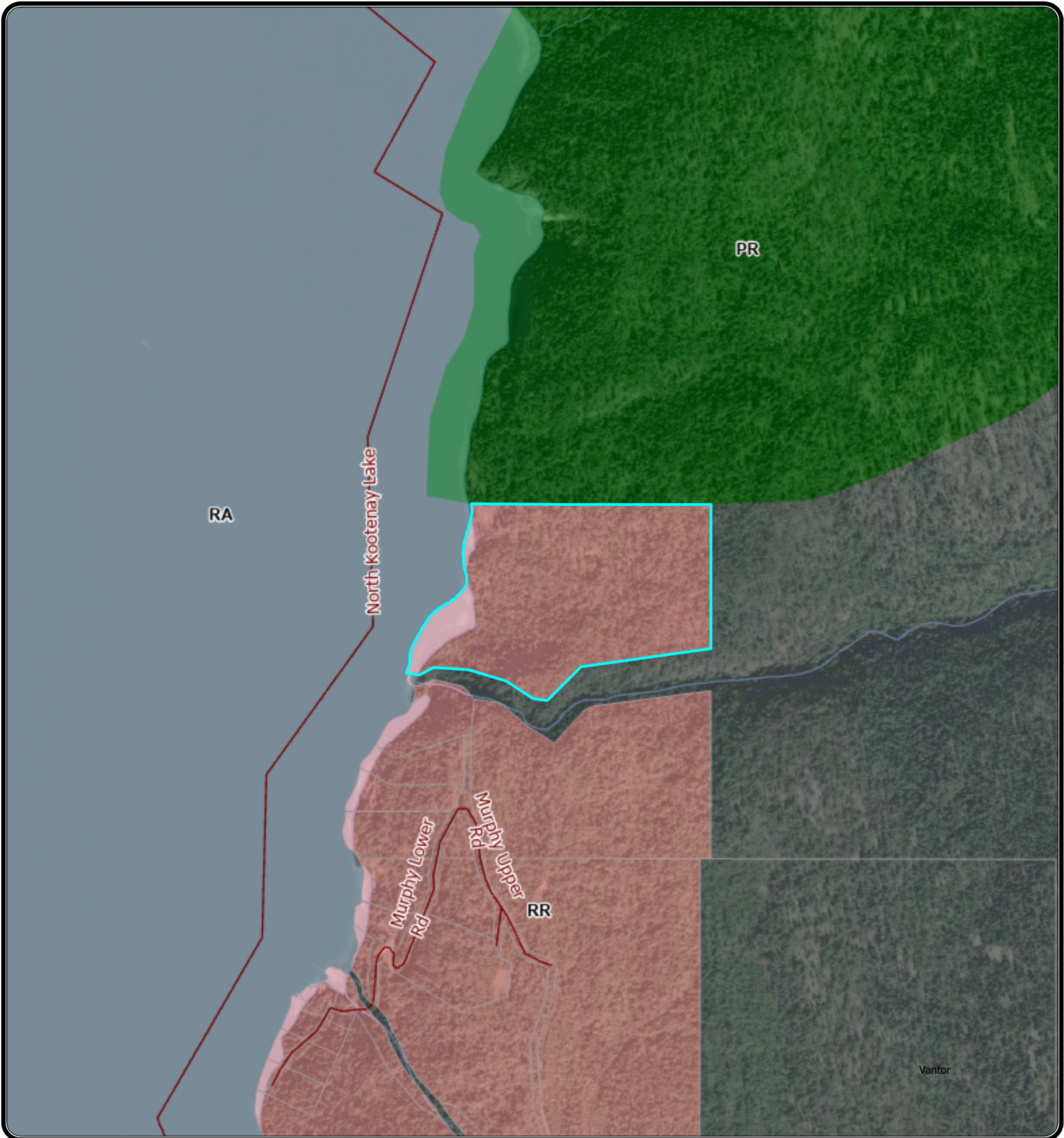
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Date: April 24, 2026



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 Nelson, BC V1L 5R4
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Official Community Plan

- Agriculture
- Parks and Recreation
- Resource Area
- Rural Residential

Legend

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

Map Scale:

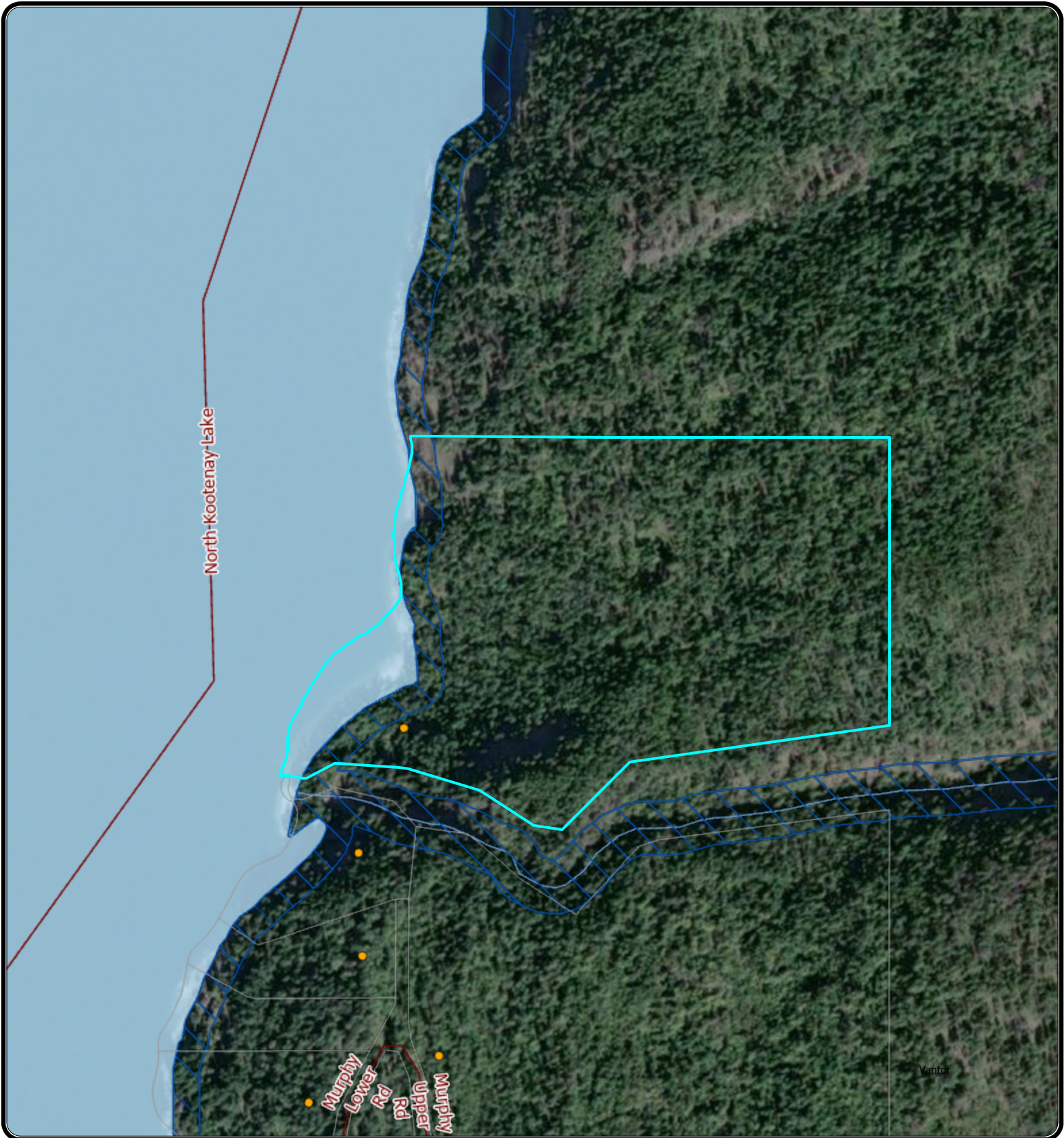
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Date: April 24, 2026



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RDCK Map



Vantor



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 maps@rdck.bc.ca

Legend

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

Development Permit Areas

Map Scale:

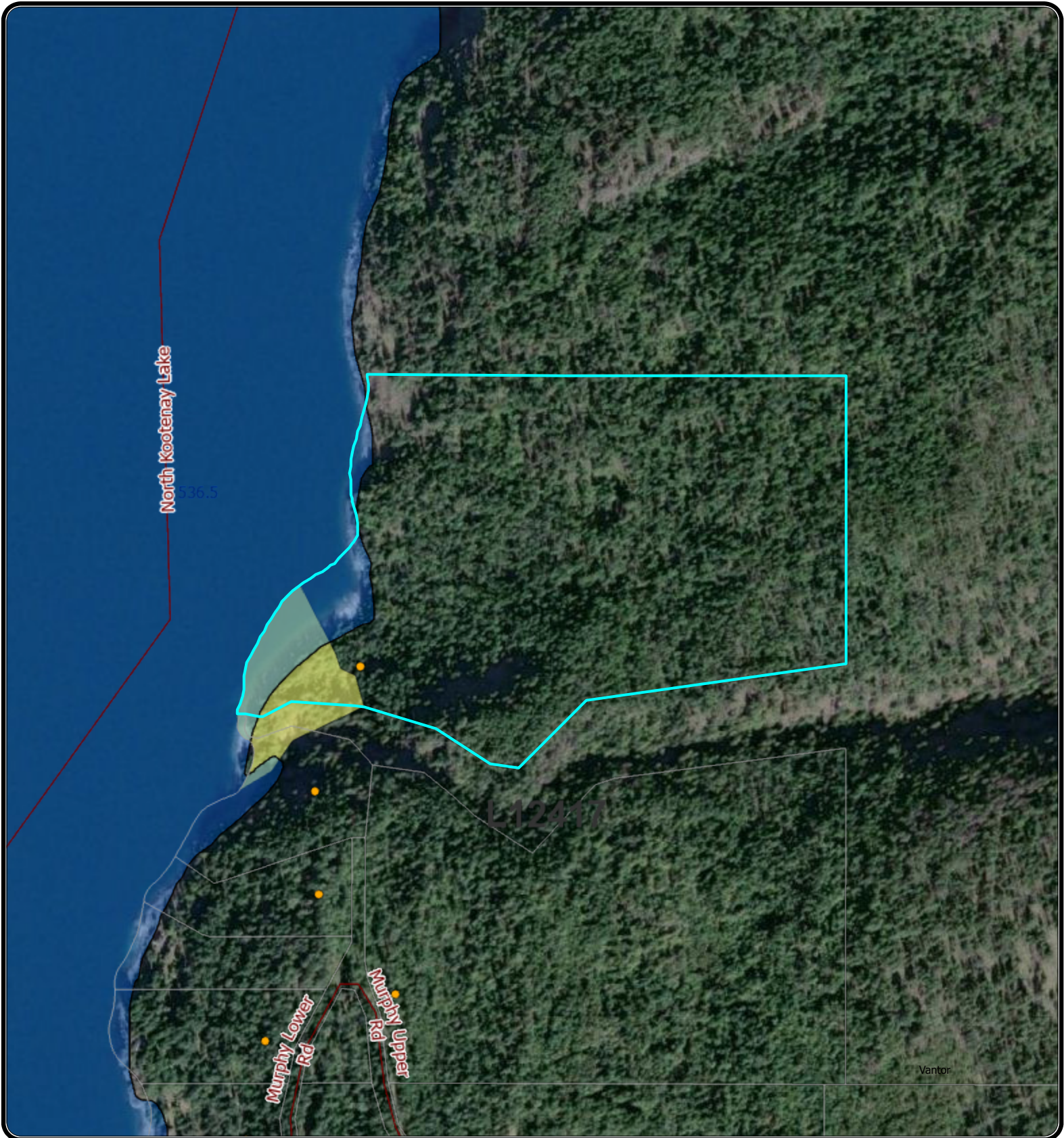
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Date: April 24, 2026



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RDCK Map



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Legend

- Non Standard Flooding Erosion Area
- Flood Construction Levels - 1990
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

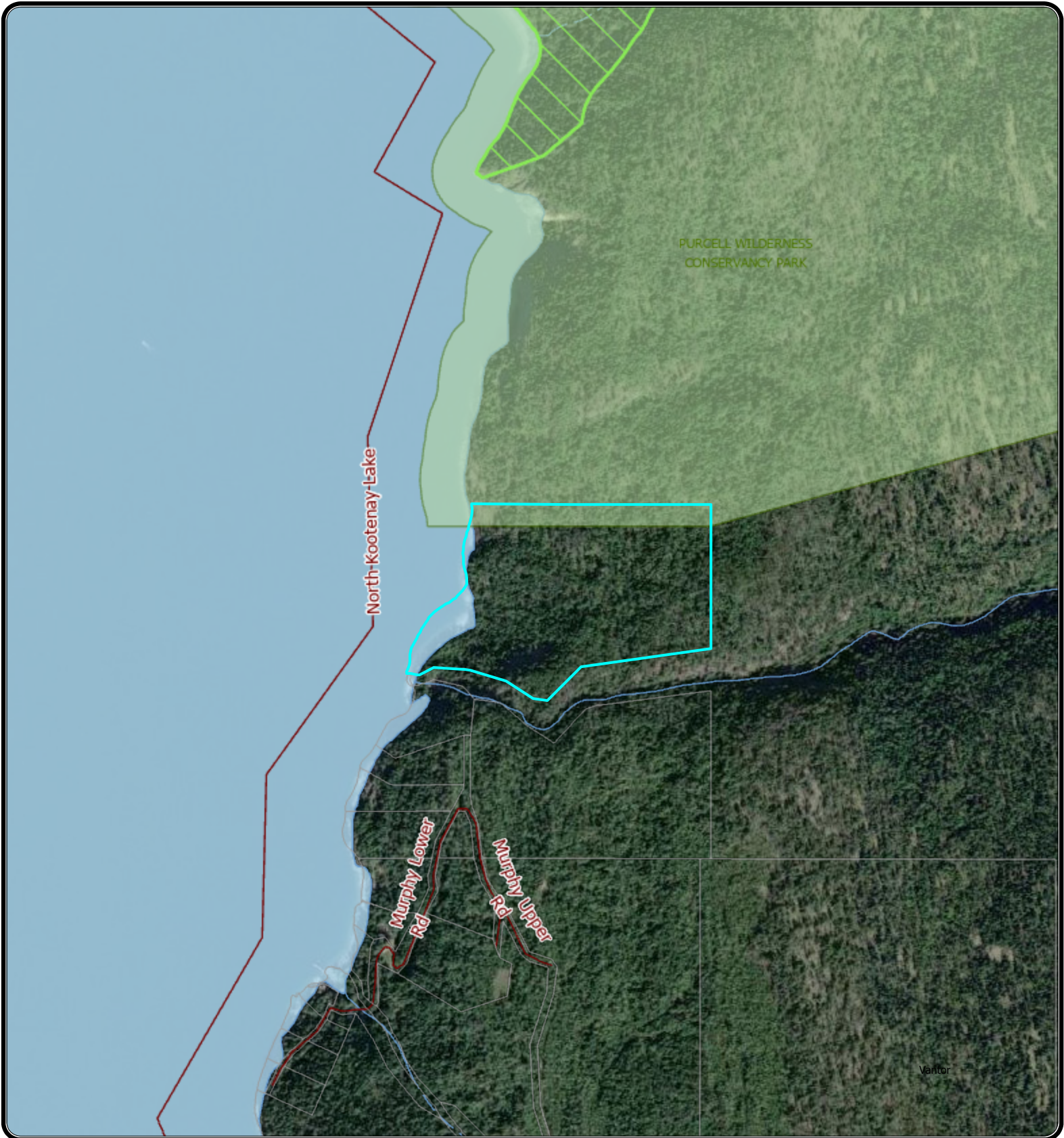
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RDCK Map



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Legend

- Parks and Rec
- Lakes and Rivers
- Streams and Shorelines
- Agriculture Land Reserve
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

Map Scale:

1:18,056

Date: April 24, 2026



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5 Murphy Lower Rd, Murphy Creek, BC Riparian Assessment



Prepared for:

Camille and Derek Baker

5 Murphy Lower Rd

Murphy Creek, BC

March 31 2026

5 Murphy Lower Road – Riparian Assessment

Prepared by:
Masse Environmental Consultants
812 Vernon Street
Nelson, BC, V1L 4G4

Project Number 2025-1245

Disclosure Statement

This report has been prepared by Amber Warkentin ATAg. and Ico de Zwart, RPBio.

1. The authors are Qualified Environmental Professionals as defined under Section 21(2) of the Riparian Areas Protection Regulation,
2. The content of, and all associated statements in, this report are consistent with:
 - a. The Riparian Areas Protection Regulation methodology.
 - b. Provincial and federally recognised best management practises.
 - c. Relevant Species at Risk management Plans under the Species at Risk Act.
 - d. The habitat protection provisions of the Fisheries Act
3. This report has been prepared for the property owner to support a development permit approval.
4. The report has been prepared for Camille and Derek Baker at their expense. The RDCK may rely upon the information and recommendations in this report for the purposes of a Watercourse Development Permit Area application.

Limitations

This report has been prepared by the authors solely for the clients, Camille and Derek Baker. The content reflects the authors' professional judgment based on the information available at the time of preparation. Any use, reliance, or decisions made by third parties based on this report are solely at their own risk. The authors assume no liability for any damages, losses, or consequences arising from actions or decisions taken by third parties in reliance on this report. A record copy of this report is maintained at Masse Environmental and is considered the official version, superseding any copies or reproductions of the report.

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Appendix 1. Site Plan

1 INTRODUCTION

Masse Environmental Consultants Ltd. was retained by Camille and Derek Baker (Owners) to conduct a riparian assessment on their property at 5 Murphy Lower Road, Murphy Creek, BC (Lot 1 Plan NEP66900 District Lot 12417, PID 024-793-132). The assessment is part of the Owner's response to Do Not Occupy and Stop Work Orders filed by the Regional District of Central Kootenay (RDCK; dated September 16, 2025) on a cottage, lumber shed, white tent cabin, and sauna, due to a complaint alleging that a building was constructed without a building permit.

A site visit was completed on October 16th, 2025, by Amber Warkentin (ATAg) and Heather Shaw (RPBio). The scope of the assessment focussed on the area where the existing development has occurred, which is adjacent to Kootenay Lake and Clute Creek in the southwestern corner of the property. The assessment evaluates the current condition within the 30 m Watercourse Development Permit (WDP) Area, determines the Streamside Protection and Enhancement Area (SPEA) setback following the methodology of the Riparian Area Protection Regulation (RAPR; BC 2019), and identifies potential environmental impacts from the development. It is based on the following regulatory framework and best management practices documents, including:

- Electoral Area 'D' Comprehensive Land Use Bylaw 2435, 2016.
- RDCK Draft Standard Terms of Reference for Riparian Assessment Reports (RDCK n.d).
- Kootenay Lake Shoreline Management Guidelines (KLP 2020).
- British Columbia Riparian Areas Protection Regulation (BC 2019).
- British Columbia Water Sustainability Act (BC 2014).
- Natural Resources Best Management Practices (BC 2025)

2 PROJECT OVERVIEW

2.1 Site Description

2.1.1 Location

The subject Property is located in Murphy Creek, BC, along the eastern shore of Kootenay Lake. It is 'boat access' only, with no road connecting the neighboring Murphy Creek community. The Property is 54 acres in size, has a western aspect, and is bordered by the Purcell Wilderness Conservancy Park to the north, Crown land to the east, Clute Creek to the south and Kootenay Lake to the west (Figure 1).

5 Murphy Lower Road – Riparian Assessment

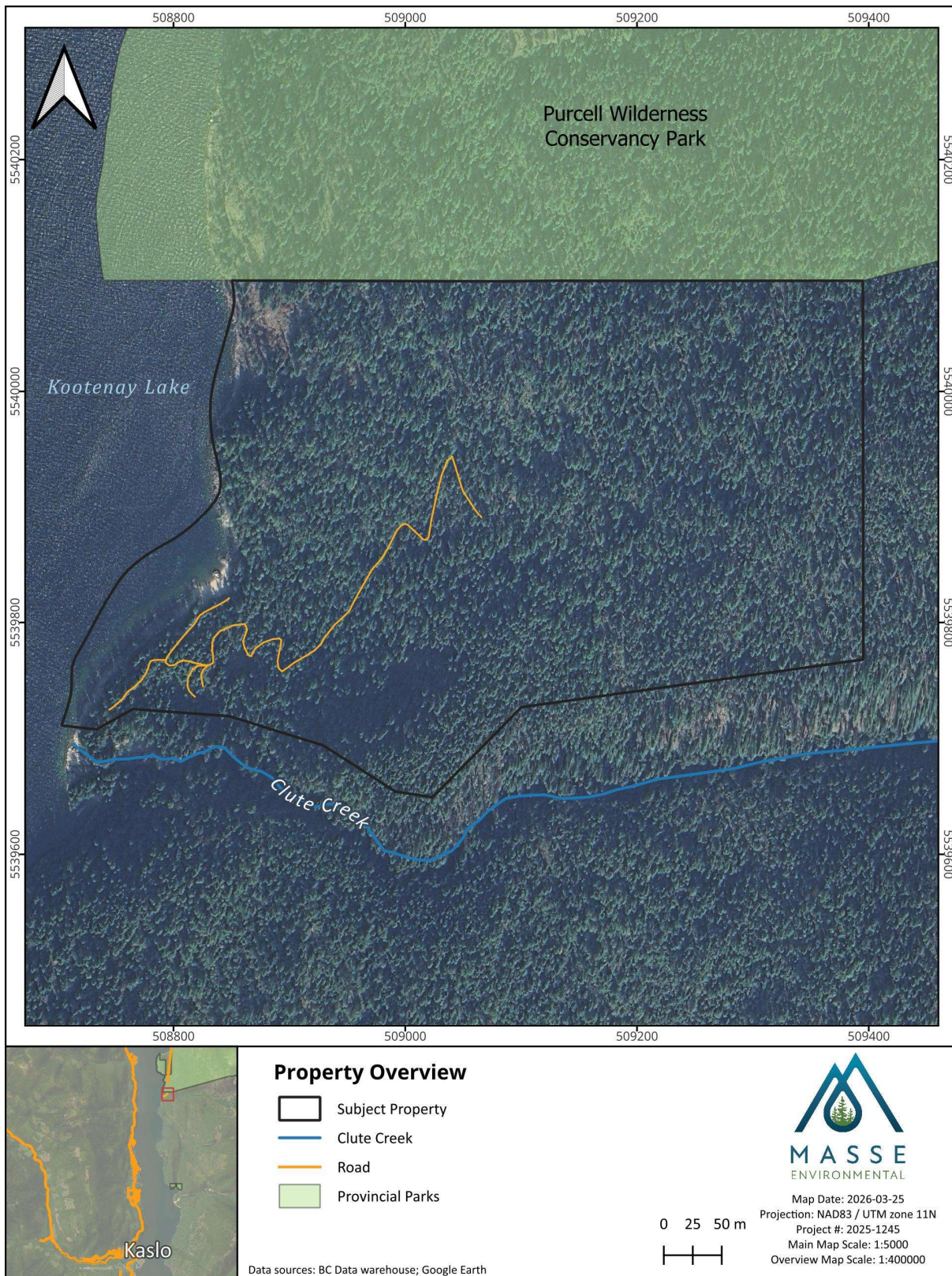


Figure 1. Location of subject property.

5 Murphy Lower Road – Riparian Assessment

2.1.2 Existing Development

The Property was purchased by the Owners in 2000, who have built a main house, the cottage, and other various sheds/structures on the property. The Property is heavily forested and aerial photo review of the property from 2003 to present date shows that minimal clearing has occurred in this time (Photo 1). A section of the property west of the cottage was thinned around 2015 for wildfire mitigation (Photo 2). The main house and the cottage are outside of the WDP Area.



Photo 1. 2003 historical aerial photograph.



Photo 2. 2015 historical aerial photo.

Existing development within the 30 m WDP Area includes three buildings (lumber shed , white tent cabin and sauna, Photos 3 - 5) that are the subject of the Stop Work Order, as well as Murphy Lower Road (Photo 6), boat moorage (dock with marine rails) with two sheds (Photo 7), and water intakes and a hydroelectric power house.

Murphy Lower Road was existing on the property when purchased. The lumber shed, white tent cabin and sauna are all located along this road, as well as two structures (wood storage and an open shop, Photo 8). Water is sourced from Clute Creek (Water licenses C124507), and power is provided by a residential hydroelectric system which includes an intake on Clute Creek and a power house and tailrace near the marine rails (Water Licenses C123049). The dock and marine rails have an existing tenure (Specific Permission) from the Province (Crown Land File #4403930).

5 Murphy Lower Road – Riparian Assessment



Photo 3. Lumber shed.



Photo 4. White tent cabin.



Photo 5. Sauna.



Photo 6. View of Murphy Lower Road within 30 m WDP area. Lumber shed on the right.



Photo 7. Marine rails and sheds.



Photo 8. Wood storage and shop building along Murphy Lower Road .

5 Murphy Lower Road – Riparian Assessment

2.1.3 Watercourses and Aquatic Habitat

2.1.3.1 Kootenay Lake

Kootenay Lake borders the Property along the western boundary for approximately 465 m. The foreshore is steep and consists mainly of large boulders and cobbles (Photo 9). A gravel beach ~ 30 m wide with small groynes on either side is present at the north end of the alluvial fan (Photo 10).

Kootenay Lake is a long, narrow, and deep lake with a surface area of approximately 400 km². Kootenay Lake's main inflows are the Kootenay River to the south and the Duncan River to the north. The lake drains through the West Arm into the Kootenay River. Lake levels can vary up to 4 m throughout the year, affecting the extent of the exposed shoreline (Fortis 2026). Kootenay Lake supports a variety of fish species, including kokanee (*Oncorhynchus nerka*), rainbow trout (*O. mykiss*), bull trout (*Salvelinus confluentus*), white sturgeon (*Acipenser transmontanus*), westslope cutthroat trout (*O. clarki lewisi*), and burbot (*Lota lota*).

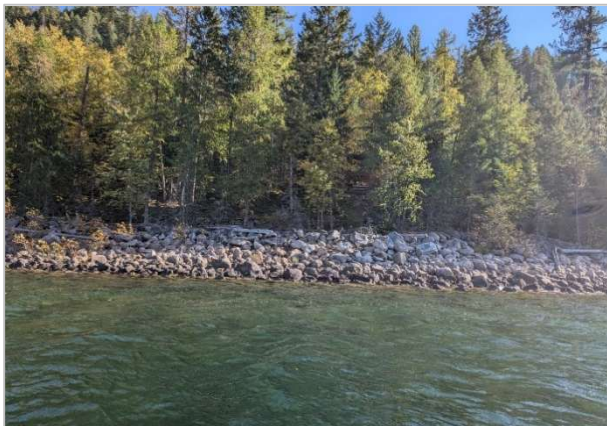


Photo 9. View of boulder dominated shoreline along property. Photo 10. View of beach at north end of alluvial fan.

2.1.3.2 Clute Creek

Clute Creek (WSC 340-220200) borders the southern boundary of the Property (Photo 11-Photo 14). The reach of Clute Creek adjacent to the Property has a channel width ranging from 3 to 10 m, with an average width of 6.5 m, and gradients ranging from 7% at the mouth to 15% below the bedrock waterfall located ~ 200 m upstream from the confluence with Kootenay Lake (Photo 14). Large boulders and cobbles are the dominate substrates and stream morphology is primarily step-pool (Photo 13), although the lowermost parts of the creek are less stable (Photo 12). A flood event in 2012 resulted in scouring of the channel and bank erosion (Photo 14), and the historical air photos also show signs of flooding and material deposition at the confluence with Kootenay Lake.

5 Murphy Lower Road – Riparian Assessment

The Clute Creek watershed is part of the Purcell Mountain Range and flows east into Kootenay Lake. No fish information is available for Clute Creek. Fish presence is assumed up to the waterfall as this section of Clute Creek may be accessible to fish in Kootenay Lake.



Photo 11. Confluence of Clute Creek Kootenay Lake.



Photo 12. Lower Clute Creek shows signs of flood events and substrate transport.

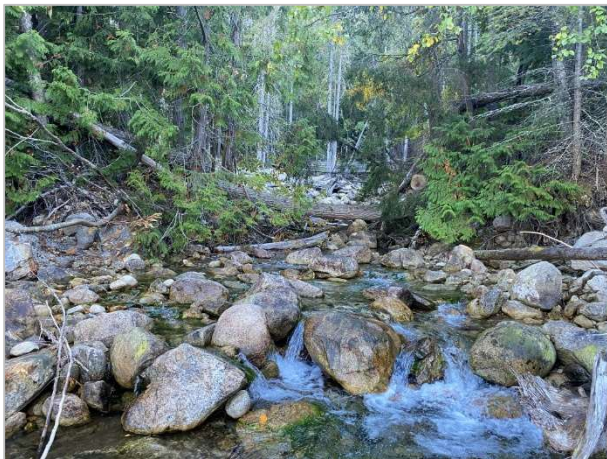


Photo 13. Step-pool habitat in Clute Creek.



Photo 14. Clute Creek waterfall ~ 200 m upstream of Kootenay Lake.

2.1.4 Vegetation

The Property is within the West Kootenay Interior Cedar – Hemlock dry, warm (ICHdw1) biogeoclimatic subzone. This subzone typically ranges in elevation from 600-1225 m and is characterized by moist warm springs; hot to very hot dry summers; and mild dry winters with a moderately shallow snowpack. This subzone is highly productive with a great variety of tree species (MacKillop and Ehman 2016).

5 Murphy Lower Road – Riparian Assessment

Riparian vegetation within the property along Kootenay Lake is primarily dense second growth forest with a mix of coniferous and deciduous tree species, shrubs and herbs (Photo 15, Photo 16). Tree species include black cottonwood (*Populus trichocarapa*), paper birch (*Betula Papyrifera*), ponderosa pine (*Pinus ponderosa*), western larch (*Larix occidentalis*) and western red cedar (*Thuja plicata*). Shrubs include willows (*Salix sp.*), red osier dogwood (*Cornus sericea*), baldhip rose (*Rosa gymnocarpa*) and thimbleberry (*Rubus parviflorus*). Common herbs include violets (*viola sp.*), asters (*aster sp.*), rough bentgrass (*Agrostis scabra*), fescues (*Festuca sp.*), silver wormwood (*Artemisia ludoviciana*) and wall lettuce (*Mycelis muralis*). Moss cover is sparse near the shoreline and consists of red-stemmed feathermoss (*Pleurozium schreberi*), pipecleaner moss (*Rhytidiopsis robusta*) and rock moss (*Racomitrium spp.*).



Photo 15. Riparian vegetation at the confluence of Clute Creek and Kootenay Lake.



Photo 16. Dense young forest riparian vegetation between Murphy Lower Road and Kootenay Lake.

The riparian vegetation along Clute Creek consists of a mix of young and mature forest with a dense understory of moss and some herbs (Photo 9, Photo 16, Photo 17). Tree species include mature western red cedar and Douglas fir (*Pseudotsuga menziesii*), western larch, western hemlock (*Tsuga heterophylla*), and paper birch. The forest floor is densely carpeted with feathermoss, while thimbleberry has colonized the rocky banks scoured by the flood event. Flood disturbed banks adjacent to Clute Creek are regenerating with young western hemlock, western redcedar, and Douglas-fir.



Photo 17. Mature conifer forests along Clute Creek.



Photo 18. Riparian vegetation along Clute Creek..

The majority of the remaining property adjacent to the WDP Area consists of mature and second growth forest with western red cedar, western hemlock, Douglas fir, western larch, paper birch, ponderosa pine and lodgepole pine (*Pinus contorta*). The shrub layer includes moderate amounts of falsebox (*paxistima myrsinites*), Saskatoon berry (*Amelanchier alnifolia*) and black huckleberry (*Vaccinium membranaceum*). The herb layer includes twinflower (*Linnae borealis*), prince's pine (*Chimaphila umbellate*), western rattlesnake plantain (*Goodyera oblongifolia*) and kinnikinnick (*Arctostaphylos uva-ursi*). A thick carpet of feathermoss covers the forest floor.

2.1.5 Wildlife

The riparian areas can provide migration corridors connecting aquatic, riparian, and upland environments, and can provide habitat to support the life cycles of numerous species. Large and dead standing trees provide perching, nesting and foraging habitat for a variety of bird species. Wildlife features observed on the property during the field visit include:

- Two trees with multiple cavities within the Clute Creek riparian area (Photo 23 and Photo 24).
- Rocky substrates and coarse wood debris can provide cover for smaller mammals and herptiles.

5 Murphy Lower Road – Riparian Assessment



Photo 23. Wildlife tree within riparian area along Clute Creek.



Photo 24. Wildlife tree within riparian area along Clute Creek.

2.1.5.1 Species at Risk

The property overlaps with a mapped critical habitat polygon (unmapped range) for southern mountain caribou (*Rangifer tarandus*). Unmapped range lies within the local population unit boundary but has not been assigned a 'type' of critical habitat (ECCC 2014). The Property does not contain the biophysical attributes (mature cedar/hemlock/spruce forests) required to support southern mountain caribou.

No confirmed occurrences of species at risk are recorded on the property (BC CDC 2026). Mountain goat (*Oreamnos americanus*) have been observed north of the Property in the Purcell Wilderness Conservancy (iNaturalist 2026); however, the steep, cliffy terrain this species relies on is not present on the property. The property is within the Central-South Purcells grizzly bear population unit. Grizzly bear are a wide ranging species that may transiently use the area.

Kootenay Lake provides habitat for several at-risk fish species, including white sturgeon, bull trout and burbot.

2.1.6 Invasive Species

No invasive species were observed on the property.

Wall lettuce was observed within flood disturbed areas of the Clute Creek channel. Wall Lettuce is currently listed as a Priority 5 species in the Kaslo North Invasive Plant Management (KNIPM) Area by the Central Kootenay Invasive Species Society (CKISS), which means that there is insufficient information for these species on their distribution, impacts, potential for spread and/or feasibility of control (CKISS 2025).

2.2 Streamside Protection and Enhancement Area

The Streamside Protection and Enhancement Area (SPEA) for the property (Appendix 1) was determined by completing a detailed assessment following the Riparian Area Protection Regulation (RAPR) methodology. The SPEA is determined based on the maximum widths of Zones of Sensitivity (ZOS) for large woody debris, litter fall and insect drop, and shade (Table 2).

The SPEA for Kootenay Lake varies between 15 m and almost 30 m from the high-water mark of Kootenay Lake. The large woody debris (LWD) and litter fall/insect drop ZOS is 15 m inland from the high-water mark. The shade ZOS varies as the aspect and orientation of the property along Kootenay Lake varies from west-facing to north-facing. The shade ZOS ranges from 0 m for west facing shorelines, to 30 m for north facing shorelines. The SPEA for Clute Creek is 15 m and is determined by the litter fall/insect drop ZOS. As the property is located on the north side of Clute Creek, and Clute Creek flows in an east-west orientation, no shade ZOS is applicable.

Table 1. Results of detailed RAPR assessment for Kootenay Lake and Clute Creek.

Feature Type	SPVT ¹	Zones of Sensitivity			SPEA ³
		LWD ²	Litter Fall & Insect Drop	Shade	
Kootenay Lake	TR	15 m	15 m	0-30	15-30
Clute Creek	TR	6.5-13 m	15 m	N/A	15

¹SPVT: site potential vegetation type (TR-tree)

²LWD- large woody debris

³SPEA- streamside protection and enhancement area

2.3 Kootenay Lake Shoreline Management Guidelines

The Kootenay Lake Shoreline Management Guidelines (KLP 2020) provides guidance on risk assessment and regulatory requirements associated with specific works in or adjacent to Kootenay Lake, and includes risk matrices for ecological, archaeological, and cultural values. The Property shoreline is located within Foreshore Inventory Mapping (FIM) Segments 113 and 114 (Ecoscape 2016, KLP 2026). Aquatic habitat index rating and archaeological potential for these segments are summarised in Table 2.

Table 2. Foreshore Inventory Mapping segment information.

Segment	Aquatic Habitat Index Rating (AHI)	Site Sensitivity	Archaeological Potential	Enhanced Engagement
113	Moderate	Aquatic	Yellow	Required
114	High	Aquatic	Yellow	Required

The ecological risk matrix provided in the Kootenay Lake Shoreline Management Guidelines does not provide a risk assessment rating associated with building permits or the removal of native vegetation but defers to the applicable local government for these activities.

Kootenay Lake is part of the traditional territory of the Ktunaxa, Sinixt and Syilx (Okanagan) First Nations and archaeological evidence is documented at multiple sites along the shoreline and mountain sides of Kootenay Lake, and most of the east side of Kootenay Lake is considered to have archaeological potential. The archaeological risk matrix provided in the Kootenay Lake Shoreline Management Guidelines indicates that for segments with a yellow classification there is a high level of risk associated with native vegetation modification/removal and moderate level of risk associated with building permits applications. High risk pertains to localized and/or relatively superficial effects in locations where the physical evidence is likely to be very sparse, highly localized, deeply buried and/or already too highly disturbed to be of further archaeological value. Consulting an archaeologist is recommended in situations where the activity is deemed to be high risk. A moderate risk is one where the activity itself might not constitute a potential threat to intact archaeological materials but ancillary activities (e.g. those involving access to, from or across land or some disturbance of mineral soil) may cause impacts to known archaeological sites or where such are likely to be present. Following an Archaeological Chance Find Procedures is recommended for moderate risk activities.

The cultural values engagement matrix provided in the Kootenay Lake Shoreline Management Guidelines indicates that enhanced engagement with Ktunaxa is required for land development, including building permit applications and native vegetation removal.

2.4 Proposed Development

At the time of the assessment no new development activities are proposed as works have already been completed. This assessment has been completed in response to the Stop Work Orders issued by the Regional District of Central Kootenay.

3 IMPACT ASSESSMENT

The potential impacts associated with development in the SPEA and the loss of permanent or temporary vegetation include:

- Reduction of potential suitable wildlife habitat (i.e. potential nesting and perch habitat), and nutrient cycling from loss of vegetation potential.
- Change in cover habitat from natural forest to exposed ground and anthropogenic structures.
- Increased risk of invasive weed introduction due to exposed soils from construction.

5 Murphy Lower Road – Riparian Assessment

The footprints of the structures in the Stop Work Order that are within the SPEA is estimated to be 69 m² as follows:

- Lumber shed ~ 39 m² (Photo 3).
- White tent cabin ~20 m² (Photo 4). The majority of this structure is outside of the SPEA.
- Sauna building ~10 m² (Photo 5).

Other development within the SPEA includes the upland portion of the marine rails and the two storage sheds and the powerhouse adjacent to Kootenay Lake, a footpath and portions of Lower Murphy Road, walkway, and the suspension bridge and water intakes on Clute Creek. Impacts associated with these are considered in the following assessment but are not specifically quantified as they are not part of the Stop Work Order, are authorised under other pieces of legislation (Water Sustainability Act) and/or predate the Electoral Area 'D' Comprehensive Land Use Bylaw 2435, 2016.

The development within the SPEA to date has minimised impacts associated with the removal of vegetation by:

- Restricting vegetation removal to the structures footprint, not using permanent footings, and locating structures immediately adjacent to Murphy Lower Road.
- Incorporating a green roof on each building that provides habitat, allows for nutrient cycling, and allows precipitation to infiltrate into the ground and reducing stormwater runoff.
- Avoiding the use of impervious surfaces around buildings.

Other measures to protect and maintain the SPEA that were observed on site included:

- The entire property is forested, and no large clearings are present, which minimises risk of windthrow damage to the SPEA.
- Damage to trees and their roots has been avoided by not incorporating subsurface foundations, not compacting the soils, and maintaining the native grade around vegetation.
- No erosion and sediment concerns associated with the development were observed as no disturbed soils are present around the buildings, vegetation adjacent to Kootenay Lake and Clute Creek is intact, and the buildings incorporate a green roof.
- Avoiding the use of impervious surfaces, incorporating green roofs on buildings, and maintaining native vegetation outside of the immediate building footprint allows stormwater to infiltrate into the ground.
- Maintaining a property where no invasive species were noted.

During the site visit, the riparian vegetation on the property was observed to be intact and functioning effectively. Although the development that has occurred to date has occurred within the SPEA, it has incorporated measures to minimise and mitigate its impact on environmental values. Outside of the specific footprints associated with the structures, the SPEA has not been disturbed, and therefore there are no opportunities for restoration within the SPEA elsewhere on the property.

4 MEASURES TO PROTECT THE INTEGRITY OF THE SPEA

This section provides measures to protect the integrity of the SPEA with the existing level of development. Any future development within the Watercourse Development Permit area is expected to require a new development permit application and may incorporate new project specific measures.

4.1 Danger Trees

Identification of danger trees was outside of the scope of this assessment. If danger trees are present in the SPEA and are identified as posing a high risk to public safety or infrastructure, they may need to be addressed through topping or felling.

- Danger trees should be assessed by a qualified professional.
- Topping is preferred so that the tree can continue to provide wildlife habitat.
- Trees felled within a SPEA should be left as coarse woody debris
- Tree replacement is unlikely to be required for individual trees as the existing vegetation is already dense and regeneration is likely to occur.

4.2 Windthrow

Windthrow may be a concern where developments remove part of a forest, leaving the remaining trees more exposed to high velocity winds. Windthrow was not identified as a concern as the SPEA is surrounded by forested areas. Retaining forested areas adjacent to the SPEA reduces the risk of windthrow in the future.

4.3 Slope Stability

Development can affect slope stability within or adjacent to the SPEA, and unstable slopes can impact the integrity of the SPEA. A geotechnical assessment of the Property is outside the scope of this assessment. The existing development does not appear to have altered slope stability; however, Clute Creek is an alluvial fan and may be susceptible to flood/debris events, and bank erosion was observed downstream of the waterfall (2012 flood event).

4.4 Protection of Trees in the SPEA

Development near riparian areas can compact soils and damage the root systems of trees within the SPEA. To date, work appears to have been completed with minimal ground disturbance or impacts to rooting systems. Any future developments on the property should include clearly identifying limits of disturbance along the SPEA boundary to prevent impacts to trees and their roots within the SPEA.

4.5 Preventing Encroachment into the PSEA

Development adjacent to the SPEA can result in encroachment and increased use within the SPEA (ie dumping, trampling vegetation, compacting soils). The property is boat access only which limits usage of the property, existing trails are well defined and outside of these areas soils and vegetation are largely undisturbed, and limited development has occurred elsewhere on the property and the SPEA is surrounded by forested areas.

- Development of new trails in the SPEA should be avoided.

4.6 Sediment and Erosion control during Construction

No new development is proposed. No erosion and sediment concerns noted with existing development as no disturbed soils and vegetation adjacent to Kootenay Lake and Clute Creek is intact.

4.7 Stormwater Management

No stormwater concerns noted with the existing development, which has minimised impervious surfaces by incorporating green roofs, using permeable paths, and minimising ground disturbance.

4.8 Floodplain Concerns

The SPEA is measured from the edge of the stream channel. On very dynamic stream channels, this may not be sufficient to protect the SPEA or the development from flood hazards and damage. Clute Creek is an alluvial fan and may be susceptible to flood/debris events, and large flood events have the potential to alter the stream channel and therefore the SPEA. Any future development within the WDPA should take this into consideration.

5 CONCLUSION

A riparian area assessment conducted on the property following the methodology outlined in the Riparian Areas Protection Regulation determined the streamside protection and enhancement area (SPEA). The

5 Murphy Lower Road – Riparian Assessment

width of the SPEA on the property varies from 15-30 m from the high water mark of Kootenay Lake and is 15 m from the highwater mark of Clute Creek.

The development that has occurred to date has been completed in a manner that protects adjacent aquatic habitat, has maintained the ecological values of the riparian zone on the property, and has incorporated measures to maintain the integrity of the SPEA.

We trust the information provided in this report meets your current requirements. If you have any questions or require further information do not hesitate to contact the undersigned.

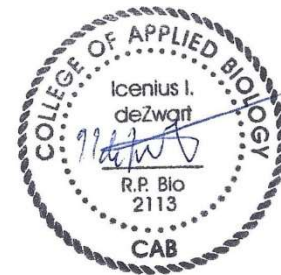
Sincerely,



Amber Warkentin, ATAg
amber@masseenvironmental.com



Ico de Zwart, RPBio
ico@masseenvironmental.com



6 REFERENCES

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- [BC] Province of British Columbia. 2019. Riparian Areas Protection Regulation. B.C. Reg. 178/2019, last amended February 4, 2021, by B.C. Reg 11/2021. Victoria, British Columbia, Canada.
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5 Murphy Lower Road – Riparian Assessment

[KLP]. Kootenay Lake Partnership. 2026. Kootenay Lake Shoreline Inventory Mapping Interactive Map. Available online at: <http://kootenaylakepartnership.com/>

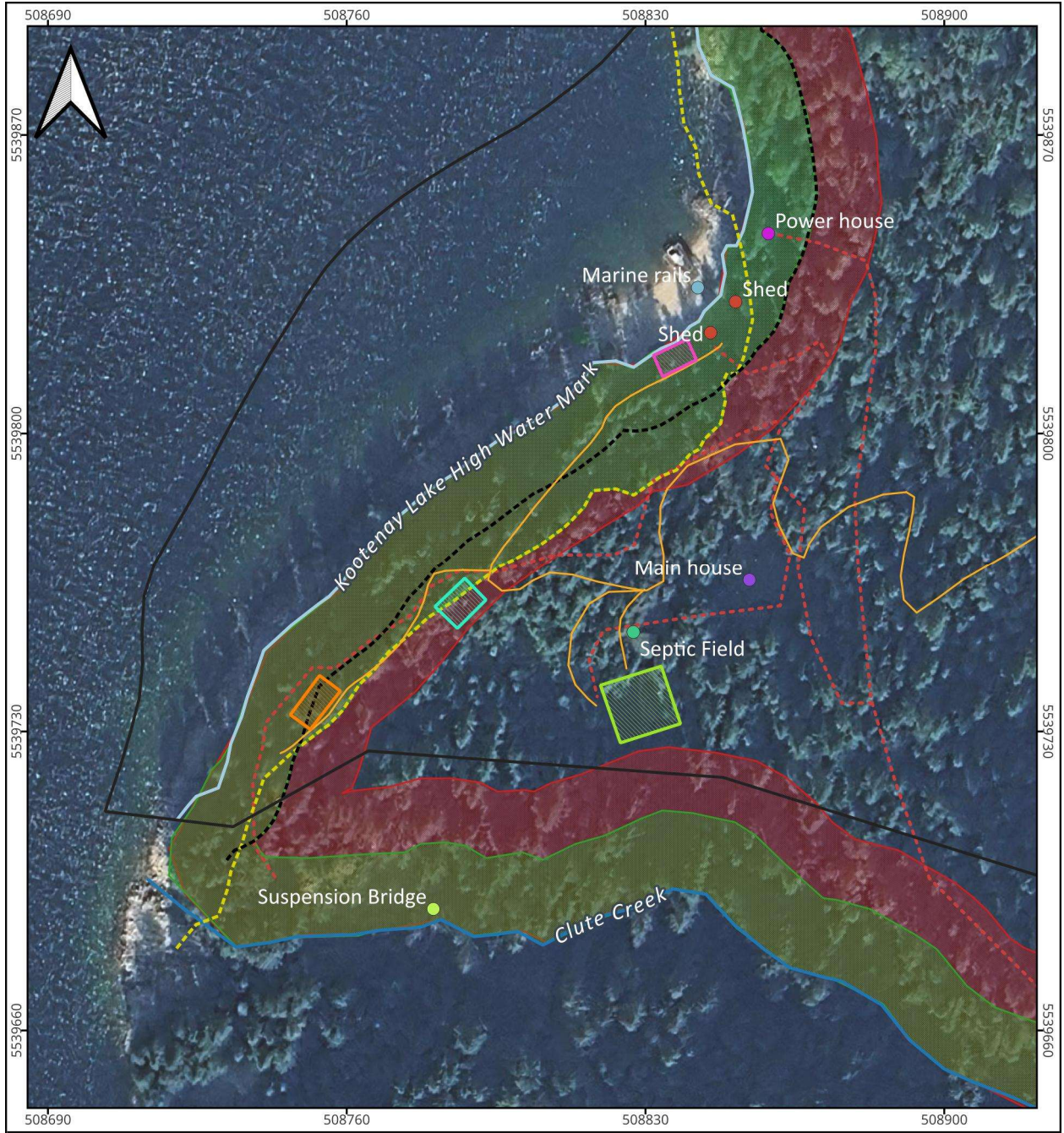
[KLP] Kootenay Lake Partnership. 2020. Ktunaxa Nation Council, Regional District of Central Kootenay, Ministry of Forests, Lands, and Natural Resource Operations, Ecoscape Environmental Consultants Ltd., Tipi Mountain Eco-Cultural Services Ltd. The Firelight Group Ltd., Wayne Choquette. 2020. Shoreline Guidance Document – Kootenay Lake. Prepared for Kootenay Lake Partnership.

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[RDCK] Regional District of Central Kootenay. 2016. North Kootenay Lake Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435.

[RDCK] Regional District of Central Kootenay. DRAFT Standardized Terms of Reference for Riparian Assessment Reports.

APPENDIX 1. SITE PLAN

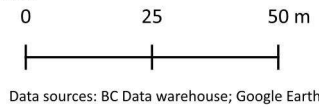


Site Plan

-  Subject Property
-  Road
-  Clute Creek
-  Kootenay Lake High Water Mark
-  Water line
-  Streamside Protection & Enhancement Area
-  Waterfront Development Permit Area

Buildings (Stop Work)

-  Cottage
-  Lumber Shed
-  Sauna
-  White Tent Cabin



Map Date: 2026-03-25
 Projection: NAD83 / UTM zone 11N
 Project #: 2025-1245
 Main Map Scale: 1:1500
 Overview Map Scale: 1:



Bylaw Amendment Referral Form

Amendments to Zoning Bylaws for Electoral Areas A, B, C, D and I

Date: May 04, 2026

You are requested to comment on the attached bylaw amendments for potential effect on your agency’s interests. We would appreciate your response within 30 days (**PRIOR TO JUNE 04, 2026**). If no response is received within that time, it will be assumed that your agency’s interests are unaffected.

PURPOSE OF THE BYLAW AMENDMENTS:

1. **Density Calculation:** The proposal would change how residential density is calculated in most R1, R2, R3, and R4 zones from a “lot area” basis to a “site area” basis. This does not increase the total density allowed on a property, but it does change how that density can be achieved. Under the current zoning, a subdivision is typically required to reach maximum density, whereas under the proposed approach, the same density could be achieved without subdividing the land.
2. **Housekeeping:** Clarify the bylaws through formatting and terminology updates.

Background

In January and February 2026, the Rural Affairs Committee directed staff to prepare amendments to revise how density is calculated in most residential zones within Areas A, B, C, and D, as well as one zone in Area I. The intent is to return to the previous density calculation method used before the adoption of Bylaws 2953, 2954, 2955, 2956, and 2958 in 2024.

Current Density Framework

- Most residential lots may have two dwelling units, with permitted forms varying by lot size.
- Lots under 1.0 Hectare (ha) may have a Single Detached House (SDH) with a Secondary Suite (SS), or a Duplex.
- Lots 1.0 ha or larger may have a SDH with a SS, or a Duplex, or a SDH and an Accessory Dwelling Unit (ADU).
- Larger lots may achieve higher densities through a subdivision or a bylaw amendment.

Previous and Proposed Density Framework

- Previous density regulations generally followed the format: One Principal Use (typically SDH or Duplex) is permitted per ‘x’ ha of site area.
- The number and types of dwellings allowed depend on lot size, with larger lots progressively allowing more dwellings.
- For example, the Area D Country Residential (R2) zone previously permitted one Principal Use per 1.0 hectare of site area and did not allow detached ADUs. An example based off this zone of the current and proposed changes are shown below with respect to lot sizes:

Lot Size	Number and Types of Dwellings Permitted			
	Current		Proposed	
	Without subdividing	After subdivision	Without subdividing	After subdivision
0.5 ha	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>
1.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>	2 Dwellings (SFD and SS <u>or</u> Duplex)	<i>Lot size insufficient to subdivide</i>

2.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)	4 Dwellings (2 SFD and 2 SS <u>or</u> 2 Duplexes)
5.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)	10 Dwellings (5 SFD and 5 SS <u>or</u> 5 Duplexes)
10.0 ha	2 Dwellings (SFD and SS <u>or</u> SFD and ADU <u>or</u> Duplex)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)	20 Dwellings (10 SFD and 10 SS <u>or</u> 10 Duplexes)

Example: A 4.0 ha lot in the Area D Country Residential (R2) Zone

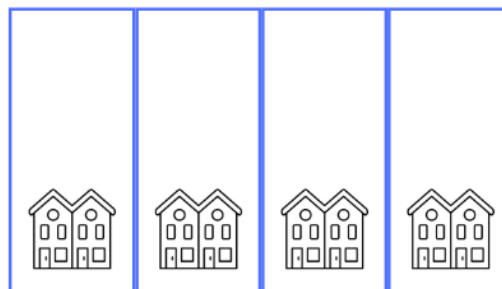
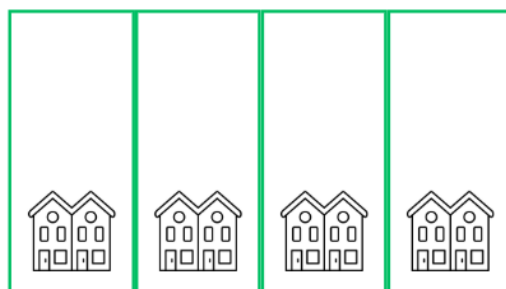
Current

(2 Dwellings per lot)

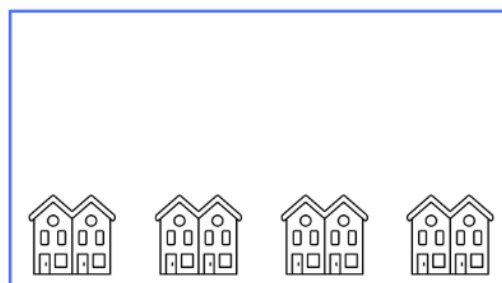
Proposed

(2 Dwellings per 1.0 ha of site area)

With Subdivision



Without Subdivision



The proposed changes vary by zone and electoral area. Please review the attached amendment bylaws and concurrence table for specific details. Historically, the permission for secondary suites and accessory dwelling units varied and across bylaws and are reflected in the proposed changes. At a minimum, all proposed zones permit at least one SDH and SS regardless of lot size. Please note that in Electoral Area 'I,' changes are proposed only to the Rural Residential I (R3I) zone. Full existing bylaws can be found online [here](#).

The proposed amendment bylaws are the following:

Amendment Bylaws	Land Use Bylaws
Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049	Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013
Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050	Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013
Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051	Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013
Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052	Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

GUIDE FOR AREA SPECIFIC INFORMATION:

Electoral Area	Relevant pages
Electoral Area 'A'	1-11, 34-40
Electoral Area 'B'	1-5, 12-18, 41-50
Electoral Area 'C'	1-5, 19-25, 51-60
Electoral Area 'D'	1-5, 26-31, 60-67
Electoral Area 'I'	1-5, 32-33, 68

ALR STATUS: The proposed amendments include properties within and outside the ALR.	ZONING DESIGNATIONS: The proposed amendments apply to multiple zones across five RDCK zoning bylaws.
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APPLICANT:
RDCK Planning Department

Please provide your response via email.

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

**SADIE CHEZENKO, PLANNER 1
REGIONAL DISTRICT OF CENTRAL KOOTENAY**





- TRANSPORTATION West Kootenay
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - WYNDEL IRRIGATION DISTRICT
 - KITCHENER IMPROVEMENT DISTRICT
 - NORTH CANYON IMPROVEMENT DISTRICT
 - ORDE CREEK IMPROVEMENT DISTRICT
 - RYKERT IRRIGATION DISTRICT
 - SOUTH CANYON IMPROVEMENT DISTRICT
 - CRESTON DYKING DISTRICT
 - NICKS ISLAND DYKING DISTRICT
 - CLAYTON CREEK IMPROVEMENT DISTRICT
 - WHITEHEAD WATERWORKS DISTRICT
 - GLADE IRRIGATION DISTRICT
 - PLAYMOR JUNCTION IMPROVEMENT DISTRICT
 - VOYKIN IMPROVEMENT DISTRICT
 - BRILLIANT WATERWORKS DISTRICT
 - ROBSON-RASPBERRY IMPROVEMENT DISTRICT
 - ARMSTRONG BAY IMPROVEMENT DISTRICT
 - UTILITIES
 - FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
DIRECTORS FOR:
- A B C D E F G H I J
 K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J
 K

- FIRST NATIONS**
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW (SIMPCW)
 - SKEMTSIN (NESKONLITH)
 - SPLATSÍN (SPLATSÍN FIRST NATION)
 - SKEETCHESTN INDIAN BAND
 - TK'EMLUPS BAND
 - SINIXT CONFEDERACY

- | | |
|--|--|
| <input checked="" type="checkbox"/> APHC AREAS A, B, C, D, I & CVAAC
<input checked="" type="checkbox"/> RDCK FIRE SERVICES | |
|--|--|

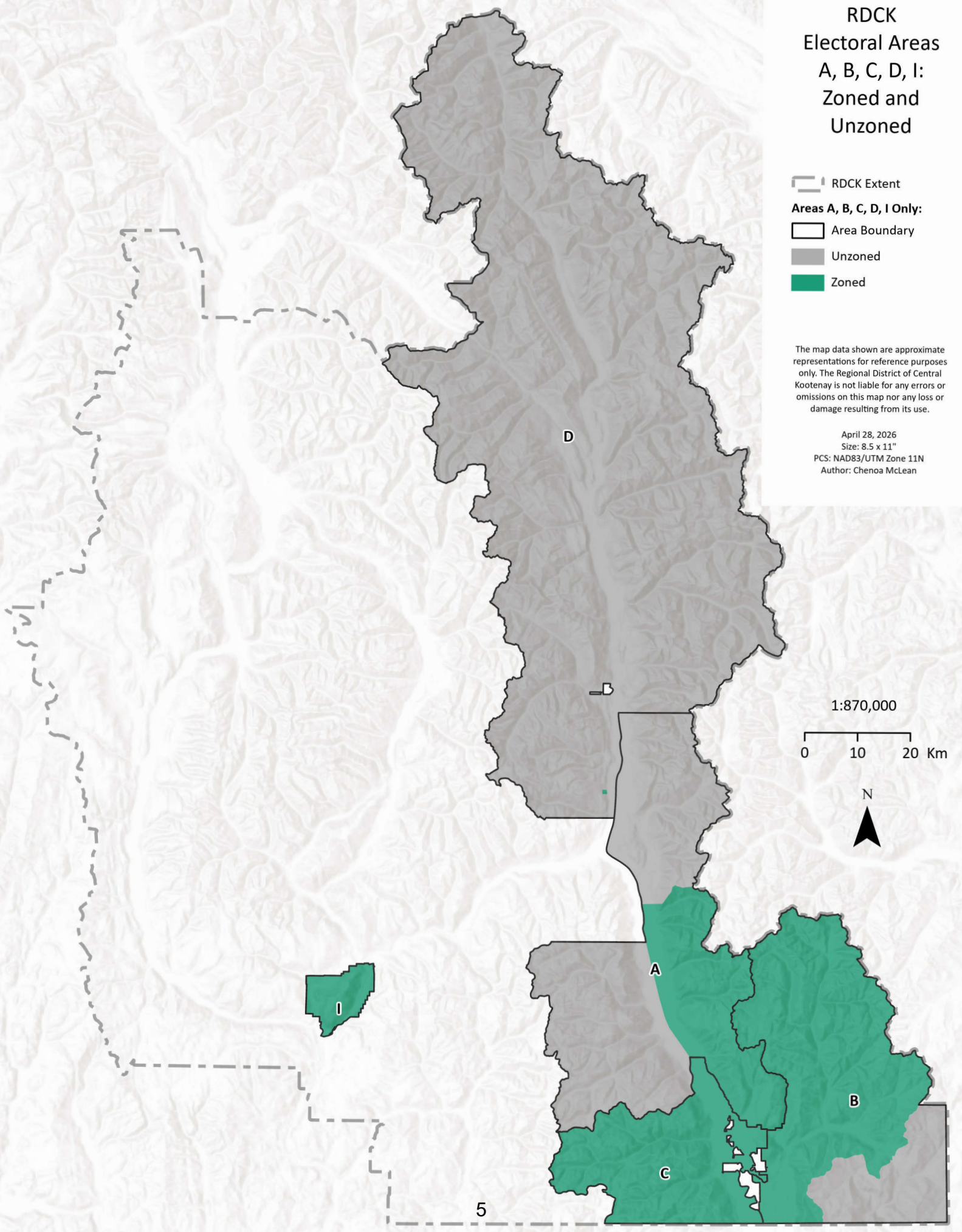
The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, 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.

RDCK Electoral Areas A, B, C, D, I: Zoned and Unzoned

-  RDCK Extent
- Areas A, B, C, D, I Only:**
-  Area Boundary
-  Unzoned
-  Zoned

The map data shown are approximate representations for reference purposes 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 its use.

April 28, 2026
Size: 8.5 x 11"
PCS: NAD83/UTM Zone 11N
Author: Chenoa McLean



REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3049

A Bylaw to amend Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013, and amendments thereto.

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

APPLICATION

- 1 That Schedule 'B' of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 be amended as follows:
 - A. That Section 18(108)(c) General Regulations for Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots.
 - B. That a new Section 18(108)(k) General Regulations for Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.
 - C. That Section 19(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:
Duplex Housing
Single Detached Housing

Accessory Uses:
Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 18(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

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

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare
Community Water or Sewer: 0.4 hectare
On Site Only: 1.0 hectare

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

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare
Community Water or Sewer: 0.4 hectare
On Site Only: 1.0 hectare

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

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

- G. That Section 19(4) Suburban Residential (R1) Development Regulations be amended as follows:

Buildings and structures shall not cover more than 33 percent of the lot area.

- H. That Section 20(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 18(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Temporary Guest Accommodation
Portable Sawmills (for processing of materials harvested on-site only)

- I. That Section 20(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 hectare.

- J. That Section 21(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Secondary Suite
Small Scale Wood Product Manufacturing
Temporary Guest Accommodation
Temporary Farmworker Housing

- K. That Section 21(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 hectares.

- L. That Section 22(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation

- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Secondary Suite
- Portable Sawmills
- Temporary Guest Accommodation
- Temporary Farmworker Housing

- M. That Section 22(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- N. That Section 25(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time.

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- O. That Section 25(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 2.0 hectares.

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

Only one Single Detached Housing is permitted per lot.

Q. That Section 26(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

R. That Section 26(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 4.0 hectares.

S. That a new Section 26(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as "**Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2026.**"

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month] ,20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date]day of [Month] , 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3050

A Bylaw to amend Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013, and amendments thereto.

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

APPLICATION

1 That Schedule 'B' of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 be amended as follows:

A. That Section 16(108)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots

B. That a new Section 16(108)(k) General Regulations, Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

C. That Section 17(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 16(108)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

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

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer: 0.4 hectare

On Site Only: 1.0 hectare

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

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer: 0.4 hectare

On Site Only: 1.0 hectare

- F. That Section 18(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to Section 16(108)

Accessory Tourist Accommodation

Day Care Facility

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Horticultural Produce

Portable Sawmills (for processing of materials harvested on-site only)

- G. That Section 18(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 1.0 hectare.

- H. That Section 18(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 1.0 hectare.

- I. That Section 19(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Horticulture
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 16(108)
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Small Scale Wood Product Manufacturing
Temporary Farmworker Housing

- J. That Section 19(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- K. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- L. That Section 20(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

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

- M. That a Section 20(2) Rural Resource (R4) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- N. That Section 20(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- O. That Section 23(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time.

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- P. That Section 23(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision is 4.0 hectares.

- Q. That a new Section 23(2)(c) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

R. That Section 24(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture
All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nursery, Greenhouses and Florist
Single Detached Housing
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
Farmworker Dwelling Unit
Portable Sawmills for processing of material harvested on site only
Secondary Suite
Temporary Farmworker Housing (may require ALC non adhering residential use approval)

S. That Section 24(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

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

T. That a new Section 24(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

U. That Section 25(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture
All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
Kennel

Micro Cultivation, Cannabis
 Micro Processing, Cannabis
 Nursery, Cannabis
 Nursery, Greenhouses and Florist
 Single Detached Housing
 Standard Cultivation, Cannabis
 Standard Processing, Cannabis
 Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures
 Accessory Tourist Accommodation
 Home Based Business
 Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
 Farmworker Dwelling Unit
 Portable Sawmills for processing of material harvested on site only
 Secondary Suite
 Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- V. That Section 25(2) Agriculture 3 (AG3) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.

- W. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as **“Electoral Area ‘B’ Comprehensive Land Use Amendment Bylaw No. 3050, 2026”**

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3051

A Bylaw to amend Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013, and amendments thereto.

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

APPLICATION

1 That Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

A. That Section 17(107)(c) Accessory Dwelling Units be amended as follows:

Despite section 107(b) secondary suites are permitted on all lots.

B. That Section 17(107)(d) Accessory Dwelling Units be amended as follows:

The maximum gross floor area is 90.0 square metres.

C. That a new Section 17(107)(k) Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

D. That Section 18(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 17(107)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

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

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer:0.4 hectare

On Site Only: 1.0 hectare

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

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer:0.4 hectare

On Site Only: 1.0 hectare

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

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

H. That Section 18(4) Suburban Residential (R1) Development Regulations be amended as follows:

Buildings and structures shall not cover more than 33 percent of the lot area.

I. That Section 19(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to section 17(107)

Accessory Tourist Accommodation

Day Care Facility

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Horticultural Produce

Portable Sawmills (for processing of materials harvested on-site only)

J. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 ha.

K. That Section 20(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to section 17(107)
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Portable Sawmills
- Small Scale Wood Product Manufacturing
- Temporary Farmworker Housing

L. That Section 20(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

M. That Section 21(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Portable Sawmills
- Sale of Site Grown Agricultural Produce
- Secondary Suite
- Temporary Farmworker Housing

N. That Section 21(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

O. That Section 24(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

- Agriculture
- All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
- Kennel
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nursery, Greenhouses and Florist
- Single Detached Housing
- Standard Cultivation, Cannabis
- Standard Processing, Cannabis
- Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
- Farmworker Dwelling Unit
- Portable Sawmills for processing of material harvested on site only
- Secondary Suite
- Temporary Farmworker Housing (may require ALC non adhering residential use approval)

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

The minimum lot size for subdivision shall be 4 hectares.

Q. That a new Section 24(2)(C) Agriculture 1 (AG1) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

R. That Section 25(1) Agriculture 2 (AG2) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

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

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

T. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

U. That Section 26(1) Agriculture 3 (AG3) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

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

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

W. That a new Section 26(2)(C) Agriculture 3 (AG3) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘C’ Comprehensive Land Use Amendment Bylaw No. 3051, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month] , 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3052

A Bylaw to amend Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

WHEREAS it is deemed expedient to amend the Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016, and amendments thereto.

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

APPLICATION

1 That Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Zoning Bylaw be amended as follows:

A. That the following definition be removed from Section 21 Interpretation:

MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;

B. That Section 22(4) General Regulations, Site Areas be amended as follows:

The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.

C. Section 22 General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Reduction of Minimum Lot Size

D. That Section 22(9) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.

E. That Section 22(10) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:

- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
- b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
- c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.

F. That Section 22(11) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

The minimum lot size for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

G. That Section 22(12) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

H. That Section 22(46)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 46(b) secondary suites are permitted on all lots

I. That Section 23(1) Town-Site Residential (R1) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Single Detached Housing

Accessory Uses

Accessory Building or Structures

Bed and Breakfast Accommodation see Section 22(22)

Home-based Business see Section 22(21)

Horticulture

Keeping of Farm Animals see Section 22 (35)

Secondary Suite

Vacation Rentals see Section 22(23)

J. That Section 23(2) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

Community Water System and Community Wastewater System – 0.1 hectares

Community Water System and On-site Wastewater Disposal - 0.2 hectares

Individual Water Source and Community Wastewater System -0.2 hectares

Individual Water Source and On-site Wastewater Disposal – 1.0 hectare

K. That Section 23(9) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System - 0.1 hectares

Community Water System and On-site Wastewater Disposal - 0.2 hectares

Individual Water Source and Community Wastewater System - 0.2 hectares

Individual Water Source and On-site Wastewater Disposal - 1.0 hectares

L. That Section 24(1) Country Residential (R2) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Horticulture

Single Detached Housing

Accessory Uses

Accessory Building or Structures

Bed and Breakfast Accommodation see Section 22(22)

Home-based Business see Section 22(21)

Keeping of Farm Animals see Section 22(35)

Secondary Suite

Vacation Rentals see Section 22(23)

M. That Section 24(2) Country Residential (R2) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 1.0 Hectare

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

Minimum lot size for Subdivision - 1.0 hectare

O. That Section 25(1) Rural Residential (R3) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing
Horticulture
Outdoor Recreational Activities
Parks
Resource Based Activities
Single Detached Housing

Accessory Uses

Accessory Building or Structures
Bed and Breakfast Accommodation see Section 22(22)
Home-based Business see Section 22(21)
Keeping of Farm Animals see Section 22(35)
Secondary Suite
Vacation Rentals see Section 22(23)

P. That Section 25(2) Rural Residential (R3) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 2.0 hectares

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

Minimum lot size for Subdivision - 2.0 hectares

R. That Section 26(9) Town-Site Commercial (C1) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares
Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

S. That Section 27(9) Tourist Commercial (C2) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares
Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

T. That Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares

Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

U. That Section 29(9) Community Service (CS) Development Regulations be amended as follows:

Minimum lot size for Subdivision:
Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares
Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

V. That Section 30(9) Parks and Recreation (PR) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

W. Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

X. That Section 32(7) Environmental Reserve (ER) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

Y. That Section 33(7) Resource Area (RA) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 15.0 hectares

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘D’ Comprehensive Land Use Amendment Bylaw No. 3052, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3076

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 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

B. That Section 1601(2) Rural Residential I (R3I) Development Regulations be amended as follows:

One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or Duplex Housing shall be permitted per every additional four (4) hectares of site area.

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. 3076, 2026**”

READ A FIRST TIME this [Date] day of [Month] , 20XX.

READ A SECOND TIME this [Date] day of [Month] ,20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

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

Amendments to Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 18(108)(c) Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted on all lots.	AMEND Despite section 108(b) secondary suites are permitted on all lots.	Simpler language.
Section 18(108)(k) Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 19(2) Suburban Residential (R1) Development Regulations	The minimum lot size for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare	Clarifies regulation.

	Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	
Section 19(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 19(4) Suburban Residential (R1) Development Regulations	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.
Section 20(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<ul style="list-style-type: none"> - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only) 	<ul style="list-style-type: none"> 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) 	
Section 20(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use shall be 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 21(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horticulture</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing Secondary Suite 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

	- Temporary Farmworker Housing	Temporary Guest Accommodation Temporary Farmworker Housing	
Section 21(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 22(1) Rural Resource (R4) Permitted Uses	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 Guest Accommodation -Temporary Farmworker Housing	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Guest Accommodation Temporary Farmworker Housing	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.
Section 22(2)(B) Rural Resource	The maximum density is 2 Dwelling Units.	AMEND	Density modified to align with the density permitted prior to Amendment

(R4) Development Regulations		The minimum site area for each Principal Use is 2.0 hectares.	Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 25(1) Agriculture 1 (AG1) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Clarifies which uses are principal rather than accessory and improves formatting.

	- Temporary Farmworker Housing (may require ALC non adhering residential use approval)		
Section 25(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 2.0 hectares.	AMEND The minimum lot size for subdivision shall be 2.0 hectares.	Consistent use of terms.
Section 25(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 2 (AG2) Permitted Use	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses:	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses:	Clarifies which uses are principal rather than accessory and improves formatting.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 26(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 4.0 hectares.	AMEND The minimum lot size for subdivision shall be 4.0 hectares.	Consistent use of terms.
Section 26(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 16(108)(C) General Regulations Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted an all lots.	AMEND Despite section 108(b) secondary suites are permitted an all lots.	Simpler language.
Section 16(108)(K) General Regulations Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 17(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 17(2) Suburban Residential (R1) Development Regulations	The minimum site area for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer:	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED	Clarifies regulation.

	0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	
Section 17(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 18(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	- Portable Sawmills (for processing of materials harvested on-site only)	Portable Sawmills (for processing of materials harvested on-site only)	
Section 18(2) Country Residential (R2) Development Regulations	The minimum lot size is 1.0 hectare.	AMEND The minimum lot size for subdivision shall be 1.0 hectare.	Clarifies regulation.
Section 18(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	NEW The minimum site area for each Principal Use is 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 19(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horticulture</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing 	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	- Temporary Farmworker Housing	Temporary Farmworker Housing	
Section 19(2) Rural Residential (R3) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 19(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 20(1) Rural Resource (R4) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills 	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

	-Temporary Farmworker Housing	Secondary Suite Temporary Farmworker Housing	
Section 20(2) Rural Resource (R4) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 20(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 23(1) Agriculture 1 (AG1) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis	Clarifies which uses are principal rather than accessory.

	<ul style="list-style-type: none"> - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	
Section 23(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares.	AMEND The minimum lot size for subdivision is 4.0 hectares.	Clarifies regulation.
Section 23(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 24(1) Agriculture 2 (AG2) Permitted Use	Agriculture All activities designated as "Farm Use" as defined in the	AMEND Principal Uses: Agriculture	Clarifies which uses are principal rather than accessory.

	<p>Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p> <p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only 	<p>All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p> <p>Veterinary Clinic (may require ALC non-farm use approval)</p> <p>Accessory Uses:</p> <p>Accessory Buildings or Structures</p> <p>Accessory Tourist Accommodation</p> <p>Home Based Business</p> <p>Farm Product Processing of farm product from another parcel in the Regional</p>	
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	<ul style="list-style-type: none"> - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval) 	<p>District of Central Kootenay (may require ALC non-farm use approval)</p> <p>Farmworker Dwelling Unit</p> <p>Portable Sawmills for processing of material harvested on site only</p> <p>Secondary Suite</p> <p>Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 24(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 24(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 25(1) Agriculture 3 (AG3) Permitted Use	<p>Agriculture</p> <p>All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Agriculture</p> <p>All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p>	Clarifies which uses are principal rather than accessory.

	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
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Section 25(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
17(107)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 107(b) secondary suites are permitted on all lots.	AMEND Despite section 107(b) secondary suites are permitted on all lots.	Simpler language.
17(107)(d) General Regulations, Accessory Dwelling Units	The maximum gross floor area is 100.0 square metres outside of the Agricultural Land Reserve.	AMEND The maximum gross floor area is 90.0 square metres.	Modified to align with the provisions permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
17(107)(k) General Regulations, Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
18(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 18(2) Suburban Residential (R1)	The minimum lot size for the following uses shall be required as follows:	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED	Clarifies regulation.

Development Regulations	LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	
Section 18(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 18(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 18(4) Suburban Residential (R1) Development Regulations	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.
Section 19(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses:	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses:	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only) 	<p>Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce Portable Sawmills (for processing of materials harvested on-site only)</p>	
Section 19(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 1.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 20(1) Rural Residential (R3) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics</p> <p>Accessory Uses:</p>	<p>AMEND Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics <p>Accessory Uses: Accessory Buildings or Structures</p>	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills - Small Scale Wood Product Manufacturing -Temporary Farmworker Housing 	<p>Accessory Dwelling Unit, subject to section 17(107)</p> <p>Accessory Tourist Accommodation</p> <p>Day Care Facility</p> <p>Home Based Business</p> <p>Keeping of Farm Animals</p> <p>Sale of Site Grown Horticultural Produce</p> <p>Portable Sawmills</p> <p>Small Scale Wood Product Manufacturing</p> <p>Temporary Farmworker Housing</p>	
Section 20(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 21(1) Rural Resource (R4) Permitted Uses	<p>Dwellings:</p> <ul style="list-style-type: none"> - Single Detached Housing - Duplex Housing <p>Horse Riding Stables and Boarding Stables</p> <p>Horticulture</p> <p>Kennels</p> <p>Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists</p> <p>Veterinary Clinics</p> <p>Accessory Uses:</p>	<p>AMEND</p> <p>Principal Uses:</p> <ul style="list-style-type: none"> Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics <p>Accessory Uses:</p> <ul style="list-style-type: none"> Accessory Buildings or Structures 	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

	<ul style="list-style-type: none"> - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Child Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Farmworker Housing 	<ul style="list-style-type: none"> Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Farmworker Housing 	
Section 21(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 24(1) Agriculture 1 (AG1) Permitted Uses	<p>Agriculture</p> <p>All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p>	<p>AMEND</p> <p>Principal Uses:</p> <p>Agriculture</p> <p>All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time</p> <p>Kennel</p> <p>Micro Cultivation, Cannabis</p> <p>Micro Processing, Cannabis</p> <p>Nursery, Cannabis</p> <p>Nursery, Greenhouses and Florist</p> <p>Single Detached Housing</p> <p>Standard Cultivation, Cannabis</p> <p>Standard Processing, Cannabis</p>	Clarifies which uses are principal rather than accessory.

	<p>Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
Section 24(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares	AMEND The minimum lot size for subdivision shall be 4 hectares	Consistent use of terms.
Section 24(2)(C) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

<p>Section 25(1) Agriculture 2 (AG2) Permitted Uses</p>	<p>Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the</p>	<p>AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use</p>	<p>Clarifies which uses are principal rather than accessory.</p>
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	Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	approval)	
Section 25(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 3 (AG3) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis	Clarifies which uses are principal rather than accessory.

	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	<p>Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)</p>	
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Section 26(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 26(2)(C) Agriculture 3 (AG3) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Amendments to Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Ainsworth Townsite Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 21 Interpretation	MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;	DELETE	Consistent use of terms.
Section 22(4) General Regulations, Site Areas	The minimum lot area for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	Consistent use of terms.
Section 22 General Regulations, Reduction of Minimum Lot Areas	Reduction of Minimum Lot Areas	AMEND Reduction of Minimum Lot Size	Consistent use of terms.
Section 22(9) General	Where two or more contiguous lots registered prior to adoption of this	AMEND	Consistent use of terms.

Regulations, Reduction of Minimum Lot Areas	bylaw have less than the minimum lot area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	
Section 22(10) General Regulations, Reduction of Minimum Lot Areas	Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements: a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application; b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements: a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application; b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.	Consistent use of terms.
Section 22(11) General Regulations,	The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a	AMEND The minimum lot size for a lot created under sub-section 10 shall be 0.2	Consistent use of terms.

Reduction of Minimum Lot Areas	community water system and 0.4 hectares where not serviced by a community water system.	hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	
Section 22(12) General Regulations, Reduction of Minimum Lot Areas	Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area.	AMEND Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size .	Consistent use of terms.
Section 22(46)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 46(b) secondary suites are permitted an all lots	AMEND Despite section 46(b) secondary suites are permitted an all lots	Simpler language.
Section 23(1) Town-Site Residential (R1) Permitted Uses	Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35)	AMEND Permitted uses, buildings and structures: Principal Uses Duplex Housing Single Detached Housing Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Secondary Suite	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

	Vacation Rentals see Section 22(23)	Vacation Rentals see Section 22(23)	
Section 23(2) Town-Site Residential (R1) Development Regulations	Maximum Density – 2 Dwelling units	<p>AMEND Minimum site area for each Principal Use:</p> <p>Community Water System and Community Wastewater System – 0.1 hectares</p> <p>Community Water System and On-site Wastewater Disposal - 0.2 hectares</p> <p>Individual Water Source and Community Wastewater System -0.2 hectares</p> <p>Individual Water Source and On-site Wastewater Disposal – 1.0 hectare</p>	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 23(9) Town-Site Residential (R1) Development Regulations	<p>Minimum lot area for Subdivision: Community Water System and Community Wastewater System - 0.1 hectares</p> <p>Community Water System and On-site Wastewater Disposal - 0.2 hectares</p> <p>Individual Water Source and Community Wastewater System - 0.2 hectares</p> <p>Individual Water Source and On-site Wastewater Disposal - 1.0 hectares</p>	<p>AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System - 0.1 hectares</p> <p>Community Water System and On-site Wastewater Disposal - 0.2 hectares</p> <p>Individual Water Source and Community Wastewater System - 0.2 hectares</p> <p>Individual Water Source and On-site Wastewater Disposal - 1.0 hectares</p>	Consistent use of terms.
Section 24(1) Country	Permitted uses, buildings and structures: Principal Uses	<p>AMEND Permitted uses, buildings and structures:</p>	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the

Residential (R2) Permitted Uses	<p>Single Detached Housing Duplex Housing Horticulture</p> <p>Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	<p>Principal Uses Duplex Housing Horticulture Single Detached Housing</p> <p>Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Secondary Suite Vacation Rentals see Section 22(23)</p>	density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.
Section 24(2) Country Residential (R2) Development Regulations	Maximum Density – 2 Dwelling units	AMEND Minimum site area for each Principal Use – 1.0 Hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 24(9) Country Residential (R2) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectare	Consistent use of terms.
Section 25(1) Rural Residential (R3) Permitted Uses	<p>Permitted uses, buildings and structures:</p> <p>Principal Uses Single Detached Housing Duplex Housing Horticulture Outdoor Recreational Activities Parks</p>	<p>AMEND</p> <p>Permitted uses, buildings and structures:</p> <p>Principal Uses Duplex Housing Horticulture Outdoor Recreational Activities Parks</p>	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

	<p>Resource Based Activities Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)</p>	<p>Resource Based Activities Single Detached Housing Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Secondary Suite Vacation Rentals see Section 22(23)</p>	
<p>Section 25(2) Rural Residential (R3) Development Regulations</p>	<p>Maximum Density – 2 Dwelling Units</p>	<p>AMEND Minimum site area for each Principal Use – 2.0 hectares</p>	<p>Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.</p>
<p>Section 25(9) Rural Residential (R3) Development Regulations</p>	<p>Minimum lot area for Subdivision - 2.0 hectares</p>	<p>AMEND Minimum lot size for Subdivision - 2.0 hectares</p>	<p>Consistent use of terms.</p>
<p>Section 26(9) Town-Site Commercial (C1) Development Regulations</p>	<p>Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares</p>	<p>AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares</p>	<p>Consistent use of terms.</p>

	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 27(9) Tourist Commercial (C2) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On- site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Consistent use of terms.
Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On- site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Consistent use of terms.
Section 29(9) Community Service (CS) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On- site Wastewater Disposal – 0.2 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares	Consistent use of terms.

	Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 30(9) Parks and Recreation (PR) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 32(7) Environmental Reserve (ER) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 33(7) Resource Area (RA) Development Regulations	Minimum lot area for Subdivision - 15.0 hectares	AMEND Minimum lot size for Subdivision - 15.0 hectares	Consistent use of terms.

Amendments to Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 (F, I, J, K)

Section Number	Existing Item / Wording	Change	Rationale
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 which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 1601(2) Rural Residential I (R3I) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or Duplex Housing shall be permitted per every additional four (4) hectares of site area.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2958 which was adopted by the Board in July 2024.