WEST CRESTON

ELECTORAL AREA 'C' COMPREHENSIVE LAND USE BYLAW NO. 2317, 2013

REGIONAL DISTRICT OF CENTRAL KOOTENAY
ELECTORAL AREA 'C' COMPREHENSIVE LAND USE BYLAW NO. 2317, 2013

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LIST OF AMENDMENTS TO RDCK ELECTORAL AREA 'C' COMPREHENSIVE LAND USE BYLAW NO. 2317, 2013 UP TO (see date at bottom of last page of amendments), WHICH ARE INCLUDED IN THIS CONSOLIDATED VERSION OF THE BYLAW

Bylaw No. File No.	Adopted	Amendment	Purpose
2406 4600-10-Z1412-2406-2317-MMPR	August 21, 2014	General text amendment to provide definitions and general regulations for the purposes of licensed medical marihuana production and research in Agricultural and Industrial zones.	To provide clarity and general regulations for the purposes of licensed medical marihuana production and research
2430 4600-20-Z1413-C03794.000	December 11, 2014	Re-designating Schedule B.1 Land Use Designation and Schedule B.5 Zoning for Parcel 1 of Parcel B of Lot 1 DL 892 Plan 698A (PID 015-716-368) and Block 116 DL 9554 (PID 016-469-968) and 6.22 ha portion of Parcel B Lot 1 DL 892 KD Plan 698A (PID015-716-414) from RR to RC (Zoning R3 to R2) and .036 ha portion of Parcel B Lot 1 DL 892 KD Plan 698A (PID 015-716-414) from RR to AG (Zoning from R3 to AG2)	To accommodate an eight (8) lot subdivision proposal for the subject propert(ies)
2514 4600-20-Z1603C-06119.000	July 12, 2016	Re-designating Schedule B.1 Land Use Designation for Lot B District Lot 9555 Kootenay District Plan 1501 from Agriculture (AG) to Industrial (M) and Schedule B.5 Zoning Designation from Agriculture 2 (AG2) to Medium Industrial (M2)	To accommodate a wood product manufacturing industrial use on the subject property
2621 5110-20-Cannabis_Act	January 17, 2019	Text Amendments for the implementation of the Cannabis Act	Text Amendments to enable cannabis retail sales, cultivation, processing and nurseries throughout the RDCK.
2638 5200-20-Agricultural-Review	January 17, 2019	Text Amendments for Agricultural (AG) Zones	Text Amendments for the purposes of alignment with revised ALC Regulations, Provincial Bylaw Standards and RDCK Agricultural Area Plan.
2650	July 18, 2019	Re-designating Schedule B.1 Land Use Designation for Lot 16 District Lot 491 Kootenay Land	To accommodate the principal use of the property for residential purposes.

Bylaw No. File No.	Adopted	Amendment	Purpose
4600-20-C-02134.100-Johnson		District Plan NEP1456 (PID 012-986-596) from Quarry (Q) to Agriculture (AG) and Schedule B.5 Zoning Designation from Quarry (Q) to Agriculture 2 (AG2)	
2688 5110-20-Compliance-and-Enforcement	April 16, 2020	Text Amendments for Compliance and Enforcement	Text Amendments for the purposes of alignment with the RDCK Bylaw Enforcement and Dispute Adjudication System Bylaw and Municipal Ticketing Information Bylaw.
2749 5100-20-Accessory Buildings and TUP's	February 17, 2022	Multiple Text Amendments	Text Amendments for Parks (s. 16.0, 17.52 & 35.1), Shipping Containers (s. 17.53), Zone Boundaries (s. 17.92A), fence heights (s. 18.11), remove ability to construct small accessory buildings before a principle use (s. 19.7, 20.6, 21,7, 24.3, 25.3, 26.3), and housekeeping.
2836 5200-20-Agricultural Review	October 13, 2022	Multiple Text Amendments	Text Amendments for the purpose of supporting farming and protecting farmland in the RDCK.
2955 5110-20-Provincial Housing Changes	July 18, 2024	Multiple Text Amendments to Interpretation, General Use Regulations and multiple zones.	Small Scale Multi Unit Housing updates required by Bill 44 Housing Statutes (Residential Development) Amendment Act.
2786 4600-20-C-03785.100-Heartland-Mennonite-Brotherhood	December 12, 2024	Re-designating Schedule A.1 Land Use Designation for LOT 2 DISTRICT LOT 892 KOOTENAY DISTRICT PLAN EPP53196 (029-709-458) from Agriculture (AG) to Community Services and Administration (CS) and Schedule B.1 Zoning Designation from Agriculture Two (AG2) to Community Services (CS)	To authorize the development of a church on the subject property.
3051 5110\20\Provincial Housing Changes\2025 Zoning Amendments	August 20, 2026	Multiple Text Amendments	Housekeeping and density calculation text amendments.

August 2026

MAPPING SCHEDULES are available on the RDCK's WebMap (PIMS), please refer to the tutorial on the WebMap (PIMS) site for instructions on how to view the mapping. Printable copies are available by contacting the RDCK GIS department.

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Regional District of Central Kootenay

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

A Bylaw to guide decisions in planning and land use and to regulate land use and development within Electoral Area 'C' pursuant to Part 14 of the *Local Government Act of British Columbia, R.S.B.C. 2015.*

TITLE

This Bylaw may be cited for all purposes as the Electoral Area 'C' Land Use Bylaw No. 2317, 2013'.

AUTHORITY

WHEREAS under the provisions of Section 472 of the *Local Government Act* the Regional Board may adopt an Official Community Plan for an area;

AND WHEREAS under the provisions of Sections 479, 482, 492, 523, 525, 526 and 527 of the *Local Government Act* the Regional Board may adopt a Zoning Bylaw allowing the Regional District to regulate the following: the use, density, siting, size and dimensions of land, buildings and other structures; the shape, dimensions and area, including the establishment of minimum and maximum sizes of parcels created by subdivision; density benefits for amenities; designation of temporary use areas; runoff control requirements; off street parking and loading space requirements; provisions for the regulation of signs and provisions for screening and landscaping;

AND WHEREAS under the provisions of Section 227 of the Local Government Act the Regional Board may by General Bylaw, exercise any number of its powers to act by Bylaw;

AND WHEREAS the Regional Board has prepared a combined Official Community Plan contained herein as Schedule 'A' and Zoning Bylaw contained herein as Schedule 'B';

AND WHEREAS the Regional Board may adopt a Bylaw and each reading of the Bylaw must receive an affirmative vote of a majority of all directors of the Regional Board who are entitled to vote on that Bylaw;

AND WHEREAS the Regional Board has consulted and complied with Sections 475, 476 and 477 as required under the Local Government Act for that portion of this Bylaw that is an Official Community Plan;

AND WHEREAS the Regional Board has consulted and complied with Section 464 as required under the Local Government Act for that portion of this Bylaw that is a Zoning Bylaw;

AND WHEREAS it is recognized that the requirements for consultation under Sections 475 and 476 of the Local Government Act will be applied to proposed bylaw amendments that fall under Schedule 'A' of this Bylaw and that the requirements for consultation under Section 464 will be applied to proposed bylaw amendments that fall under Schedule 'B' of this Bylaw.

NOW THEREFORE the Regional Board of the RDCK, in open meeting assembled, enacts as follows:

APPLICATION

1. Schedule 'A' being the components of an Official Community Plan and as applicable to that portion of Electoral Area 'C' as outlined in Schedules A.1, A.2, A.3 and A.4 being mapping forming part of the Official Community Plan; and

2. Schedule 'B' being the components of a Zoning Bylaw and as applicable to that portion of Electoral Area 'C' as outlined in Schedule B.1 being mapping forming part of the Zoning Bylaw

ADMINISTRATION AND ENFORCEMENT

3. The Manager of Development Services, Planning Services, Building Services and Bylaw Enforcement Services staff and any other person authorized to assist the aforementioned persons are authorized to administer this Bylaw and enter property at any reasonable time to determine whether the regulations of the Bylaw are being complied with.

VIOLATION AND PENALTY

4. Penalties are subject to the conditions of any applicable RDCK Municipal Ticketing Information Bylaw and RDCK Bylaw Enforcement Notice and Dispute Adjudication System Bylaw as amended or replaced from time to time.

VALIDITY

5. If any statement, section, sub-section, clause or phrase of this Bylaw and the provisions adopted by this Bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction; the decision shall not affect the validity of the remaining portions of this Bylaw.

REPEAL

6. The portion of Electoral Area 'C' under the Creston Valley Official Community Plan Bylaw No. 1575, 2002, and all subsequent amendments thereto, is hereby repealed.

7. The portion of Electoral Area 'C' under Regional District of Central Kootenay Zoning Bylaw 1675, 2004, and all subsequent amendments thereto, is hereby repealed.

READINGS

READ A FIRST AND SECOND TIME on this 17th day of October, 2013.

REGIONAL BOARD CONSIDERATION OF SECTION 882 OF THE *LOCAL GOVERNMENT ACT* this 17th day of October, 2013.

PUBLIC HEARING held this 4th day of November, 2013.

APPROVED by the Ministry of Transportation and Infrastructure Approving Officer this 19th day of November, 2013.

" M. Ihas"

_____
Approving Officer

THIRD READING AND ADOPTED this 21st day of November, 2013.

" J. R. Kettle"	*" A. Winje"*
Chair	Secretary

LIST OF SCHEDULES, MAPS, AND FIGURES

Table 1	Land Use Consistency Table
Schedule 'A'	Electoral Area 'C' Official Community Plan
Schedule A.1	Land Use Designation Maps
Schedule A.2	Hazard Maps
Schedule A.3	Parks, Trails, and Transportation Maps
Schedule A.4	Natural Areas Maps
Schedule 'B'	Electoral Area 'C' Zoning Bylaw
Schedule B.1	Zoning Designation Maps

Note: Schedule 'A' and 'B' Map Series can be viewed either on the RDCK website at www.rdck.bc.ca or in hard copy at the RDCK office. Original mapping schedules are as adopted in hard copy as part of the Bylaw. Any subsequent amendments are maintained electronically.

Acronyms used in this document

Agricultural Land Reserve	ALR
Agricultural Land Commission	ALC
Comprehensive Land Use Bylaw	CLUB
Regional District Central Kootenay	RDCK

TABLE 1: LAND USE CONSISTENCY TABLE

The future use and development of land within Electoral Area 'C' must be consistent with the overall pattern of land use depicted on Schedules 'A.1' and 'B.1', and based on the following land use designations and zoning designations:

Rural Designations:	**Land Use:**	**Zoning:**
Agriculture	AG	AG1
		AG2
		AG3
Resource Area	RA	RA
Forest Reserve	FR	FR
Residential Designations:		
Suburban Residential	RS	R1
Country Residential	RC	R2
Rural Residential	RR	R3
Rural Resource		R4
Manufactured Home Park	RM	R5
Multi-Family Residential		R6
Commercial Designation:		
Neighborhood Commercial	NC	C1
General Commercial	GC	C2
Industrial	M	M1
		M2
		M3
Railway	RW	RW
Quarry	Q	Q
Community Services and Administrative Designations:		
Community Services	CS	CS
Parks and Recreation	PR	PR
Environmental Reserve	ER	ER
Lower Kootenay Band	LKB	LKB

SCHEDULE 'A'

OFFICIAL COMMUNITY PLAN

Regional District of Central Kootenay
Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013

1.0 INTERPRETATION AND ADMINISTRATION

The policy and land use regulation provisions of this Bylaw apply to all lands and surfaces of water within Electoral Area 'C' as identified on Schedule 'A.1' and 'B.1' of this bylaw.

Interpretation

A Comprehensive Land Use Bylaw (CLUB) means a community plan containing elements of an official community plan and zoning bylaw. It is intended to be a comprehensive document addressing the present and future needs of the community as referred to in the *Local Government Act* and as adopted by the Regional Board of the Regional District of Central Kootenay (hereafter referred to as the Regional Board), in accordance with the requirements of the *Local Government Act*.

Administration

1. This CLUB comes into effect as of the date of formal adoption by the Regional Board.
2. This Plan will undergo a comprehensive review every five to ten years in order that the document continues to accurately reflect the long-range planning objectives of the unincorporated communities of Electoral Area 'C'.
3. Public hearings to consider Plan amendments will be held upon the time of application and at the discretion of the Board. All public hearings will be advertised in the local newspaper and all property owners within 100 meters or a greater distance of the subject property will be sent notice as per required under the *Local Government Act.* The Board may hold a public hearing at any time to consider a community plan amendment if it is deemed to be in the public interest.
4. The CLUB can only encourage senior levels of government to take action; it cannot force or require senior governments to act. Furthermore, although the CLUB cannot commit the Regional Board to specific expenditures, the Regional Board cannot enact bylaws or undertake works that are contrary to it without amending the Plan.

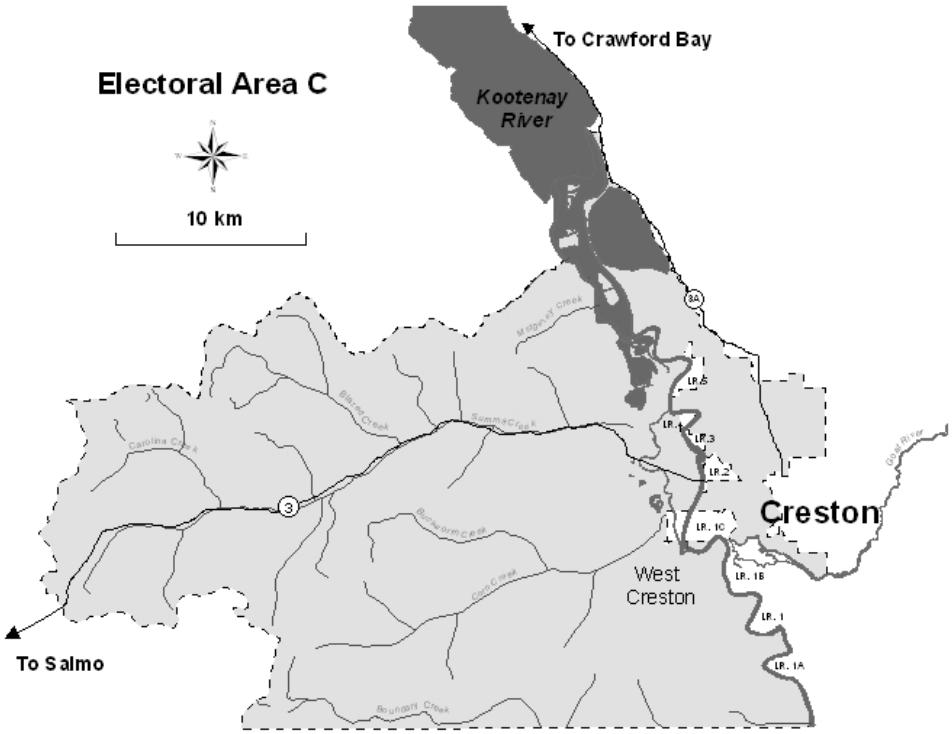
2.0 PUBLIC CONSULTATION

A CLUB represents the vision and objectives of a community on future growth and development. It provides policy direction that informs the RDCK Board and other government agencies in making land use decisions. Residents, businesses, landowners and governments all depend upon the CLUB to assess and guide future community potential. The CLUB contains broad goals and objectives for particular land uses, specific and general policies, regulations and prescriptions, maps and development permit area guidelines.

While the CLUB is intended to be a collective vision put forth by the community, other agencies and First Nations have been consulted. This CLUB was prepared in consultation with participating local residents, land owners, community groups, the local Advisory Planning Commission (APC), and various levels of government.

The community consultation and policy development phases involved a range of meetings, workshops, open houses, information posted on the RDCK website and newsletters distributed as a mail drop. The APC provided direction on all aspects of the development of the plan, considered policy options, and recommended adoption of the plan in compliance with the provisions of the *Local Government Act* and other relevant Provincial legislation. A CLUB does not commit or authorize the RDCK to proceed with any project that is specified in the Plan.

Map 1: General Context



3.0 AGRICULTURE

Background

The amount of designated and undesignated land that is in agricultural production in the rural area is an important factor in developing a secure local food system. Lands within the Agricultural Land Reserve (ALR) can be found throughout the Plan area. The area is one of the richest agricultural areas of the Province, with lands being used for large commercial agricultural production of grains, hay, produce, dairy and livestock in addition to other associated agricultural activities. Agriculture is also a basis for tourism and industry in the area. Lands outside of the ALR are used for rural residential and country residential purposes with small market gardens. These can be an important contributor to local food production. In addition, agricultural operations and activities, such as livestock grazing, are also dependent on rural lands outside of the 'Agricultural' designation.

Lands designated as Agriculture in Schedule 'A.1' include areas within the Agricultural Land Reserve and additional lands with the identified potential for agricultural activity. Agricultural operations and activities are also dependent on lands located outside of the Agricultural designation. Zoning types applicable to this section include Agriculture 1 (AG1), Agriculture 2 (AG2) and Agriculture 3 (AG3).

Agriculture Objectives

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

5. To support a strategy for diversifying and enhancing farm income by creating opportunities for uses secondary to and related to agricultural use.
6. To encourage senior levels of government to enable and facilitate agricultural activity and industry.
7. To recognize distinct agricultural areas reflecting unique historical development trends, soils and climate.
8. To examine any ALR boundary changes in association with affected landowners.

Agriculture Policies

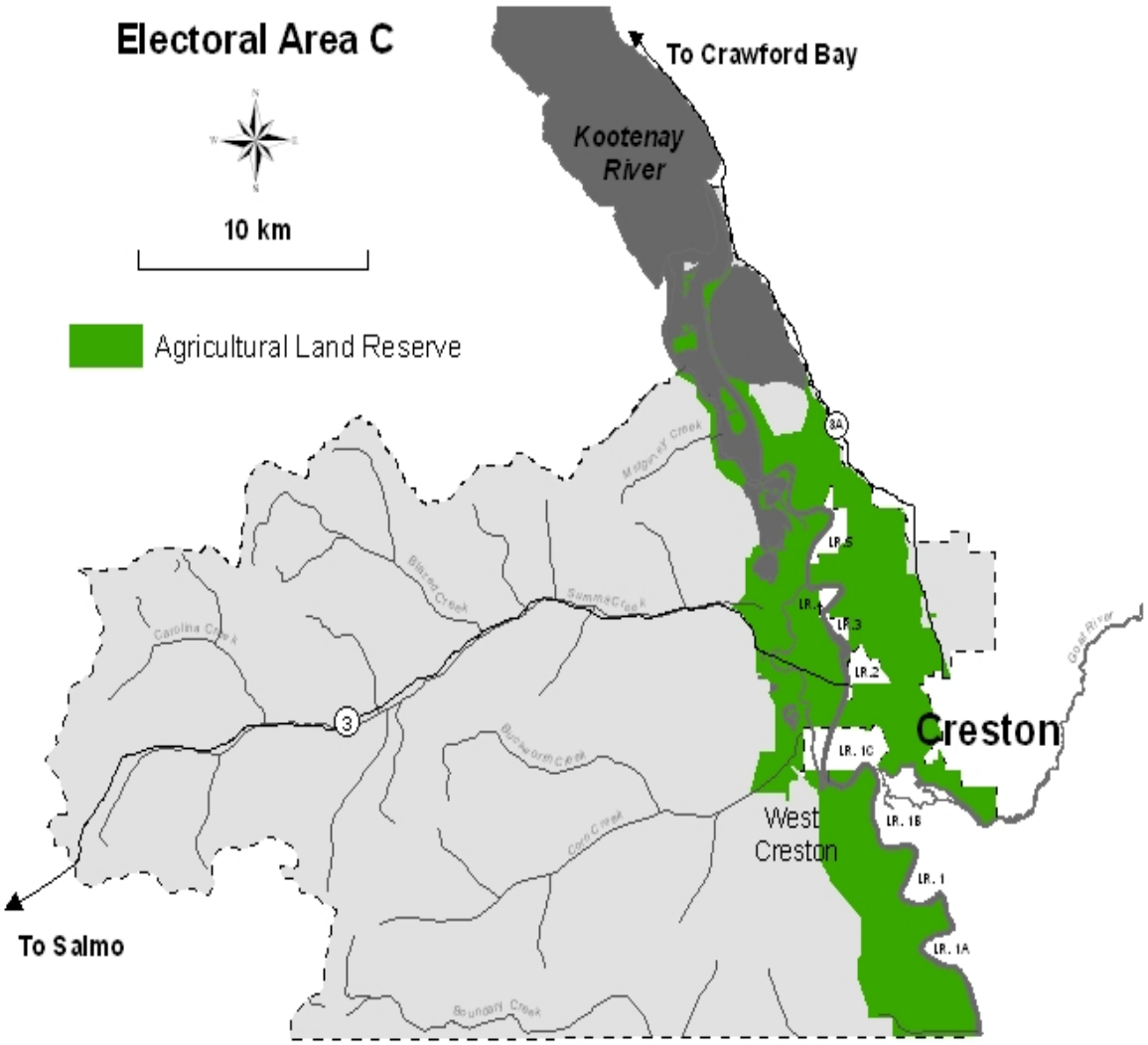
The Regional Board:

9. To work with the Town of Creston on a co-operative approach to agricultural lands within the urban / rural interface that will mitigate the loss of agricultural land to future growth.
10. Discourages subdivisions of agricultural land that do not benefit agriculture and result in further fragmentation of agricultural land.
11. Will permit varying parcel sizes depending on the respective agricultural designation, but generally shall range between four (4) hectares (9.88 acres) and sixty hectares (60) hectares (148.26 acres) for land within the ALR, or no smaller than two (2) hectares (4.94 acres) for land outside of the ALR.
12. May require that new development adjacent to agricultural areas provide sufficient buffering in the form of setbacks, fencing or landscaping.
13. Supports the consolidation of legal lots that may support more efficient agricultural operations.
14. Supports directing intensive agricultural operations to larger lots or increasing building setbacks and other possible mitigation measures to prevent potential conflicts with adjacent land uses.
15. Will provide opportunity to diversify and enhance uses secondary to agricultural uses with home based business and industry, agri-tourism, or accessory tourist accommodation opportunities, provided that they are compatible with the agricultural character of the area.
16. May consider accessory dwellings where there is a need for farm worker housing on an operating farm, and where the additional density can be sustainably serviced.
17. Will encourage food processing activities within the Plan area, and uses secondary to, and complementary to agricultural production; such as market gardens, agri-tourism, farmers markets and farm gate sales.
18. Encourages the development of small scale food processing facilities on farm lands in Agricultural zones, provided the facility operated in an environmentally

sustainable fashion and insure that such facilities have obtained all licenses and permits from the appropriate regulatory bodies.

19. Supports the *Farm Practices Protection (Right to Farm) Act*.
20. Supports the RDCK Agricultural Area Plan (2011).
21. Supports the use of maximum setback distances for residential development and the clustering of built structures on agricultural lands to reduce the impact to agricultural potential and operations
22. Encourages and promotes the Environmental Farm Plan program to farmers in the Region.

Map 2: Agricultural Land Reserve



4.0 RESIDENTIAL

Background

This section outlines the objectives and policies for Suburban Residential, Country Residential, Rural Residential and Multi-Family Residential designations in the Plan area.

Electoral Area 'C' has a population of 1,372 persons based on 2011 census data. The area has a total of 659 dwellings, most of which are two person households. One-family dwellings and modular homes are the predominant housing type. Senior residents over the age of 65 comprise 22% of the total population[1].

Development activity with regard to the issuance of building permits and subdivision within the plan area remains relatively small scale with predominately one to two lot proposals reflecting subdivision for families within the Agricultural Land Reserve. In some cases, subdivision applications may not have been approved due to constraints related to Agricultural Land Commission decisions.

Zoning types applicable to this section include Suburban Residential (R1), Country Residential (R2), Rural Residential (R3), Rural Resource (R4), Manufactured Home Park (R5) and Multi-Family Residential (R6).

General Residential Objectives

1. To maintain the rural character, environmental integrity, and the social and cultural diversity of the Plan area.
2. To accommodate residential development in established residential areas outside of the Agricultural Land Reserve (ALR).
3. To consider development proposals in relation to the provision of services.
4. To continue to allow for the keeping of farm animals and market gardens in conjunction with residential uses provided that the provisions for the keeping of farm animals minimizes negative impact to adjacent property owners.

[1] BC Stats. May 2010. 2011 Census Profile: Central Kootenay B, RDA. Accessed February 28, 2013 from: www.bcstats.gov.bc.ca

General Residential Policies

The Regional Board:

5. Will require that proposed residential development meet the following criteria, irrespective of land use designation:
    a. capability of accommodating on-site domestic water and waste water disposal;
    b. capability of the natural environment to support the proposed development, and its impact on habitat and riparian areas;
    c. susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
    d. compatibility with adjacent land uses and designations, and how its form and character complements the surrounding rural area;
    e. proximity and access to existing road networks, and other community and essential services, if they exist;
    f. mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas; and
    g. type, timing, and staging of the development.
6. Recognizes that existing lots smaller than the minimum lot size permitted by designation, may be used for the purposes permitted in the designation providing all other regulations are met.
7. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development.
8. Encourages the infill of vacant residential parcels before developing new residential areas.
9. Supports that home based businesses and/or occupations in residential areas consider the quality of life enjoyed by residents in the area and that related activities not generate undue conflict with adjacent property owners and residents.

Suburban Residential (RS) Policies

The Regional Board:

10. Directs that the principal use shall be one-family or two-family dwellings.
11. Encourages directing development of this type to municipalities or existing or proposed residential nodes where infrastructure services are available or can be provided.
12. Encourages mixed use development that builds upon existing infrastructure.

Country Residential (RC) Policies

The Regional Board:

13. Directs that the principal use shall be one-family or two-family dwellings.
14. Will allow for one dwelling unit per parcel and one additional dwelling shall be permitted for every one (1) hectare of lot area over one (1) hectare.
15. Supports low density residential development with lot sizes for subdivision purposes being determined by the requirements of on-site servicing, such as ground or surface water and Type 1 waste water disposal.
16. Provides for property owners or residents to diversify and enhance uses secondary to 'Country Residential' uses with home based business, agri-tourism, home occupations, or bed and breakfast opportunities, provided that they are compatible with the character of the surrounding area.

Rural Residential (RR) Policies

The Regional Board:

17. Directs that the principal use shall be one-family or two-family dwellings.
18. Supports rural residential development with lot sizes for subdivision purposes that generally exceed 2.0 ha (4.94 acres).
19. Provides for property owners or residents to diversify and enhance uses secondary to Rural Residential uses with home based business, agri-tourism, home occupation, or bed and breakfast opportunities, provided that they are compatible with the character of the surrounding area.

Multi-Unit Residential (RH) Policies

The Regional Board:

20. Directs that the principal use be one-family, two-family or multi-familyresidential.
21. Supports that multi-family residential includes developments consisting of more than five (5) units per hectare (2.47 acres) in manufactured home parks, seniors housing developments, co-operative housing, apartments, fractional, strata and row housing developments.
22. Directs that multi-family residential developments be restricted to a maximum of two-stories and be subject to the provision of community water and/or waste water disposal.
23. Encourages that multi-family residential developments may include accessory or incidental commercial use.
24. Recognizes that multi-family residential policies will be applicable to both Manufactured Home Park Zoning (R5) and Multi-Unit Residential Zoning (R6).

5.0 COMMERCIAL AND INDUSTRIAL

Background

This section outlines the objectives and policies for General Commercial, Tourist Commercial and Industrial designations in the Plan area.

Most of the commercial and business needs within the Plan area are met within the Town of Creston. However, several service establishments, eating and tourist accommodation facilities, and retail outlets exist throughout the Plan area. In addition there are many home-based businesses within the area that are vital to the liveability and economic and social sustainability of area communities.

Small and large scale industrial operations exist throughout the Plan area, but are generally concentrated in and around the Highway 3 and 21 Corridors and in association with large agricultural operations. These activities are provided for under the Industrial land use designation. The principal industrial activity in the area is primarily orientated toward primary and secondary resource processing related to forestry and agriculture and machine and equipment repair. Zoning types applicable to this section include Neighborhood Commercial (C1), General Commercial (C2), Light Industrial (M1), Medium Industrial (M2), Heavy Industrial (M3) and Railway (RW).36

Commercial Objectives

1. To enhance the long term vitality and economic sustainability of the Plan area by supporting new and existing businesses and the creation of employment.
2. To provide for commercial activities servicing the needs of local residents and tourists.
3. To minimize land use incompatibility between commercial activities and surrounding land uses by requiring screening and landscaping of new commercial developments.
4. To encourage home based businesses as a means of strengthening the economic base.
5. To accommodate a broad variety of home based businesses.
6. To expand employment opportunities associated with home based businesses and occupations within the Plan area.
7. To accommodate temporary commercial and industrial uses in appropriate locations.

8. To protect the character and integrity of quiet residential and rural neighborhoods.
9. To encourage noise abatement techniques where appropriate.

General Commercial (GC) Policies

The Regional Board:

10. Directs that existing commercial uses shall be recognized and designated as such.
11. Will encourage the development of neighbourhood commercial areas where appropriate; ensuring the design of such developments is compatible with surrounding land uses and where the majority of residents in the affected areas have been consulted and are in support of such developments.
12. Supports that requirements for screening or landscaping be incorporated into the design of new commercial developments other than home based.
13. Recognizes the commercial and service center role of the Town of Creston; therefore commercial development in the Plan area will primarily be oriented toward serving local community needs and tourist and traveler needs.
14. Will promote home based businesses as a significant means of satisfying local employment needs provided they do not conflict with or negatively impact on the natural and residential character of communities.
15. Will ensure that home based business opportunities remain flexible and accommodate expanded employment needs.
16. Will ensure that adequate land is designated for commercial uses where deemed appropriate and necessary.
17. *Removed by Bylaw 2688*

Tourist Commercial (TC) Policies

The Regional Board:

18. Directs that existing tourist commercial uses shall be recognized and designated as such.
19. Encourages the development of a range of tourist accommodation types, including campgrounds, lodges, resorts, and bed and breakfast establishments, to diversify tourism opportunities in the community.
20. Supports commercial recreation, resort commercial, agri-tourism and eco-tourism opportunities such as trail rides, campgrounds and/or wilderness tours, provided they do not have a previously demonstrated detrimental impact on important habitat or riparian areas or adjacent land uses.

Industrial Objectives

21. To recognize and retain traditional resource-based livelihoods such as recreation, agriculture, and forestry while maintaining and protecting their land bases to support sustainable management practices.
22. To ensure there is opportunity for light industrial uses that support the local economy.
23. To support and enhance industrial uses within the Plan area while minimizing incompatibility with surrounding land uses through requirements for screening or landscaping.
24. To ensure that new proposed industrial operations have significant public input prior to development so that issues can be resolved to the satisfaction of the public and operator.
25. To encourage value added resource manufacturing and production to enhance or maximize the value of raw materials within the local community.
26. To ensure good arterial access for existing and new industrial developments.
27. To encourage noise abatement techniques where appropriate.

Industrial (M) Policies

The Regional Board:

28. Directs that existing industrial uses shall be recognized and designated as such.
29. Recognizes the importance of industry to the local economy, and supports new light industry and value added manufacturing so that a broader employment base can be achieved and economic benefits be retained in the local community.
30. Supports that requirements for screening or landscaping be incorporated into the design of new and expanded industrial developments.
31. Supports that industrial activities resulting in significant noise pollution are managed by hours of operation and/or screening.
32. Discourages industrial activities that are considered noxious, emit pollutants, create public safety hazards, extreme noise and/or are otherwise detrimental to the environment, neighbouring properties, and the community as a whole.
33. Supports that a Development Permit Area pursuant to Sections 488 and 489 of the Local Government Act shall be required for all new and expanded industrial developments to ensure development is compatible with adjacent land uses.

6.0 COMMUNITY SERVICES AND ADMINISTRATION

Background

The Community Services and Administration land use designation generally refers to public, non-profit or utility uses such as schools, churches, recreation facilities, community centres, public health facilities, community care facilities, fire halls, libraries, post offices, and local government and improvement district buildings. The Plan recognizes that administrative and institutional development will generally be directed to existing settlement areas; which are central and better able or already provide for this service function. In addition, the Plan recognizes that many of the community services and administrative activities available to residents of the Plan area are centrally located in the Town of Creston or provided through regional partnerships.

The Plan area falls under Kootenay Lake School District No. 8 and public educational facilities are provided for within the Town of Creston and within Erickson. There is an active community hall within West Creston in addition to meeting facilities within the Creston Valley Wildlife Centre. Fire service is provided to portions of the Plan area through the Town of Creston and the Wynndel/Lakeview Volunteer Fire Department. Fire service is not available to other portions of the Plan area. Zoning types applicable to this section include Community Services (CS) and lands under the Lower Kootenay Band (LKB) which fall outside of local government jurisdiction.

Community Services and Administration Objectives

1. Encourages coordination of planning and service delivery among the Regional District, Town of Creston, the Lower Kootenay Band, and senior levels of government to ensure that costs are minimized and services provided in an effective and efficient manner.
2. To direct administrative and community service development to areas where services and amenities are more readily available and where they best serve the needs of the community.
3. To work with the Province and Kootenay Lake School District 8 to ensure public education needs are being met in the Plan area.
4. To investigate options for enhanced service delivery through regional partnerships where services or activities can not be sustainably supported within the rural areas.

5. To attract a diversified age demographic to ensure the long term sustainability of school and health care services.
6. To ensure that land use decisions accommodate emergency response through provision of adequate access to developments and facilities for fire protection services and emergency first response.
7. To provide for an adequate level of fire protection and expansion of fire protection services to all areas within the Plan area.
8. To encourage the cooperation and coordination with and among utility companies for the provision of public utilities that service existing and future developments.
9. To recognize the variety of spiritual and cultural activities important to residents of the unincorporated communities within Electoral Area 'C'.

Community Services and Administration Policies

The Regional Board:

10. Supports the location and development of fire halls, indoor recreation amenities, and community halls in the rural area as development requires and the needs of the community change.
11. Supports the Province, senior governments, aboriginal communities, individuals, and interest groups in identifying and protecting features and sites of scenic, architectural, historical, spiritual, archaeological and ecological significance within the Plan area.
12. Encourages and supports the establishment of home based child care facilities.
13. Supports and will work with appropriate agencies and regional partners in the maintenance and expansion of health care and social services within the Plan area.
14. Supports the enhancement and creation of greater opportunities for children, youth, and adult recreational, educational, and leisure activity.
15. Supports multi-purpose use of public buildings that serve multiple interest groups or multiple community needs.
16. Supports that emergency response organizations are provided the opportunity to comment on emergency access and safety issues when considering new developments in the Plan area.
17. Will continue to support the use of public and private lands for local community events, provided that such events are supported and do not negatively impact on neighbouring properties.

7.0 PARKS AND RECREATION, CULTURE AND HERITAGE

Background

The Plan area contains the internationally significant Creston Valley Wildlife Area, portions of Stagleap Provincial Park and the newly acquired Darkwoods Protected Area. Local facilities include Summit Creek Park and Campground, Goat River Community Park, the Dewdney Trail and trail systems throughout the Diking system, Duck Lake and Mount Creston.

Public recreational trails and public spaces of all types exist informally or are managed by local interest groups on Crown lands or public lands throughout the Plan area. Coordination and partnership with the RDCK and other government agencies ensures that land development does not inhibit the potential of establishing and maintaining an integrated trail network.

There are a multitude of significant cultural and heritage sites within the Plan area, including buildings and non-structural features. Zoning types applicable to this section include Parks and Recreation (PR).

Parks and Recreation, Culture and Heritage Objectives

1. To provide local recreational opportunities for local residents and visitors that does not stress existing facilities, services, and resources; or generate undue cost to local taxpayers.
2. To work toward the development of a comprehensive trail system that is consistent and complementary with other trails in the RDCK.
3. To support cultural activities and facilities throughout the Plan area.

Parks and Recreation, Culture and Heritage Policies

The Regional Board:

4. Recognizes the Town of Creston as a cultural and social centre for the Plan area.
5. Supports the existing network of public recreation sites and trails, as well as the creation and extension of a connected network of trails and public corridors to access community parks, recreation areas, public open space and amenities, where feasible.

6. Proposes the establishment of a recreation system in the Plan area based on the following categories:
    a. community parks or open space greenbelts that provide for watershed protection, access to lake and creek shorelines, and dispersed low environmental impact recreational facilities, such as walking and cycling trails;
    b. community parks should be centrally located, and if possible located in association with community halls, playgrounds, ball fields, tennis courts and/or other recreation activities; and
    c. recreation facilities within the Town of Creston.
7. Recognizes the importance and significance of the Creston Valley Wildlife Management Area.
8. Recognizes the importance and significance of the Creston Valley Dike system for recreational purposes and flood control, and supports on-going maintenance and public access to the system for these purposes.
9. Recognizes and supports the RDCK Regional Parks Strategy.

8.0 INFRASTRUCTURE AND TRANSPORTATION

Background

The Plan acknowledges the advantages of orderly growth and planning of subdivisions, and the disadvantages of un-serviced development or premature, uneconomical extensions of utilities and services. It also supports combining servicing with sound land use development principles for the protection of environmentally sensitive land. Subdivision activity in the Plan area is primarily restricted to one to two lot subdivisions.

Utility services within the Plan area are primarily small water user communities or diking authorities. Additional privately owned and managed water systems exist throughout the Plan area. Small water systems and individual water sources are vulnerable to drinking water advisories, or over subscription of water resources. Areas that require water for both domestic and irrigation purposes can be especially vulnerable.

There are no publicly owned waste water disposal services in the Plan area. Septic, and more recently, package sewage treatment plants, are the present forms of sewage treatment. Refuse disposal for the area is provided at the regional transfer facilities and landfill in Lister proximate to the airport within Electoral Area 'B'.

All major highways are intended to function as regional transportation corridors, Highway 3 is the only designated controlled access highway in the Plan area. Highway 21 is not a designated controlled access highway. The road infrastructure connecting communities within the RDCK is largely managed by the Province; however, the RDCK influences the transportation system through its decisions with regard to development. The RDCK also works closely with the Province to facilitate public transit. Transit service is currently available upon request for most communities within the Plan area. There are no applicable zoning types associated with public roads as they fall under Provincial jurisdiction.

Infrastructure Objectives

1. To support expanded utility service in the Plan area where there is community need and desire.
2. To ensure that new development proposals, including construction and subdivision of lands, do not put undue strain or pressure on existing domestic and irrigation water supply.
3. To ensure that water and sewer systems within the Plan area support good health and safety, and meet appropriate and affordable standards of service.

4. To encourage that surface water sources for domestic and irrigation use within the Plan area are identified and measures taken to ensure the long term quantity and quality of water supply are maintained or improved.
5. To support that new development be subject to the requirements of adequate water supply for both domestic and fire protection purposes.
6. To promote water resource conservation strategies and reduce water demand as much as possible through educative materials and voluntary incentives; particularly in areas where the water resource has already been over-subscribed.
7. To protect groundwater and surface water from degradation through improper disposal of water-borne waste.
8. To encourage reduction of solid waste through consumer habits, recycling, re-use and composting within the Plan area.

Infrastructure Policies

The Regional Board:

9. Will investigate options for improved or expanded utility services within the Plan area in cooperation with affected communities where it is deemed necessary or desirable, with consideration given to long term feasibility and available resources. Decisions on improved or expanded utility services shall be made by the authority having jurisdiction and the community on a case by case basis.
10. Requires that any extension or modification of local infrastructure or creation of new infrastructure necessitated by the approval of subdivision or issuance of a building permit, including all costs for upgrades and design, be the responsibility of the developer or those benefiting from such improvements.
11. Requires that the acquisition of existing and new community water and sewer systems shall meet all policies and recommendations of the Regional Board, RDCK Water Management Plan (2010) and Acquisition Strategy, and RDCK Waste Water Management Plan (2012).
12. Encourages all users and government agencies having jurisdiction, to use best management practices for the conservation of water sources for domestic and irrigation use within the Plan area.
13. Applies the precautionary principle[2] in ensuring that the density and intensity of land use is not increased in areas which are known to have concerns with supply of domestic drinking water.

[2] Pre-cautionary principle' is an approach to decision- making in risk management which justifies preventive measures or policies despite scientific uncertainty about whether detrimental effects will occur (precautionary principle). *Webster's New Millennium™ Dictionary of English, Preview Edition (v 0.9.7)*. Retrieved September 10, 2009 from Dictionary.com.

14. Recognizes on-site treatment (treatment plants and septic) as the existing type of waste water disposal in the Plan area.
15. Encourages the cooperation and coordination with and among utility companies in utilizing existing corridors for multiple uses, where feasible and compatible, as determined by the relevant service provider.
16. Will investigate the costs associated with, and long term feasibility of enhancing waste management facilities to accommodate expanded recycling and composting of waste materials.
17. Supports the implementation of the RDCK Resource Recovery Plan (2011).

Transportation Objectives

18. To encourage the Province to plan for the provision of a road network capable of safely servicing existing and future development.
19. To ensure that future development patterns and land use decisions recognize and support highway safety and mobility objectives.

Transportation Policies

The Regional Board:

20. Encourages community consultation and discussion with the Province that review the transportation capacity of local roads, pedestrian and recreational corridors, and commercial development strategies.
21. Supports that all new developments provide adequate off-street parking.
22. Supports that the local road network is safe, effective and equally accessible and inviting for use by cyclists, pedestrians, equestrians, agricultural equipment and motorists.
23. Encourages the Province to consult with the public prior to commencing any significant transportation initiatives.

9.0 NATURAL ENVIRONMENT

Background

The natural environment is of significant value to the economy and livelihood of the Plan area for both resident and non-resident property owners, recreation, education, tourism, forestry, hunting, fishing and spiritual well being; and is recognized for its inherent value to wildlife and the ecological functioning of the area.

Due to the nature of development in the Plan area, much of the natural environment has remained un-fragmented and relatively intact, while portions of the Plan area have been historically flooded or modified as part of the creation and protection of agricultural lands. The Creston Valley Wildlife Management Area is a recognized RAMSAR site or a wetland protected under International Treaty due to its importance. There are established wildlife corridors and habitat values that have been identified as significant in the Plan area. Zoning types applicable to this section include Environmental Reserve (ER).

Natural Environment Objectives

1. To preserve natural values.
2. To maintain high water quality of groundwater and surface water sources of domestic and irrigation water supply.
3. To foster an awareness of the values associated with the natural environment and to conserve sensitive and significant natural features and values from negative impacts as a result of development.
4. To encourage the maintenance of biodiversity in the Plan area, important to the biological functioning and ecological integrity of the area.
5. To protect, restore and enhance natural areas and establish an interconnected ecosystem network of protected areas and corridors, wherever feasible.
6. To encourage the maintenance of Provincially designated wildlife winter range.
7. To protect all watersheds within domestic water supply areas.
8. To preserve and enhance air quality throughout the Creston Valley.

Natural Environment Policies

The Regional Board:

9. Supports best management practices for land developers, as found in:
    a. Department of Fisheries and Oceans: Land Development Guidelines for the Protection of Aquatic Habitats, September 1993;
    b. Ministry of Environment: Develop with Care: Environmental Guidelines for Urban and Rural Land Development in BC, March 2006; and
    c. other applicable Provincial Guidelines and Best Management Practices sanctioned by the Province.
10. Supports the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to the *Water Sustainability Act*.
11. Encourages the retention of existing Provincially identified wildlife corridors and access to water.
12. Encourages the Province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest and mining or mineral development in these areas.
13. Encourages the protection of environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community greenway corridors that link open space areas.
14. Supports the protection, enhancement and management of sensitive habitat areas for endangered or threatened species in the Plan area.
15. Encourages private landowners and developers to protect environmental and heritage values through the registering of conservation covenants, land management agreements, or through planned donation of lands.
16. Will designate Crown lands adjacent and proximate to the Goat River, Arrow Creek, Urmston, Alice Siding, Corn Creek and Teetzel Creek and other sources of domestic water supply as Environmental Reserve (ER).
17. Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives.
18. Shall continue its efforts to solve water and sewage problems in the Plan Area including discussion and negotiation with the Provincial Government and Irrigation and Improvement Districts.
19. Proposes the establishment of environmentally sensitive areas as an Environmental Reserve designation subject to the following:
    a. Development on private lands in sensitive watersheds may be protected from adverse development.
    b. Development acceptable on private land designated Environmental Reserve shall include trails, interpretive signs, benches and similar types of

development. One single detached dwelling may be considered subject to compliance where necessary with the Local Government Act.

c. Unless otherwise noted below, all land within 15 metres of the natural boundary of a creek on Crown Land shall be designated as Environmental Reserve.

d. Sensitive Crown Land within community watersheds shall be designated Environmental Reserve where it is recommended to the Ministry of Forests and licensees that Forest Harvesting activities within the Environmental Reserve areas be conducted to the highest standard possible in order to protect community watersheds.

e. Development on Crown Land designated Environmental Reserve shall include passive and back-country recreation activities.

f. All Crown Land within 30 metres of the Goat River and Camprun Creek shall be designated Environmental Reserve where strict development standards will be developed which limit industrial and intensive commercial uses.

g. All Crown Land within 100 metres of the Arrow Creek and subsequent tributaries shall be designated Environmental Reserve where development standards will be developed which limit industrial and intensive commercial uses.

h. All Crown Land within 50 metres of Teetzel Creek shall be designated Environmental Reserve where strict development standards will be developed which limit industrial and intensive commercial uses.

20. A separate zone for conservation may be applied to new and existing Environmental Reserve areas on private lands.

21. Zoning for environmentally sensitive areas on private lands may permit passive development that has minimal impact on the applicable watershed.

22. Any timber harvesting and related forest practices carried out on Crown lands within a provincial forest are subject to the Forest Act, the Forest Practices Code of British Columbia and the regulations.

23. It is strongly encouraged that burning of brush should be minimized and that composting, where feasible, be a priority of residents of the Plan Area.

24. The Board of the Regional District supports the establishment of Old Growth Management Areas in the Summit, Teetzel and Arrow Watersheds.

25. Supports the wood stove exchange program and the replacement of inefficient wood burning stoves and alternatives to the burning of wood waste by residents and industrial users.

10.0 ENERGY AND ENVIRONMENT

Background

Beginning in 2007, the Province of BC has moved forward with a number of legislated and policy actions designed to encourage energy efficiency and reduce emissions of greenhouse gases (GHGs). These are driven by a legislated target to reduce the total GHG emissions in the Province by 33% from 2007 levels by 2020, and 80% by 2050.[3]

Of specific relevance to local governments is the *Local Government (Green Communities) Statutes Amendment Act* (Bill 27, 2008). "Bill 27" amends the *Local Government Act* to read:

- LGA 877 (3) - An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets (by May 31, 2010).
- LGA 850 - Required Content of a Regional Growth Strategy: (2)(d) to the extent that these are regional matters, targets for the reduction of greenhouse gas emissions in the RDCK, and policies and actions of the local government proposed for the RDCK with respect to achieving those targets (by May 31, 2011).

In addition, Bill 27 provides some additional enabling powers to local governments intended to assist them in achieving reductions of community-wide emissions. This context provides a mandate to communities and regions to explore energy as part of the planning process.

Greenhouse Gas Emission Reduction Objectives

1. Demonstrate leadership in energy conservation, energy efficiency and greenhouse gas emission reductions and to work toward carbon neutrality.
2. Foster the development of renewable energy supply options.
3. Reduce energy consumption and encourage energy efficiency in planning, design and construction of neighbourhoods and buildings.
4. Reduce greenhouse gas emissions and encourage energy efficiency in planning, design and construction of neighbourhoods and buildings.
5. Locate developments where services and amenities are available and efficiently utilized.

Greenhouse Gas Emission Reduction Policies

General

[3] This target is defined in the Greenhouse Gas Reduction Targets Act (Bill 44, 2007)

The Regional Board:

6. Will implement the RDCK Corporate Greenhouse Gas Emissions Reduction Plan (2010).
7. Will work collaboratively with our partners and community members to reduce the combined greenhouse gas emissions of the rural areas by 15% from baseline levels (2007) by 2020 and by 25% from baseline levels (2007) by 2030.
8. Encourages the reduction of landfill waste though the RDCK zero waste policy, and will investigate ways to increase waste diversion though strategies identified in the Resource Recovery Plan.
9. Supports collaboration with and supports partners that raise awareness and provide education on energy and emissions to local businesses, residents, and other organizations in the community.

Development and Buildings

The Regional Board:

10. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development.
11. Encourages the use of local materials and green building techniques in new and retrofitted developments.
12. Encourages the establishment of a sustainability checklist for the evaluation of development applications and supports the investigation into the creation of associated incentives for developers that develop buildings to a high level of building performance.

Transportation

The Regional Board:

13. Supports a voluntary reduction of personal vehicle transportation emissions by promoting use of public transit, more efficient vehicles, use of alternative fuels, providing sufficient pedestrian and cycling facilities and routes, encouraging home based businesses, and encouraging changes in travel patterns.
14. Supports the enhancement of cycling and pedestrian systems in new and existing developments, and supports the development of a comprehensive network of pedestrian and bicycle routes on public and private lands and along existing and future road networks.
15. Supports an integrated, improved, and expanded trail network in new developments, to provide effective and safe trail transportation options for residents and visitors.
16. Encourages connectivity on public lands between existing walkways and trail systems to schools, parks and commercial areas.

Transit

The Regional Board:

17. Supports the reduction of the use of private automobiles and encourages the RDCK and member municipalities to investigate initiatives to expand as requested public and shared transit, including the use of buses, car co-operatives and delivery services.

Renewable Energy Supply

The Regional Board:

18. Seeks partnerships with utility companies, independent power producers, NGOs, member municipalities, Provincial and Federal agencies and others to further local energy strategies and concurrent planning efforts.

19. Encourages the investigation and development of renewable energy supply options such as district energy, ground source heat pumps, solar, heat recovery systems, etc., where opportunities might be present.

20. Supports the exploration of renewable energy opportunities in the agricultural and forestry industries, such as biomass energy production.

21. Supports the creation of a renewable energy service for the RDCK.

11.0 HAZARD LANDS AND FIRE MANAGEMENT

Background

Hazard lands include, but are not limited to areas the RDCK has reason to believe are subject to natural hazards including flooding, mud flow, debris torrents, erosion, rock fall, landslip, and avalanche.

Fire and the risk of fire associated with interface areas surrounding communities have led to many communities developing strategies to address this issue. The Plan area has many relatively isolated communities in which forest fire is of an extreme to moderate risk.

Hazard Lands Objectives

1. To prevent development in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed.
2. To prevent injury and loss of life and to prevent or minimize property damage as a result of natural hazards.
3. To recognize that important habitat may also be found in natural areas that are considered hazardous, and that disruption of these areas should be minimized.
4. To support existing and on-going inventories and studies in order to further determine the nature, extent, and risk of development below, on and adjacent to identified natural hazard areas.

Hazard Lands Policies

The Regional Board:

5. Directs development away from those lands that may have a potential natural hazard, or have been identified as hazardous by the RDCK or other agencies having jurisdiction.
6. Recognizes flooding and NSFEA areas and management of those areas through RDCK Floodplain Management Bylaw 2080 (2009).
7. Directs development away from lands identified as being susceptible to soil instability and potentially hazardous geotechnical conditions.
8. Requires that the construction and siting of buildings and structures to be used for habitation, business, industry, or the storage of goods damageable by flood waters to be flood proofed to geotechnical standards and certified by a registered professional where land that may be prone to flooding is required for development and no alternative is available.

Fire Management Policies

The Regional Board:

9. May request that the Regional Subdivision Approving Authority require the developer to undertake a fire hazard risk assessment at the time of submitting a subdivision application where the Province indicates that a property may be subject to a moderate or high fire risk. The Regional Board may request the same assessment during a land use designation amendment or development permit process. The assessment will provide a recommended fire hazard mitigation strategy, that will be submitted to both the RDCK and the Province, and is recommended to include, but is not limited to the following:
    a. incorporating fuel breaks adjacent to or on the residential subdivision;
    b. establishing zones around potential structures and homes which are clear of debris, highly combustible material, or trees;
    c. utilizing fireproofing techniques and fireproof materials in building design, requiring at a minimum a fire rated roof;
    d. designing roads that provide evacuation routes and facilitate movement of fire fighting equipment;
    e. ensuring all roads are named and signed;
    f. ensuring availability of water supply facilities adequate for fire suppression;
    g. ensuring the provision of access to local water sources, lakes and watercourses as part of access requirements;
    h. implementing setbacks, interface fire protection standards, and building material standards pursuant to the Provincial publications The Home Owners Fire Smart Manual and Fire Smart: Protecting Your Community From Wildfire.
10. Directs the Regional Subdivision Approving Authority to require that where a fire hazard mitigation strategy has been prepared the developer enter into a restrictive covenant to ensure the strategy is followed.
11. Supports protection of accesses to water sources such as hydrants, standpipes, lakes, and streams to remain free of obstructions for fire protection purposes.
12. Encourages local volunteer fire departments to work with the RDCK to keep up to date with emergency preparedness and with the identification of increased risk as a result of natural or man-made events.
13. Encourages voluntary efforts to reduce fire risk to existing buildings and developments by residents and community members through educational materials and appropriate Fire Smart programs.

14. Supports the development and implementation of Interface Fire Management Plans and associated adjacent forest management strategies in areas of high to moderate wildfire risk and will evaluate opportunities to assist in Interface Fire Fuel Reduction treatments.

12.0 AGGREGATE AND MINERAL RESOURCES

Background

The Province is primarily responsible for the regulation of aggregate and mineral resource operations. The RDCK is able to provide some direction on the location and operation of aggregate and mineral processing locations. Aggregate resources may exist throughout the Plan area, but have not been identified as part of this process. Zoning types applicable to this section include Quarry (Q).

Aggregate and Mineral Resources Objectives

1. To identify lands with recoverable deposits of sand and gravel.
2. To minimize conflict between sand and gravel processing operations and adjacent land uses.
3. To support Provincial requirements for rehabilitation and reclamation of resource extraction sites.

Aggregate and Mineral Resources Policies

The Regional Board:

4. Supports the Provincial requirements for the removal of aggregate and mineral resources. The Province is encouraged to refer mineral exploration proposals to the RDCK for comments and give due consideration to the impact of resource extraction activities on surrounding land uses, sources of domestic and irrigation water supply and development activity.
5. Will consider land use designation amendment applications for the processing of aggregate or mineral resources on the basis of a variety of criteria, including but not limited to the:
    a. extent of visual screening, and other mitigation works proposed;
    b. type of processing proposed;
    c. prevailing wind direction and the potential for noise and dust;
    d. compatibility with adjacent land uses;
    e. potential for light pollution;
    f. potential for vibration from blasting of materials;
    g. environmental sensitivity of the site and adjacent land;
    h. accessibility; and
    i. the characteristics of the aggregate deposit and groundwater resources.

6. Strongly encourages the Province to inform and communicate with affected communities before Crown land is utilized for aggregate or mineral processing.
7. Encourages the protection and maintenance of sources of domestic and irrigation water supply as an integral part of the extraction and processing process for aggregates and other resources.
8. Encourages the Province to include in their licensing the on-going rehabilitation of aggregate extraction and mineral processing sites.
9. Will assist the Province in implementing conditions set by the Province to mitigate the impact of aggregate extraction and mineral processing sites.
10. Encourages full utilization of recoverable deposits prior to development in areas where recoverable deposits are located.
11. Recognizes that the terms or conditions of this Bylaw can not restrict or conflict with any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified as a "mineral" or a "mine" under Provincial Acts and Statutes, so long as the Province manages the activities and land for that purpose.

13.0 RESOURCE AREA

Background

For the purpose of this section, Resource Areas (RA) are described as large parcels of land and include both private and/or Crown land. Typical uses include forest land, grazing or range land, public recreation areas, tourism, watersheds, and resource extraction areas. Although it is recognized that local land use designations do not apply to the Crown, the designation is intended to provide regulations upon alienation, and to address Crown leases.

Forest Reserves (FR) are also been delineated within the Plan area and reflect both private and community owned and managed forest lands.

Resource Area Objectives

1. To retain and diversify resource-based land uses which contribute to the local economy and nature of communities in the Plan area.
2. To encourage the economic benefits of value-added resource processing to be retained in the community.
3. To recognize the importance of Crown lands for recreational values and opportunity.
4. To ensure, in cooperation with the Province and private land owners, that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the Plan area.

Resource Area Policies

The Regional Board:

5. Recognizes that a Resource Area designation includes those uses compatible with larger parcels and/or restrictions to land use such as accessibility or hazards.
6. For the purpose of subdivision of lands, supports larger minimum parcel sizes for 'Resource Area' designations, in recognition that these areas will remain rural with limited community services and infrastructure.
7. Recognizes the jurisdiction of the Province over public Crown land.
8. Will work with the Province to ensure community watersheds and sources of domestic water supply are recognized and protected within the Plan area.

9. Will support the development of community owned and managed woodlots in consultation and with the support of the community.
10. Strongly encourages the Province to inform and consult with a community before any change in land use on Crown land, including issuing licences or permits for any development or activity, land sales, and land use designation amendments that may affect the community.
11. Encourages the maintenance of contiguous blocks of forest lands.
12. Supports appropriate small scale forest related activities, such as sustainable gathering of products, food crops, hiking, bird watching and wildlife viewing, education and value added resource industries.
13. Encourages forest managers to ensure that the rate of extraction of timber does not compromise the long term productivity of the forest and that silviculture methods promote healthy forests and minimize fire hazards.

14.0 COMMUNITY SPECIFIC POLICIES

West Creston

1. Recognizes that the community is primarily characterized by rural residential parcels and will allow for a mix of parcel sizes dependant on type of land use and agricultural activity.
2. Recognizes the importance of maintaining a rural residential lifestyle.
3. Encourages investigation into community need and desire for the provision of local services, such as fire protection, retail and post office facilities.
4. Supports enhanced provision of high speed internet.
5. Recognizes that the portion of West Creston on the Creston flats is primarily characterized by a mix of large lot residential and agricultural parcels, the majority of which are located within the Agricultural Land Reserve and will allow for a mix of parcel sizes dependant on type of land use and agricultural activity.

Lower Wynndel

6. Recognizes that the community is primarily characterized by large lot residential and agricultural parcels, the majority of which are located within the Agricultural Land Reserve and will allow for a mix of parcel sizes dependant on type of land use and agricultural activity.

Goat River Bottom

7. Recognizes that the community is primarily characterized by a mix of small lot and medium lot residential and small agricultural parcels, the majority of which are located within the Agricultural Land Reserve and will allow for a mix of parcel sizes dependant on type of land use and agricultural activity.
8. Directs that due to the high water table in the Goat River Bottom area that all new residential developments must have certified engineered waste water disposal systems and that consideration be given to development of a community waste water system as resources permit.
9. Recognizes that the soil capabilities within the community are supportive of small scale agriculture and market gardens.
10. Supports further investigation of groundwater and wastewater disposal capabilities within the community to further determine capacity for further subdivision and development of lands.

Arrow Creek

11. Recognizes that the community is primarily characterized by a mix of residential, commercial and light industrial development with very little land within the Agricultural Land Reserve.
12. Supports the development of additional commercial and light industrial lands within the vicinity of the Highway 3 corridor.

Erickson

13. Recognizes that the community is primarily characterized by a mix of small lot and large lot residential and agricultural parcels, the majority of which are located within the Agricultural Land Reserve and will allow for a mix of parcel sizes dependant on type of land use and agricultural activity.

15.0 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, or delegate of the 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 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: Industrial Development Area 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 land 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

The primary objective of this development permit area designation is to ensure that industrial developments within the Plan area are compatible and considerate of the natural environment and the surrounding residential and rural character of the Plan area.

Guidelines

1. Any off-street parking area, exterior display area or loading area on a lot used for Industrial purposes shall:

    a be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting

where adjacent to a lot in any residential zone; such screening shall be planted or installed so that no person shall be able to see through it;

b be separated from any directly abutting lot in any residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.

2. Where any lot is used for industrial purposes, any part of such lot that is not used for buildings, exterior display areas, parking or loading facilities shall be maintained as a landscaped area, or as undisturbed forest.

3. Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.

4. The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the "British Columbia Landscape Standard" prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association. These standards do not apply where endemic, native plantings are used for landscaping.

Exemptions

The ICDP area does not apply to the following:

5. Development associated with agricultural, residential, commercial or institutional land uses and activities; and

6. Existing construction, alteration, repair, demolition and maintenance of industrial buildings.

SCHEDULE ‘B’

ZONING BYLAW

Regional District of Central Kootenay
Electoral Area ‘C’ Comprehensive Land Use Bylaw No. 2317, 2013

16.0 INTERPRETATION

In this bylaw, unless the context otherwise requires:

ACCESSORY means a use or structure naturally and normally incidental, subordinate and devoted to the principal use or structure and located on the same lot or site;

ACCESSORY BUILDING OR STRUCTURE means a detached building or structure located on the same parcel as the principal building, the use of which is subordinate, customarily incidental, and exclusively devoted to that of the principal building;

ACCESSORY DWELLING UNIT means a building, or part of a building containing only one dwelling unit that is secondary to a principal dwelling located on the same property;

ACCESSORY TOURIST ACCOMMODATION means accessory bed and breakfast operations or camping facilities providing temporary accommodation of the travelling public;

AGRICULTURE means the use of land, buildings or structures for a farm operation;

AGRI-TOURISM means a tourist activity as referred to in subsection (4) of the Agricultural Land Reserve Use, Subdivision and Procedures Regulation;

ALLUVIAL FAN means an alluvial deposit of a stream where it issues from a steep mountain valley or gorge upon a plain or at the junction of a tributary stream with the main stream or other water body;

BED AND BREAKFAST means an accessory use located wholly within single detached housing that provides temporary lodging for tourists and visitors;

BOARD means the Board of the Regional District of Central Kootenay;

BUILDING means a structure having a roof supported by columns, posts or walls, used for the shelter or accommodation of persons, animals, chattels, or property of any kind, and includes a manufactured home;

BUFFER AREA means a landscaped area intended to separate one use from another;

BYLAW ENFORCEMENT OFFICER means the Bylaw Enforcement Officer of the Regional District of Central Kootenay;

CABIN means one (1) self-contained structure, or one (1) unit within an existing structure; no larger than 100 m^2 that is used for short term (less than 30 days) tourism rental accommodation only. More than one (1) unit within a dwelling shall be counted as more than one (1) cabin;

CAMPGROUND means a site occupied and maintained or intended to be occupied or maintained for the temporary accommodation (maximum 30 days) of the travelling public to accommodate tents, trailers, park model trailers and recreational vehicles with designated sites and may offer central washrooms or full or partial hook-ups. A campground may also include patron amenity areas and facilities such as a sani-dump station, showers, laundry facilities, playgrounds, picnic and days use areas, hiking and

bicycling trails, pool tennis courts, recreation centre, marina, boat launch, retail store and other similar uses;

CANNABIS means cannabis as defined in the *Cannabis Act* (Canada);

CANNABIS RETAIL STORES means the premises specified in a *retail cannabis license* where the retail sale of cannabis is authorized;

CARETAKER SUITE means a dwelling unit within a building or portion of a building used to provide on-site accommodation by the employer for persons employed on the property, a residence for the site caretaker, operator of a commercial establishment, or on-duty security personnel. No more than one caretaker suite is permitted on a site;

CHURCH means an assembly building used for religious worship, with is maintained and controlled by a religious body organized to sustain public worship;

COMMERCIAL BACK COUNTRY RECREATION means remote facilities for the purpose of providing accommodation for backcountry recreation activities such as hiking, skiing, biking, kayaking and similar activities;

COMMUNITY CARE FACILITY means any facility licensed by the Provincial government as a community care facility or social care facility or like establishments not licensed by the Province;

COMMUNITY HALL means a building or part of a building designed for, or intended to be used by the public for such purposes as civic meetings, educational meeting, political meetings, recreational activities or social activities and may include banquet facilities;

COMMUNITY WASTEWATER SYSTEM means a system owned and operated by the Regional District, Strata Corporation, Utility or Corporation (private or public) for the collection, treatment and disposal of sanitary waste, which serves two (2) or more lots and is operated under the *Public Health Act* or the *Environmental Management Act*;

COMMUNITY WATER SYSTEM means a system of waterworks approved under the *Drinking Water Protection Act*, which is owned, operated, and maintained by the Regional District, and Improvement District or Utility operating under the jurisdiction of the Province;

DAY CARE FACILITY means a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household;

DENSITY means the number of dwelling, visitor or resort accommodation units on a site expressed as a maximum number of units per lot, or alternatively as the site area required per unit;

DEVELOPMENT means any activity carried out in the process of clearing or preparing a site or erecting structures;

DUPLEX HOUSING means a building designed exclusively to accommodate two households living independently in separate dwelling units above, below or beside each other. This

type of development is designed and constructed as two dwelling units at initial construction;

DWELLING UNIT means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household;

DWELLING UNIT, FARMWORKER means a building accessory to a farm business used for the residential accommodation of a farmworker permanently employed full-time in that farm business;

EDUCATIONAL FACILITIES means buildings including residences, structures and grounds associated with the operation of a school, college, university or training centre established and operated pursuant to the *School Act*, *College and Institute Act, University Act,* and/or *Private Post Secondary Education Act*;

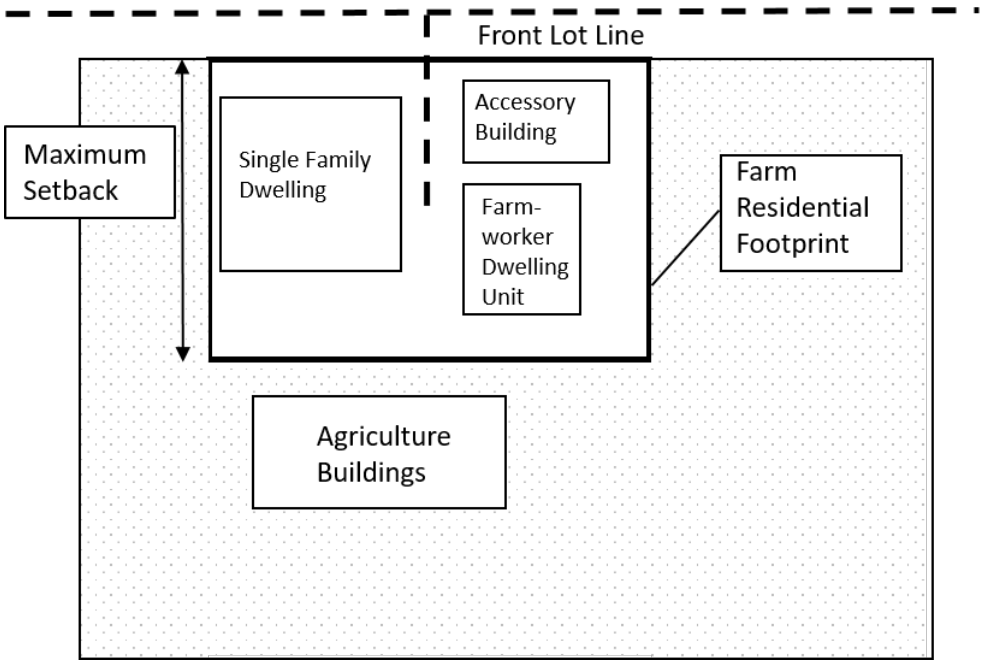
EXTERIOR SIDE LOT LINE means the lot line or lines not being the front or rear lot line, common to the lot and a street;

FARM ANIMALS means any domesticated animal normally raised for food, milk or as a beast of burden and without limiting the generality of the foregoing, includes: bees, cattle, horses, swine, sheep, goats, mules, donkeys, asses and oxen but does not include poultry;

FARM BUSINESS means a business in which one (1) or more farm operations are conducted, and includes a farm education or farm research institution to the extent that the institution conducts one or more farm operations;

FARM OPERATION means an activity in carrying out a farm business as defined in the *Farm Practices and Protection Act;*

FARM RESIDENTIAL FOOTPRINT means the portion of a lot that includes dwelling units and accessory residential buildings, structures or improvements such as detached garages or carports, driveways to residences, seasonal campsites, decorative landscaping, residential-related workshop, tool and storage sheds, artificial ponds not serving farm drainage, irrigation needs or aquaculture use and residential-related recreation areas such as swimming pools and tennis courts;



FARMER'S MARKET means a market whose vendors either make, bake or grow the products they produce, where farmer's and/or their families display and sell locally grown or processed foods with inly a limited number of non-food crafts and no imported products;

FARMWORKER HOUSING, TEMPORARY means a camping operation in tents or recreational vehicles that is accessory to a farm business and is used for providing temporary accommodation to a farmworker(s) as necessary for the agricultural labour needs of a farm business and must include washing and bathing facilities;

FOOD PROCESSING means an establishment in which food is processed or otherwise prepared for human consumption, but not consumed on the premises;

FRONT LOT LINE means the lot line common to the lot and an abutting street, or where there is more than one (1) lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line; or in the case of a lot abutting two (2) parallel or approximately parallel streets, the lot lines abutting these two (2) streets shall be considered as front lot lines;

GOLF COURSE means a public or private area operated for the purpose of playing golf and may include, but is not limited to, golf courses, club houses, and accessory driving ranges;

GROSS FLOOR AREA (G.F.A.) means the sum of the horizontal areas of each story of the building measured from the exterior faces of the exterior walls. The gross floor area measurement is exclusive of areas of crawl spaces, unfinished attics, attached garages, carports, and unenclosed porches, balconies and terraces.

GROUP CARE FACILITIES means a type of facility, which provides a living environment for up to eight persons under care who operate as the functional equivalent of a household; including such supervision and care by supportive staff as may be necessary to meet the physical, emotional, and social needs of the residents;

HEIGHT means the vertical distance measured from the average finished ground level at the perimeter of a building or structure to the highest point of the structure;

HIGHWAY means a street, road, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property;

HORTICULTURE means growing of fruits, vegetable, flowers or ornamental plants for resale with or without greenhouses;

HOUSEHOLD means:

a) a person; or

b) two or more persons related by blood, marriage, or adoption; or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or

c) a group of not more than five persons, including boarders, who are not related by blood, marriage, or adoption, or associated through foster care, all living together in one dwelling unit as a single household using a common kitchen; or

d) a combination of (b) and (c), provided that the combined total does not include more than 3 persons unrelated by blood, marriage or adoption or associated through foster care; all living together in one dwelling unit as a single household using a common kitchen;

in addition, a household may also include up to one housekeeper or nanny;

INTERIOR SIDE LOT LINE means the lot line or lines, not being the front or rear lot line, common to more than one lot;

JUNKYARD means an open area where old or used materials including, but not limited to metals, paper, rags, rubber tires, bottles and vehicles, are bought, sold, exchanged, stored, baled, packed, disassembled or handled;

KENNEL means a building, structure, compound, group of pens or cages or property where four (4) or more dogs are, or are intended to be trained, cared for, bred, boarded or kept either for commercial, hobby or not-for-profit purposes; and where dogs bred on the same property and pet supplies may be made available for auxiliary sale;

KITCHEN (self-contained) means a complete cooking area within a dwelling unit. It includes appliances (such as a stove, oven, refrigerator), a sink, and storage for utensils and food. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

LANDSCAPE SCREEN means a continuous fence, wall, compact evergreen hedge or combination thereof that screens the property that it encloses and is broken only by access drives, walks and lanes;

LIVESTOCK means cattle, horses, swine, farmed game, mules, asses, musk oxen, llamas, alpacas, ostriches, rheas and emus;

LOT has the same meaning as parcel under the *Local Government Act*, and means any lot, block or other area in which land is held or into which it is subdivided, but does not include a highway;

MARINA means the use of land or surface of water for the sale, servicing and/or rental of boats, marine engines, marine supplies, marine fuel, and docking facilities for the use of recreational boating vessels;

MANUFACTURED HOME means any structure, whether ordinarily equipped with wheels or not, that is designed, constructed or manufactured to be moved from one place to another by being towed or carried, and to provide a dwelling house or premises, and which conforms to the requirements of the British Columbia Building Code;

MANUFACTURED HOME PARK means a manufactured home park as defined in any applicable Manufactured Home Park Bylaw currently in effect in the Regional District of Central Kootenay;

MICRO CULTIVATION, CANNABIS means the small scale growing of cannabis plants and harvesting material from those plants, and associated activities as authorized under the *Cannabis Act* (Canada);

MICRO PROCESSING, CANNABIS means the small scale manufacturing, packaging and labelling of cannabis products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors, as well as associated activities as authorized under the *Cannabis Act* (Canada);

MIXED USE DEVELOPMENT means the use of a building or buildings on a site involving more than one (1) permitted use as defined in the appropriate zone and incorporates residential use as being integral to the development;

MOTEL means a building or buildings containing housekeeping and/or sleeping units each with an exterior entrance and designed to provide temporary accommodation for the travelling public;

MULTI-UNIT HOUSING means a detached building, used exclusively for residential purposes, consisting of three or more dwelling units, either with private individual access or common access intended to be used as a residence by three or more households living independently of each other;

NURSERY, CANNABIS means the growing of cannabis plants to produce the starting material (seed and seedlings) and associated activities as authorized under the *Cannabis Act* (Canada);

OUTDOOR RECREATIONAL ACTIVITIES means development that provides facilities for use by the public at large for sports and active recreation conducted outdoors and may include tourist accommodation for remote locations;

PARK means land which is publicly owned or under the control of a government agency, or owned or managed by a community association or other registered non-profit association used for the outdoor recreation and enjoyment of the public including playgrounds, playing fields, trails, skate parks, allotment gardens, green space, buffers, ecological and archeological conservation areas, nature and cultural interpretation areas, and similar land uses. It may include Buildings and Structures ancillary to the Park;

PARK MODEL TRAILER means a recreational unit that meets the following criteria:

(a) it is built on a single chassis that may be mounted on wheels;
(b) it is designed to facilitate relocation from time to time;
(c) it is designed as living quarters for seasonal camping and may be connected to those utilities necessary for operation of installed fixtures and appliances; and
(d) it has a gross floor area, including lofts, not exceeding 50 m^2 when in the set up mode, and having a width not greater than 3.65 metres (12 feet) in the transit mode;

PERMANENT FOUNDATION means a foundation that irreversibly alters the land that it is constructed on and is physically difficult to remove once a structure is no longer required;

PERSONAL SERVICE ESTABLISHMENT means uses that provide personal services to an individual which are related to the care and appearance of the body or the cleaning and repair of personal effects;

POULTRY means any domesticated birds kept for eggs, meat, feathers, hide or cosmetic or medicinal purposes and includes, but is not limited to, chickens, turkeys, geese, ducks, artificially raised grouse, partridge, quail, pheasant or ptarmigan;

PRINCIPAL BUILDING means the main building on a lot in which the majority of the space is used for a permitted principal use or uses;

PRINCIPAL DWELLING means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;

PRINCIPAL USE means the main purpose for which land, buildings or structures are ordinarily used;

REAR LOT LINE means the lot line opposite to, and most distant from the front lot line, or, where the rear portion of the lot is bounded by intersecting side lot lines, the rear lot line shall be deemed to be the point of such intersection;

RECREATIONAL VEHICLE means a vehicle, trailer, coach, structure or conveyance designed to travel or to be transported on the highways and constructed or equipped to be used as a temporary living or sleeping quarter by travellers;

REGIONAL BOARD means the Board of the Regional District of Central Kootenay;

REGIONAL DISTRICT means the Regional District of Central Kootenay;

RESOURCE PROCESSING means a use providing for the processing of primary mineral resources mined on-site, including preliminary grading, washing, and crushing of such materials, but excluding all other processing or manufacturing;

RETAIL CANNABIS LICENSE means a license issued under the *Cannabis Control and Licensing Act of British Columbia*;

RETAIL STORES means a place of business in which merchandise is sold;

RETREAT CENTRE means a facility that includes overnight accommodation that primarily delivers spiritual and/or physical well-being programmes and includes church camps and similar uses;

SCREENING means a fence or landscaping or combination thereof that obstructs certain view of the property;

SECONDARY SUITE means an accessory dwelling unit that is located in and forms part of a principal dwelling;

SELF-CONTAINED ROOM means a space that can function independently and provides essential facilities. For example:
Bedrooms: These are self-contained rooms with sleeping accommodations.
Bathrooms: A self-contained bathroom includes a toilet, sink, and bathing facilities**.**

SERVICE STATION means any building or land used for the retail sale of motor fuels and lubricants and may include automobile diagnostic centres, the servicing and minor repairing of motor vehicles, the sale of automotive accessories;

SETBACK means the measured distance from a specified property line and/or specified natural feature in which building is prohibited;

SHORT TERM RENTAL means the use of a dwelling unit as accommodations provided to members of the public in exchange for money, for a period of less than 90 consecutive days;

SIGN means a free standing or projecting structure designed to be used for the purposes of displaying information including the advertising for a business onsite and includes a signboard or hoarding;

SINGLE DETACHED HOUSING means a detached building containing only one dwelling unit, designed exclusively for occupancy by one household. Where a secondary suite is permitted, this use class may contain a secondary suite. This use includes manufactured homes;

SITE AREA means the area of a lot or part thereof sufficient to satisfy the provisions for each permitted use in this bylaw;

SITE COVERAGE means the area of a lot covered by structures, buildings, driveways, parking areas and outdoor storage;

SLEEPING UNIT means either a unit in a residential care facility or a room without a kitchen used for the temporary accommodation of travellers;

STANDARD CULTIVATION, CANNABIS means the large scale growing of cannabis plants and harvesting material from those plants, as well as associated activities as authorized under the *Cannabis Act* (Canada);

STANDARD PROCESSING, CANNABIS means the large scale manufacturing, packaging and labelling of cannabis products destined for sale to customers and intra-industry sales of those products, including to provincially authorized distributors as authorized under the *Cannabis Act* (Canada);

STORAGE YARD means an area outside an enclosed building where construction materials and equipment, solid fuels, lumber and new building materials, monuments and stone products, public service and utility equipment or other new goods, materials, products, vehicles, equipment or machinery are stored, baled, piled, handled, sold or distributed;

STRUCTURE means a construction or portion thereof of any kind, whether fixed to, supported by or sunk into land or water, but specifically excludes landscaping, fences, paving and retaining structures;

TEMPORARY means, in relation to a period of occupancy or use by any particular individual not exceeding 45 days in any calendar year, not more than 30 of which may be consecutive;

UNATTENDED PUBLIC UTILITY BUILDING OR STRUCTURE means a building or structure containing unattended equipment necessary for the operation of community water, sewer or gas distribution systems, radio or television antennae, telecommunication relay stations, automatic telephone exchanges, navigational aids, electrical substations or generating stations, fire halls, or other similar facilities or utilities;

VETERINARY CLINIC means a use conducted for the care, treatment, and hospitalization of animals, birds and fish and may include grooming facilities and sales of accessory supplies, but does not include the keeping or boarding of healthy animals;

WOOD PRODUCT MANUFACTURING includes a sawmill, a planer mill, lumber remanufacturing, log storage yards, shake mills, particle board plants and hard board plants.

WRECKED VEHICLE means a vehicle as defined by the *Motor Vehicle Act*, that is dilapidated, physically wrecked or disabled so that it cannot be operated by its own mode of power; or a vehicle that is dilapidated or appears to be physically wrecked although it could be operated by its own mode of power but is not displaying thereon a lawful current licence for its operation on a highway.

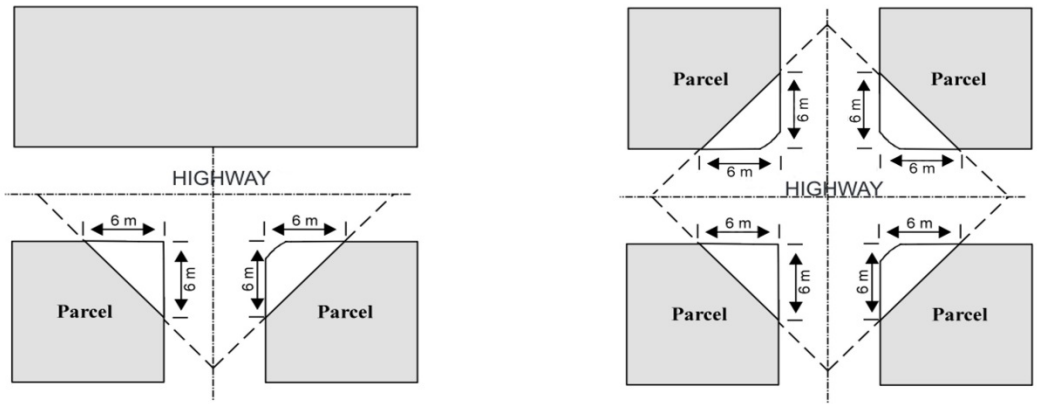
17.0 GENERAL REGULATIONS

Non-Conforming Uses and Siting "Grandfathering"

1. Non-conforming uses and siting shall comply with all applicable requirements of Section 528 of the *Local Government Act*.

Clear Vision Area

2. No person who owns or occupies land at the intersection of two (2) or more highways may place or grow any tree, shrub, plant, fence or other structure within the sight triangle above an elevation such that an eye one (1) metre above the surface elevation on one highway cannot see an object one (1) metre above the surface elevation of the other highway as shown on the site triangle on Figure 1. The Ministry of Transportation and Infrastructure is the final authority for sight distance on the roads under their jurisdiction and for the purpose of subdivision.



SIGHT TRIANGLE (Figure 1)

Site Areas

3. There shall be no minimum site area for trails, parks, playgrounds and unattended public utility buildings and structures.

4. 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.

5. Despite any other provision of this bylaw, where a parcel of land is located in the Agricultural Land Reserve as identified under the *British Columbia Agricultural Land Commission Act*, no subdivision shall be permitted without approval from the Agricultural Land Commission.

6. Despite any other provision of this bylaw, any lot located on any land rated as an "E" or "P" on a Non Standard Flood & Erosion Area of the Regional District of Central

Kootenay Floodplain Management Bylaw No. 2080, 2009, and amendments thereto, cannot be further subdivided unless flood protective works are constructed to an appropriate standard as determined by the authority having jurisdiction and maintained by an ongoing authority.

7. Lots that are shown on a plan duly filed in the Land Title Office, which have less than the minimum site area required in this bylaw may be used for any permitted use in the zone where the lot is located provided that the method by which sewage is to be disposed of complies with any restrictions set out under any regulation under the *Health Act* and provided that all other requirements applicable to the zone can be met.

8. Despite any other provision of this bylaw, no subdivision shall be permitted where the proposed lots cannot each accommodate two (2) full septic systems as determined by the Medical Health Officer where no community sewer system is in place.

9. No newly created lot shall be bisected by a legally dedicated road.

Reduction of Minimum Lot Sizes

10. 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.

11. 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;

    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 except within any agricultural zone; or

    d. a lot divided by a zone boundary.

12. The minimum lot size for a lot created under Section 17.0(11) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

13. Despite Section 17.0(12), 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.

Subdivision Servicing Requirements

14. All subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.

15. Despite Section 17.0 (14), all subdivisions shall be in full compliance with any Regional District of Central Kootenay Subdivision Bylaw currently in effect for the area.

16. All subdivisions shall comply with the *Drinking Water Protection Act*, the *Health Act* and the *Waste Management Act*.

Setback Requirements

17. Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line.

18. Despite sub-section 17, buildings and structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve boundary.

19. Unless otherwise stated, no portable sawmill may be located within 100 metres from a property line.

20. Despite Section 17.0 (17), on all lots less than 0. 2 hectares in area, the minimum setback from front or exterior lot lines shall be 4.5 metres.

Setback Exceptions

21. Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.

22. Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, flagpoles, up to ten (10) metres in height may be sited on any portion of a lot.

23. Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre providing such reduction shall apply only to the projecting feature.

24. Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front lot

line as permitted elsewhere in this bylaw may be reduced by not more than 1.2 metres and the minimum distance to an abutting site lot line or rear lot line as permitted elsewhere in this bylaw may be reduced by not more than 0.6 metre provided such reduction shall apply only to the projecting feature.

Home Based Businesses

A Home Based Business, where permitted, is subject to the requirements that:

25. The proprietor resides on the subject property;
26. The activity shall be conducted in a dwelling unit or accessory building;
27. The floor area devoted to the Home Based Business shall not exceed 100 square metres on any R1, R2, R3, R5, R6, and AG zoned lot;
28. The floor area devoted to the Home Based Business shall not exceed 200 square metres on any lot R4 zoned lot;
29. No more than two (2) persons who are not a resident of the dwelling may be employed in the Home Based Business on any R1, R2, R3, R6, and AG zoned lot;
30. No more than four (4) persons who are not a resident of the dwelling may be employed in the Home Based Business on any R4 zoned lot;
31. No change is made in the external appearance of the building which would indicate that a Home Based Business is being conducted therein; except for one un-illuminated sign not exceeding:
    a. 0.4 square metres on any R1 and R6 zoned lot; or
    b. One (1.0) square metre on any R2, R3, R4 and AG zoned lot.
32. External storage of materials, equipment or finished products shall be screened from view from adjacent properties and road right-of-ways;
33. There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference, or emissions other than that normally associated with a dwelling;
34. No dwelling unit or accessory building used for Home Based Businesses involving automotive mechanical or body repairs, electronic repairs, wood working, or iron working may be located within 15 metres of a lot line;
35. The maximum number of vehicles permitted for repair on any lot at any one time shall be limited to:
    a. two (2) for lots zoned R1 and R2; and
    b. six (6) on any R3, R4, and AG zoned lot.
36. Home Based Businesses that include the caring of more than eight (8) individuals at any one time shall not be permitted.

37. No commodities may be offered for sale except those produced on the premises or within the Regional District of Central Kootenay.

38. Two off-street parking spaces shall be provided in excess of those required for the dwelling unit.

Accessory Tourist Accommodation

Accessory Tourist Accommodation operations, where permitted, are subject to the requirements that:

39. The proprietor resides in the principal dwelling;

40. No more than two (2) persons who are not a resident of the premises may be employed in the tourist accommodation operation on any R1, R2, R3, R4, R6, and AG zoned lot;

41. No change is made in the external appearance of the building, which indicates a Accessory Tourist operation is being conducted on the premises, except for one un-illuminated sign not larger than:

    a. 0.4 square metre on a R1 or R6 zoned lot; and

    b. one (1) square metre on any R2, R3, R4, or AG zoned lot.

42. Bed and breakfast accessory tourist accommodation operations shall be confined to the principal dwelling;

43. No more than three (3) sleeping rooms with a maximum of eight (8) lodgers may be used for the bed and breakfast accessory tourist accommodation in a dwelling on any R1, R2, R3, R6 and AG zoned lot;

44. No more than four (4) sleeping rooms with a maximum of eight (8) lodgers may be used for the accessory tourist accommodation in a dwelling on any R4 zoned lot;

45. Accessory tourist accommodation camping operations shall be limited to a maximum of six (6) campsites on any R3 or R4 zoned lot;

46. Accessory tourist accommodation camping operations shall be limited to a maximum of six (6) campsites on any AG lot provided that:

    a. all or part of the parcel on which the accommodation is located is classified as a farm under the Assessment Act;

    b. campsites are undeveloped outdoor sites with no individual sewage disposal, water and electrical hook-ups provided; and

    c. the total developed area for communal sanitary and washing facilities, landscaping and access for the accommodation is less than 5% of the parcel.

47. Accessory tourist accommodation camping operations shall not be permitted on any lots zoned R1, R2 or R6;

48. Accessory tourist accommodation camping operations shall only be permitted on lots 1.2 hectares or larger;

49. Subject to the requirements of the Interior Health Authority, accessory tourist camping operations shall be required to provide washroom facilities and may offer full or partial hook-ups, laundry facilities and other similar facilities;

50. Accessory tourist camping operations shall not include recreation centres, marinas, boat launches, retail stores and other similar facilities.

Storage

51. Except in the M2 and M3 zones, no lot may be used as a junkyard, auto wrecking yard or for the outdoor storage of more than two (2) wrecked vehicles on any R1, R2, R5 and R6 zoned lot or more than six (6) wrecked vehicles on any R3, R4 and AG zoned lot.

Uses Permitted in All Zones

52. The following uses shall be permitted in any zone:

    a. Ecological and archeological conservation areas retained in their natural state;

    b. Passive recreation for informal, low intensity recreation activities such as walking, hiking and biking trails and wildlife viewing platforms;

    c. Park established by the Regional District of Central Kootenay, Provincial or Federal Government;

    d. Park established by Section 510 of the Local Government Act where the land is dedicated as park by a plan deposited in the Land Title Office;

    e. Fire Halls; and

    f. Unattended Public Utility Buildings and Structures.

Shipping Containers

53. Shipping containers shall be permitted for use as accessory buildings subject to the requirements that the maximum number of shipping containers for storage or other accessory use permitted on a lot at any one time shall be limited to:

    a. none for lots zoned R1, R5, R6 or ER;

    b. one (1) for lots zoned R2 or CS;

    c. two (2) for lots zoned R3, R4, AG, C1, C2, C3, M1 or M2; and

    d. unlimited in other zones.

54. Any shipping container placed on a lot as an accessory building must comply with site coverage, siting, size and setback requirements for that zone.

55. Any shipping container used as an accessory building must be screened from view from the roadway(s) and adjacent residential properties using a landscape screen of a height no less than 2.5 metres.

Parking Space Requirements

56. Off-street parking spaces for each building and use shall be provided in accordance with the following:

    a. application of regulations;

    b. the Ministry of Transportation standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits; and

    c. Regional District standards will apply with respect to the location, design and construction of the parking spaces. Regional District standards with respect to the required number of spaces will also apply in any situations where the Ministry of Transportation standards are lower, or where the Ministry of Transportation has no jurisdiction.

General Provisions

57. Space for the off-street parking and loading of motor vehicles in respect of a class of building or use under this bylaw must be provided and maintained in accordance with the provisions of this bylaw except where the buildings and structures are intended to be accessed exclusively by hiking, skiing, snowmobile, horseback, boat or aircraft.

58. The number of off-street parking and loading spaces for motor vehicles required for any use or class of building is calculated according to the table contained in this section. In cases of mixed uses, the total requirements for off-street parking or off-street loading will be the sum of the requirements for the various uses calculated separately unless otherwise permitted. Required off-street parking spaces for one use will not be considered as required off-street parking spaces for any other use.

59. In reference to a building or use permitted under this bylaw which is not specifically referred to in the table below, the number of off-street parking and loading spaces is calculated on the basis of the requirements for a similar class of building or use that is listed.

60. Where the calculation of the required off-street parking or loading space results in a fraction, one parking space must be provided in respect of the fraction.

61. Where seating accommodation is the basis for a unit of measurement under this section and consists of benches, pews, booths or similar seating accommodation, each 0.5 metre of length of such seating shall be deemed to be one seat.

62. Off-street parking and loading spaces must be located on the same parcel as the building or use they serve unless a suitably zoned site is located within 50 metres of the site.

63. Where some or all of the off-street parking is provided on a parcel other than that on which the use, building, or structure being served is located, a covenant under Section 219 of the *Land Title Act* must be registered in the Land Title Office in favor of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.

Off-Street Parking Space Standards

64. Off-street parking spaces shall be a minimum of 17 square metres and shall have at all times convenient vehicular access to a public thoroughfare.

65. Each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres and a height of not less than 2.2 metres.

66. Where a parking space abuts a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.

67. Access and manoeuvring aisles must not be less than 3.6 metres for one-way traffic and 6.6 metres for two-way traffic.

68. Required parking and associated manoeuvring aisles in all multi-unit residential, commercial and industrial zones shall be surfaced with either asphalt or concrete pavement, be adequately provided with lighting and drainage facilities, have access to and from highways and provide one (1) disabled person's parking space for every ten (10) parking spaces required.

69. In all parking areas containing more than five (5) parking spaces, every off-street parking space must have curbs, or wheel stops, to prevent vehicles from overhanging parcel lines, landscaped areas, or walking corridors.

70. All parking areas must contain adequate provisions so that vehicles may turn around on the parcel.

71. All parking areas shall be so designed that motor vehicles do not back out onto a public road.

72. The maximum slope for the required off-street parking in all multi-unit residential, commercial and industrial zones to accommodate more than three (3) spaces is 6%. The maximum slope applies only to the area that provides the required parking spaces and not to the driveway providing access to the required parking spaces.

73. Excepting recreational vehicles (maximum two) and farm vehicles, not more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg shall be permitted on a lot in a residential or agricultural zone at any time, except vehicles that are

required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours.

74. Where off-street parking is required by this bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code and amendments thereto.

75. Where drive-through facilities are installed, there must be adequate magazine storage provided on the parcel to accommodate three (3) automobiles between the property line and the ordering station. Direct access to off-street parking spaces from the magazine storage is prohibited.

Off-Street Loading Facilities

76. Off-street loading facilities for commercial and industrial uses involving the receipt and delivery of goods or materials by vehicles shall be one (1) space for the first 1,200 m² of gross floor area or fraction thereof, plus an additional space for each additional 2,000 m² of gross floor area or fraction thereof.

77. Off-street loading facilities shall:

    a. be provided on the same parcel as the use it serves;

    b. be set back a minimum of six (6) metres from the designated fronting street;

    c. have a minimum of 30 m² in area, at least three (3) metres in width and four (4) metres in height for each space;

    d. not project into any street, lane, or public thoroughfare;

    e. have unobstructed vehicular access to a public street or lane;

    f. be located to the rear or side of a principal building if possible; and

    g. have a durable dust free surface.

Off-Street Parking and Loading Space Requirements

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
Residential	Single Detached Housing	2 spaces	0	
	Duplex Housing	4 spaces	0	
	Accessory Dwelling Unit	1 space		
	Multi-Unit Housing	1.2 spaces per dwelling unit	0	

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
	Accessory Home Based Business Use	2 spaces	0	Plus required spaces for operator's residence
	Accessory Bed & Breakfast	1 space per guest room	0	Plus required spaces for operator's residence
	Accessory Retail/Farm Retail Sales	1 space per 20 m^2 of floor area	0	Plus required spaces for operator's residence
	Group Home	0.75 space per sleeping unit	0	
Commercial	All uses in a C zone, except as listed below	4 spaces per 100 m^2 of GFA	0	
	Building Supply, Garden Supply, Nursery	1 spaces per 100 m^2 of display, sales, greenhouse and storage area	1	Minimum 10 spaces per business
	Campground	1 space per camp site	0	
	Childcare Centre	4.4 spaces per 100 m^2 of GFA	0	
	Food and Beverage Services	1 space per 4 seats or 10 spaces per 100 m2 of customer service area, whichever is greater	0	
	Food and Beverage Services Drive-in/Take-out Only	10 spaces	0	
	Gasoline Station, Auto Repair Shop, Auto-body Shop, Car Wash	2 spaces per gasoline pump, 2 spaces per service bay and 2 spaces per 100 m^2 or GFA	0	Minimum 5 spaces per business
	Golf Course	6 spaces per hole	0	

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
	Golf Driving Range	1 per tee plus 1 space per 2 employees	0	
	Hotel/Motel	1 space per guest room plus 1 per 5 seats of 15 m^2 of customer service area in any eating and drinking establishments with the motel	0	Plus number of spaces required for each incidental use
	Laundromat	1 per 3 washing machines	0	
	Library, Museum, Art Gallery	2.5 spaces per 100 m^2 of GFA	0	
	Marina	1 per 2 boat spaces plus 1 per 2 employees	0	
	Office, Medical or Dental Office	3.4 spaces per 100 m^2 of GFA	0	Minimum 5 spaces per building
	Outdoor Retail Sales, Public Market	2 spaces per stall or sales area	1	
	Ski Resort	½ space per person hourly lift capacity	0	
	Tourist Attraction	1 per 4 persons capacity	0	
	Vehicle or Equipment Sales and Rental	1 space per 70 m^2 of Sales Floor Area, 1 per service bay plus 1 per 30 m^2 of office area	1	Minimum 5 spaces per business
	Veterinarian, Animal Hospital, Kennel	1 per 2 employees plus 3 per veterinarian	0	
Public	Assembly Hall, Auditorium, Convention Centre, Church, Theatre, Funeral Home, Clubhouse	1 space per 5 seats of capacity or 10 per 100 m^2 of floor area used for customers, patrons or clients, whichever is greater	1	

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
	Arena, Swimming Pool	1 space per 5 seats plus 2 per 100 m^2 of customer service area	0	
	Beach, Swimming	1 per 10 m2 of developed beach above the natural boundary of the water body	0	
	Billiard Hall	1 space per pool table plus 2 spaces per 100 m^2 of GFA	0	
	Bowling Alley	2 spaces per bowling alley plus 1 space per 100 m^2 of GFA	0	
	College or University	1 per 5 students and staff	0	
	Curling Rink	4 spaces per curling sheet plus 1 space per 100 m^2 of GFA	0	
	Hospital, Care Facility	1 space per 4 beds, 1 space per 2 employees plus 10 spaces for doctors (hospitals only)	0	
	School (Elementary)	2 spaces per classroom including gymnasium, assembly hall and library or 1.2 spaces employee, whichever is greater	0	
	School (Secondary)	3 spaces per classroom including gymnasium, assembly hall and library or 1.2 spaces per employee plus 1 space per 10 students	0	

Category	Type of Uses	Parking Spaces	Loading Spaces	Notes
		who are at Grade 11 or higher.		
Industrial	All uses in an Industrial zone, except as listed below	1.5 spaces per 100 m^2 of GFA, 1 space/employee plus one space for every commercially licensed vehicle for that address	1	
	Pulp Mill, Saw Mill, Particle Board Plant, Asphalt Plant, Concrete Batch Plant	0.8 spaces per employee	1	
	Truck Repair Shop, Bulk Fuel Depot, Gasoline Key Lock	1 space per 420 m^2 of operation area	1	Operation area is defined as lot area minus areas used for parking facilities and landscaping
	Truck Terminal, Freight Station	2 spaces	Truck Loading Bay	

Keeping of Farm Animals

78. For the purposes of this Bylaw, Animal Units (A.U.) means equivalencies as indicated in the following table:

Sheep	A.U.	Swine	A.U.
ewe	.14	sow	.33
yearling ewe	.10	boar-young (18-90 kg)	.20
lamb ewe	.07	boar-mature	.33
ram	.14	gilt	.33
yearling ram	.10	bred gilt	.33
lamb ram	.07	weaner (less than 18 kg)	.10
nursing lamb	.05	feeder (18-91 kg) .	.20
feeder lamb	.10	suckling pig	.01
breeding lamb	.10		
Cattle	A.U.	Poultry	A.U.
cow & calf	1.00	chickens	.015
2 yr. old	1.00	turkeys, raised	.0125

yearling	.67	turkeys, breeding stock	.02
calf	.25	geese	.02
bull	1.00	ducks	.015
Horses	A.U.	Other	A.U.
horse	1.00	goats	.14
colts 1-2 years	.50	rabbit	.025
colts, under 1 yr.	.25	mink	.025

Where the keeping of farm animals are permitted, the following provisions are required:

a. On lots less than 0.4 hectares (1.0 acres), the total number of farm animals and poultry shall not exceed 0.5 animal units. No roosters will be permitted on lots less than 0.4 hectares (1.0 acres).

b. On lots greater than 0.4 hectares (1.0 acre), the total number of farm animals and poultry shall not exceed two animal units per hectare. No building, structure or enclosure used for housing more than 0.5 animal units shall be located within 4.5 metres (15 feet) of a lot line.

c. No drinking or feeding troughs or manure piles may be located within 4.5 metres (15 feet) of a lot line.

d. Where the calculation of the number of animals results in a fraction, the result shall be rounded down.

Information note: Where a lot is smaller than 0.4 hectares (1 acre) in area, a maximum of 33 chickens could be kept (0.5 A.U. divided by 0.015 A.U. per chicken = 33.33 chickens). On a two hectare lot, 6 yearling cattle could be housed (.67 A.U. times 2 hectares times 2 A.U. per hectare = 5.97 yearlings).

Hazard Land Development

79. Despite any other provisions of this bylaw, development on flood hazard lands should be flood proofed in accordance with those provisions specified in the Regional District of Central Kootenay Floodplain Management Bylaw No. 2080, 2009 and amendments thereto.

Manufactured Home Parks

80. Where a site contains two (2) or more manufactured homes and meets the density requirements of the R1, R2, R3, and R4 zone then the parcel is not a manufactured home park pursuant to this bylaw.

Agricultural Land Commission

81. Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the British Columbia Agricultural Land Commission Act, Regulations and Orders as amended or replaced from time to time.

Mining Activities

82. Any mineral or mining activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified a 'mineral' under the *Mineral Tenure Act* or a 'mine' under the *Mines Act* shall not be restricted by any terms or conditions of this bylaw so long as the Province manages the activities and land for that purpose.

Signs

Unless otherwise prescribed in this bylaw, all signs are subject to the requirements that:

83. No sign shall be located within 1.5 meters of any lot line or on any portion of the lot subject to vision triangle requirements.

84. Signs shall be limited to the following:

    a. a maximum height of 5.0 metres;

    b. a maximum area of 6.0 square metres;

    c. a maximum width of 2.5 metres; and

    d. one (1) sign for each public road access.

85. Removed by Bylaw 2688.

86. Signs advertising community events or public service announcements or political campaign signs during an election are exempt from the requirements of Section 17.0 (83 and 84).

87. Signs associated with the operation of on-site businesses and activities such as parking, loading, vehicle movement, employee and visitor safety and other similar signs are exempt from the requirements of Section 17.0 (83 and 84).

88. Signs may be illuminated provided that glare is contained on-site when adjacent to any residential, agricultural, institutional, park and recreation zoned property.

Zone Designations

For the purpose of this bylaw, the land subject to regulation in this bylaw is divided into the following zones:

ZONE	SHORT FORM
Suburban Residential	R1
Country Residential	R2
Rural Residential	R3
Rural Resource	R4
Manufactured Home Park	R5
Multi-Unit Residential	R6
Agriculture 1	AG1
Agriculture 2	AG2
Agriculture 3	AG3
Neighborhood Commercial	C1
General Commercial	C2
Light Industrial	M1
Medium Industrial	M2
Heavy Industrial	M3
Railway	RW
Quarry	Q
Community Services	CS
Parks and Recreation	PR
Resource Area	RA
Forest Reserve	FR
Environmental Reserve	ER

Zone Boundaries

89. The extent of each zone is shown on Schedule 'B.1' – Zoning Map, which is incorporated in and forms part of this bylaw.

90. Where the zone boundary is designated as following a road allowance, creek or other body of water, the centre line of the road allowance, creek or body of water shall be the zone boundary.

91. Where a zone boundary does not follow a legally defined line and where the distances are not specifically indicated, the location of the boundary shall be determined by scaling from the zoning sheets referred to in Section 17.0 (89).

92. Any area not specifically shown on Schedule 'B.1' shall be deemed to be zoned 'Resource Area (RA)'.

92A. In circumstances where a single lot is located in more than one zone, the provisions of this Bylaw that regulate the use of land, buildings and structures; the density of the use of land, buildings, and structures; the siting, size, and dimension of buildings and structures, and uses permitted on the land; the location of uses on the land and within the building and structures; and the shape, dimension, and area of all parcels of land that may be created by subdivision; shall apply as if the zone boundary were a property line, and in the case of subdivision, be in compliance with the largest minimum area that applies to that lot or portion of the lot being created.

Landscaping Requirements - Applicability

Due regard should be given to the following to incorporate landscaping into neighbourhood design:

93. provision of privacy for outdoor and indoor spaces through use of plant screens, walls, or fences;

94. separation of distinct areas allocated to different types of activities;

95. reduction of glare or illumination from automobile traffic, street lighting or other sources;

96. direction of pedestrian circulation away from privacy areas onto designated paths with vegetation and varied paving textures;

97. curtailing erosion on steep grades;

98. control of noise from streets or activity areas; and/or

99. environmental modifications; such as the blocking of wind.

General Regulations for Landscaping

100. In a multi-unit residential development including manufactured home parks, any part of a lot not used for structures and associated parking areas should be fully landscaped and properly maintained as a landscaping area, or as undisturbed forest.

101. At least 30 percent of the total area of any lot used for multi-unit residential purposes shall be maintained as open space landscaped area in a permeable state.

102. Any off-street parking area, exterior display area or loading area on a lot used for commercial or industrial purposes shall:

a. be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting where adjacent to a lot in any residential zone; such screening shall be planted or installed so that no person shall be able to see through it;

b. be separated from any directly abutting lot in any residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.

103. Where any lot is used for commercial, industrial and institutional purposes, any part of such lot that is not used for buildings, exterior display areas, parking or loading facilities shall be maintained as a landscaped area, or as undisturbed forest.

104. Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.

105. The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the "British Columbia Landscape Standard" prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association. These standards do not apply where endemic, native plantings are used for landscaping.

106. In the Quarry zone, a landscape screen or a continuous three (3) metre high opaque fence shall be maintained within the 100 metre setback required for any processing operation.

Accessory Dwelling Units

107. An accessory dwelling unit is subject to the following regulations:

a. The maximum number of accessory dwelling units per lot is one.

b. The minimum lot size for an accessory dwelling unit shall be 1.0 hectare.

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

d. The maximum gross floor area is 90.0 square metres.

e. The maximum height is 8.0 metres.

f. The maximum number of storeys is 2.

g. An accessory dwelling unit must be serviced by an on-site sewerage disposal system in accordance with the Sewerage System Regulations of the Public Health Act and it must be demonstrated that there is a suitable back up field area on the parcel unless a community sewer system is available in which case connection to the community sewer system is required.

h. An accessory dwelling unit is not permitted to be used as accessory tourist accommodation or a short term rental.

i. The accessory dwelling unit shall not be a recreational vehicle or other vehicle.

j. A secondary suite shall not be connected to a single detached house by a breezeway or carport.

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

l. Despite section 107(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.

18.0 SUBURBAN RESIDENTIAL (R1)

Permitted Uses

1. Land, buildings and structures in the Suburban Residential (R1) zone shall be used for the following purposes only:

   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

Development Regulations

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

   LEVEL OF SERVICES PROVIDED

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

2B. The minimum site area for each Principal Use shall be required as follows:

   LEVEL OF SERVICES PROVIDED

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

3. The maximum Site Coverage is 50 percent of the lot area.
4. Buildings and structures shall not cover more than 33 percent of the lot area.
5. The keeping of farm animals shall comply with the requirements of Section 17.0 (78).
6. Farm animals and poultry shall be caged, fenced or housed at all times.
7. No principal building may exceed ten (10) metres in height.
8. The maximum height of any accessory building or structure shall not exceed 6 metres.

9. The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.
10. The cumulative gross floor area of all accessory buildings or structures shall not exceed 200 square metres.
11. Buildings and structures in the case of a lot that may be further sub-divided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
12. Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot; whereas fences not exceeding a height of two (2) metres may be sited only to the rear of the required front lot line setback.

19.0 COUNTRY RESIDENTIAL (R2)

Permitted Uses

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

   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)

Development Regulations

2. The minimum lot size for subdivision is 1.0 hectare.

2B. The minimum site area for each Principal Use shall be 1.0 hectare.

3. The minimum lot size for a parcel subdivided for a relative under Section 514 of the Local Government Act, with the approval of the Interior Health Authority, shall be 0.8 hectares.

4. The maximum site coverage permitted shall be 50 percent of the lot area.

5. The keeping of farm animals shall comply with the requirements of Section 17.0 (78).

6. Portable Sawmills shall be located a minimum of 30 metres from any property line.

7. *Removed by Bylaw 2749.*

8. The maximum height of any accessory building or structure shall not exceed 8 metres.

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

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

20.0 RURAL RESIDENTIAL (R3)

Permitted Uses

1. Land, buildings and structures in the Rural Residential (R3) zone shall be used for the following purposes only:

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

Development Regulations

2. The minimum lot size is 2.0 hectares.

2B. The minimum site area for each Principal Use shall be 2.0 hectares.

3. The maximum site coverage permitted shall be 50 percent of the lot area.

4. The keeping of farm animals shall comply with the requirements of Section 17.0 (78).

5. *Removed by Bylaw 2955.*

6. *Removed by Bylaw 2749.*

7. Portable Sawmills shall be located a minimum of 30 metres from any property line.

8. The maximum height of any accessory building or structure shall not exceed 8 metres.

9. The maximum footprint of any accessory building or structure shall not exceed 250 square metres.
10. The cumulative gross floor area of all accessory buildings or structures shall not exceed 500 square metres.
11. Any building or structure for the purposes of cannabis micro cultivation, micro processing or nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
12. Cannabis micro-cultivation, cannabis micro-processing or cannabis nursery licenses shall not be permitted in a dwelling place.
13. *Removed by Bylaw 2955.*
14. *Removed by Bylaw 2955.*
15. *Removed by Bylaw 2955.*
16. *Removed by Bylaw 2955.*

Small Scale Wood Product Manufacturing

17. A small scale wood product manufacturing operation is subject to the following requirements:
    a. The minimum parcel size shall be two (2) hectares;
    b. The sawmill is limited to a band sawmill powered by an engine of no more than 42 Horsepower;
    c. The property owner will continue to reside in the principal residence on the property;
    d. Despite the site area requirements detailed elsewhere in the Rural Residential (R3) Zone, the maximum area used for a small scale wood processing business, including external storage, shall not exceed 0.4 hectares;
    e. Any portion of a property used for a small scale wood product manufacturing use shall be located a minimum of 30 metres from any property line;
    f. No more than three (3) persons who are not residents of the principal dwelling may be employed in the business;
    g. External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
    h. No commodities may be offered for sale except those produced on the premises;
    i. There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;

j. Operation of the sawmill shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday;

k. There shall be no operation of the small scale wood product manufacturing operation on Sundays or Statutory Holidays;

l. Access to the small scale wood products manufacturing site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and

m. Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with this bylaw.

Temporary Farmworker Housing

18. Temporary Farmworker Housing shall be permitted on a lot separate from the Farm Business, provided that:
    a. The lot is 2.0 hectares or larger;
    b. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
    c. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.

21.0 RURAL RESOURCE (R4)

Permitted Uses

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

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

Development Regulations

2. The minimum lot size for subdivision is 2.0 hectares.

2B. The minimum site area for each Principal Use shall be 2.0 hectares.

3. The maximum site coverage permitted shall be 50 percent of the lot area.

4. The keeping of farm animals shall comply with the requirements of Section 17.0 (78).

5. Portable Sawmills shall be located a minimum of 30 metres from any property line.

6. The minimum setback for a kennel shall be 30 metres from any lot line.

7. *Removed by Bylaw 2749.*

8. The maximum height of any accessory building or structure shall not exceed 8 metres.

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

10. The cumulative gross floor area of all accessory buildings or structures shall not exceed 500 square metres.

11. Any building or structure for the purposes of cannabis micro cultivation, micro processing or nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.

12. Cannabis micro-cultivation, cannabis micro-processing or cannabis nursery licenses shall not be permitted in a dwelling place.

Temporary Farmworker Housing

13. Temporary Farmworker Housing shall be permitted on a lot separate from the Farm Business, provided that:
    d. The lot is 2.0 hectares or larger;
    e. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
    f. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.

22.0 MANUFACTURED HOME PARK (R5)

Permitted Uses

1. Land, buildings and structures in the Manufactured Home Park (R5) zone shall be used for the following purposes only:
   Manufactured Home Park
   Accessory Uses:
   - Accessory Buildings or Structures

Development Regulations

2. Manufactured Home Parks shall comply with all applicable regulations in any applicable Mobile Home Park Bylaw or Manufactured Home Park Bylaw adopted by the RDCK Board.
3. Landscaping shall be provided in accordance with Sections 17.0 (93) to (106).

23.0 MULTI-UNIT RESIDENTIAL (R6)

Permitted Uses

1. Land, buildings and structures in the Multi-Unit Residential (R6) zone shall be used for the following purposes only:
   Dwellings:
   - Single Detached Housing
   - Duplex Housing
   - Multi-Unit Housing
   Accessory Uses:
   - Accessory Buildings or Structures
   - Accessory Dwelling Unit
   - Accessory Tourist Accommodation
   - Home Based Business

Development Regulations

2. The minimum site area for the following uses shall be required as follows:

LEVEL OF SERVICES PROVIDED

	Community Water Supply And Community Sewer System	**Community Water Supply Only**	**On Site Only**
Single Detached and Duplex Housing	0.1 hectare	0.8 hectare	1.0 hectare
Multi-Unit Housing /Dwelling Unit	300 m^2	0.1 hectare	0.4 hectare

3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. Landscaping shall comply with all applicable requirements of Sections 17.0 (93) to (106).
5. The minimum lot size for subdivision is 0.1 hectares.

24.0 AGRICULTURE 1 (AG1)

Permitted Uses

1. Subject to the British Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 1 (AG1) zone shall be used for the following purposes only:

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 RegionalDistrict 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)*

Development Regulations

2. The minimum lot size for subdivision shall be 4 hectares.

2B. The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

2C. Only one Single Detached Housing is permitted per lot.

3. The maximum site coverage permitted shall be 35 percent of the lot area unless an areanot larger than 60 percent of the lot is covered with greenhouses.

4. The maximum Farm Residential Footprint shall be a maximum of 2000 square

meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.

5. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
6. The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.
7. A Farmworker Dwelling Unit is permitted on a lot provided that all of the following apply:
    a. The maximum Gross Floor Area is 90.0 square metres;
    b. The lot is classified as a farm under the Assessment Act;
    c. The lot is larger than 2 hectares; and
    d. The Farm Business has been operation for at least 3 years.
8. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
    a. The lot is classified as a farm under the Assessment Act;
    b. The lot is larger than 1.2 hectares;
    c. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
    d. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
9. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within 5 metres of a lot line.
10. Section (9) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
11. Farm Product processing that involves processing livestock:
    a. must be located on a minimum 2 hectare site outside the Agricultural LandReserve; and
    b. must be located at least 30 meters from the nearest business orresidence on another parcel.
12. The minimum setback for a kennel building shall be 30 metres from any lot line. All kenneloperations shall ensure that dogs are held within the kennel building between the hours of 8 pm and 7 am.

Cannabis Regulations

13. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
14. Any building or structure for the purposes of cannabis standard cultivation or cannabis standard processing shall be a minimum of 30 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
15. The maximum height of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be 15 metres.
16. The maximum footprint of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 250 square metres.
17. The maximum gross floor area of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 600 square metres.

Cannabis Facilities may require the submission of a Notice of Intent to the ALC for the removal of soil or placement of fill.

25.0 AGRICULTURE 2 (AG2)

Permitted Uses

1. Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 2 (AG2) zone shall be used for the following purposes only:

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 RegionalDistrict 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)*

Development Regulations

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

2B. The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

2C. Only one Single Detached Housing is permitted per lot.

3. The maximum site coverage permitted shall be 35 percent of the lot area unless an areanot larger than 60 percent of the lot is covered with greenhouses.

4. The maximum Farm Residential Footprint shall be a maximum of 2000 square meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.
5. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
6. The Maximum Gross Floor Area of the Single Detached Housing is 300.0 square metres.
7. A Farmworker Dwelling Unit is permitted on a lot provided that all of the following apply:
    a. The maximum Gross Floor Area is 90.0 square metres;
    b. The lot is classified as a farm under the Assessment Act;
    c. The lot is larger than 2 hectares; and
    d. The Farm Business has been operation for at least 3 years.
8. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
    a. The lot is classified as a farm under the Assessment Act;
    b. The lot is larger than 1.2 hectares;
    c. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
    d. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
9. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within 5 metres of a lot line.
10. Section (9) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
11. Farm Product processing that involves processing livestock:
    a. must be located on a minimum 2 hectare site outside the Agricultural LandReserve; and
    b. must be located at least 30 meters from the nearest business orresidence on another parcel.
12. The minimum setback for a kennel building shall be 30 metres from any lot line. All kenneloperations shall ensure that dogs are held within the kennel building between the hours of8 pm and 7 am.

Cannabis Regulations

13. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
14. Any building or structure for the purposes of cannabis standard cultivation or cannabis standard processing shall be a minimum of 30 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
15. The maximum height of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be 15 metres.
16. The maximum footprint of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 250 square metres.
17. The maximum gross floor area of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 600 square metres.

Cannabis Facilities may require the submission of a Notice of Intent to the ALC for the removal of soil or placement of fill.

26.0 AGRICULTURE 3 (AG3)

Permitted Uses

1. Subject to the *British Columbia Agricultural Land Commission Act, Agricultural Land Reserve Use Regulation* and Orders, land, buildings and structures in the Agriculture 3 (AG3) zone shall be used for the following purposes only:

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 RegionalDistrict 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)*

Development Regulations

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

2B. The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.

2C. Only one Single Detached Housing is permitted per lot.

3. The maximum site coverage permitted shall be 35 percent of the lot area unless an areanot larger than 60 percent of the lot is covered with greenhouses.

4. The maximum Farm Residential Footprint shall be a maximum of 2000 square

meters where one dwelling unit is permitted plus 500 square meters per additional permitted dwelling unit.

5. The maximum depth of the Farm Residential Footprint shall not exceed 60.0 metres measured from the Front Lot Line or Exterior Side Lot Line.
6. The Maximum Gross Floor Area of the Single Detached Housing is 375.0 square metres.
7. A Farmworker Dwelling Unit is permitted on a lot provided that all of the following apply:
    a. The maximum Gross Floor Area is 90.0 square metres;
    b. The lot is classified as a farm under the Assessment Act;
    c. The lot is larger than 2 hectares; and
    d. The Farm Business has been operation for at least three (3) years.
8. Temporary Farmworker Housing is permitted on a lot provided that all of the following apply:
    a. The lot is classified as a farm under the Assessment Act;
    b. The lot is larger than 1.2 hectares;
    c. The minimum setback is 6.0 metres from the Front Lot Line and Exterior Lot Line and 15.0 metres from other lot lines; and
    d. The minimum setback from the nearest exterior wall of a dwelling unit on another lot is 30.0 metres, or where a landscape screen comprised of a thick hedge of hardy shrubs or evergreen trees not less than 1.8 metres in height and 1.5 metres in width and maintained in a healthy growing condition is provided, the minimum setback from the nearest exterior wall of a dwelling unit shall not be required.
9. No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.
10. Section (9) does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
11. Farm Product processing that involves processing livestock:
    a. must be located on a minimum 2 hectare site outside the Agricultural LandReserve; and
    b. must be located at least 30 meters from the nearest business orresidence on another parcel.
12. The minimum setback for a kennel building shall be 30 metres from any lot line. All kenneloperations shall ensure that dogs are held within the kennel building between the hours of8 pm and 7 am.

Cannabis Regulations

13. Any building or structure for the purposes of cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be a minimum of 15 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
14. Any building or structure for the purposes of cannabis standard cultivation or cannabis standard processing shall be a minimum of 30 metres from all property lines, with the exception of a structure that has a base entirely of soil which may be located within 7.5 metres of a property line.
15. The maximum height of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall be 15 metres.
16. The maximum footprint of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 250 square metres.
17. The maximum gross floor area of any building or structure for the purposes of cannabis standard cultivation, cannabis standard processing, cannabis micro cultivation, cannabis micro processing or cannabis nurseries shall not exceed 600 square metres.

Cannabis Facilities may require the submission of a Notice of Intent to the ALC for the removal of soil or placement of fill.

27.0 NEIGHBOURHOOD COMMERCIAL (C1)

Permitted Uses

1. Land, buildings and structures in the Neighbourhood Commercial (C1) zone shall be used for the following purposes only:
   Cannabis Retail Stores
   Cold Storage Plants
   Commercial Green House
   Farmer's Market
   Feed and Seed Storage and Distribution
   Horticulture
   Mixed Use Developments
   Offices
   Pubs
   Personal Service Establishments
   Recycling Depot
   Restaurants
   Retail Stores
   Service Stations
   Tourist Accommodation
   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite

Development Regulations

2. The minimum site area for each permitted use shall be provided as follows:

Hotel, Motel, Lodge and Similar Uses	
On Site Servicing	1.0 hectare (up to 10 units), 600m2 for each additional sleeping unit, 0.1hectares for each additional housekeeping unit.
Community Water	0.4 hectares, 300m2 for each additional sleeping unit, 400 m2 for each additional housekeeping unit.
Full Servicing	0.2 hectares (first unit), 200 m2 for each additional sleeping or housekeeping unit.
All Other Uses	
On Site Servicing	1.0 hectare
Community Water	0.4 hectares
Full Servicing	0.4 hectares

3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. The maximum commercial floor area within all buildings on a lot shall be 500 square metres.
5. Landscaping shall comply with the requirements of Sections 17.0 (93) to (106).

28.0 GENERAL COMMERCIAL (C2)

Permitted Uses

1. Land, buildings and structures in the General Commercial (C2) zone shall be used for the following purposes only:
   Building and Plumbing Sales
   Cannabis Retail Stores
   Farmers Markets
   Horticulture
   Manufactured Home and Trailer Sales
   Mixed Use Developments
   Motor Vehicle Sales and Rentals
   Offices
   Plumbing, Heating and Glass Sales and Service
   Personal Service Establishments
   Recycling Depot
   Repair Shops (enclosed) of:
   - boats and light marine equipment
   - awnings and canvas products
   - small equipment and machinery
   - automobiles

   Restaurants
   Retail Stores
   Service Stations
   Tourist Accommodation
   Veterinary Clinics
   Warehousing:
   - mini warehouses
   - cold storage plants
   - feed and seed storage and distribution

   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite

Development Regulations

2. The minimum site area for each permitted use shall be provided as follows:

Hotel, Motel, Lodge and Similar Uses	
On Site Servicing	1.0 hectare (up to 10 units), 600m2 for each additional sleeping unit, 0.1hectares for each additional housekeeping unit

Community Water	0.4 hectares, 300m2 for each additional sleeping unit, 400 m2 for each additional housekeeping unit.
Full Servicing	0.2 hectares (first unit), 200 m2 for each additional sleeping or housekeeping unit.
<u>All Other Uses</u>	
On Site Servicing	1.0 hectare
Community Water	0.4 hectares
Full Servicing	0.4 hectares

3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. Landscaping shall comply with the requirements of Sections 17.0 (93) to (106).

29.0 LIGHT INDUSTRIAL (M1)

Permitted Uses

1. Land, buildings and structures in the Light Industrial (M1) zone shall be used for the following purposes only:
   Building Supply Stores and Yards
   Car Washes
   Commercial Workshops:
   - machine shops
   - welding shops
   - government garages and workshops
   Contractors' Offices, Shops and Yards
   Construction, Sales, Repair and Storage of:
   - boats
   - trailers
   - prefabricated buildings
   Food Processing
   Light Manufacturing Including:
   - finished wood products
   - fibreglass products
   - canvas products
   - finished concrete products
   - ceramic products
   Manufactured Home and Trailer Sales
   Micro Cultivation, Cannabis
   Micro Processing, Cannabis
   Nursery, Cannabis
   Recycling Depot
   Repair Shops
   Sales, Rental and Servicing of:
   - motor vehicles
   - equipment;
   Service Stations
   Standard Cultivation, Cannabis
   Standard Processing, Cannabis
   Trucking depot / warehouse
   Veterinary Clinics
   Warehousing:
   - mini warehouses
   - cold storage plants
   - feed and seed storage and distribution

Accessory Uses:
- Accessory Buildings or Structures
- Caretaker Suite
- business office

Development Regulations

2. The minimum site area for each permitted use shall be one (1) hectare.
3. The maximum site coverage permitted shall be 50 percent of the lot area.
4. Excepting a fence, no building or structure may be located within:
    a 15 metres of the front or exterior side lot lines
    b 4.5 metres of the rear or interior side lot lines; or
    c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
5. The maximum height of any structure on a lot shall be 15 metres.
6. Landscaping shall comply with the requirements of Sections 17.0 (93) to (106).
7. An Industrial Development Permit is required for developments on industrial zoned lands.

30.0 MEDIUM INDUSTRIAL (M2)

Permitted Uses

1. Land, buildings and structures in the Medium Industrial (M2) zone shall be used for the following purposes only:
   All uses permitted in the Light Industrial (M1) zone
   Auto wrecking, Junkyards, Salvage and Scrap Metal Yards
   Machine Shops and Parts Manufacturing
   Sheet Metal Shops
   Wood Product Manufacturing
   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite
   - business office

Development Regulations

2. The minimum site area for each permitted use shall be one (1) hectare.
3. The minimum site area for building supply stores and storage, trucking depots, warehousing, auto wrecking, junk yards, scrap metal yards and storage and wood product manufacturing shall have a minimum site area of 1.5 hectares.
4. The maximum site coverage permitted shall be 50 percent of the lot area for buildings and structures and 75 percent for outside storage of materials.
5. No building or structure except a fence may be located within:
   a 15 metres of the front or exterior side lot lines;
   b 4.5 metres of the rear or interior side lot lines; or
   c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
6. The maximum height of any structure on a lot shall be 15 metres.
7. Landscaping shall comply with the requirements of Sections 17.0 (93) to (106).
8. An Industrial Development Permit is required for developments on industrial zoned lands.

31.0 HEAVY INDUSTRIAL (M3)

Permitted Uses

1. Land, buildings and structures in the Heavy Industrial (M3) zone shall be used for the following purposes only:
   All uses permitted in the M1 and M2 zones
   Asphalt Plant
   Concrete and Cement Manufacturing and Storage
   Landfill
   Waste Management Facilities
   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite
   - business office

Development Regulations

2. The minimum site area for each permitted use shall be three (3) hectares.
3. The maximum site coverage permitted shall be 75 percent of the lot area unless otherwise approved by the Ministry of Health.
4. No building or structure except a fence may be located within:
   a 15 metres of the front or exterior side lot lines;
   b 4.5 metres of the rear or interior side lot lines; or
   c 25 metres of a rear or interior side lot line that abuts an agricultural or residential zone.
5. No equipment or machinery that grades, washes, or crushes primary mineral resources shall operate or no concrete batch plant or asphalt processing plant shall be located within 75 metres of any lot line that abuts a residential zone.
6. The maximum height of any structure on a lot shall be 15 metres.
7. Landscaping shall comply with all requirements of Sections 17.0 (93) and (106).
8. An Industrial Development Permit is required for developments on industrial zoned lands.

32.0 QUARRY (Q)

Permitted Uses

1. Land, buildings and structures in the Quarry (Q) zone shall be used for the following purposes only:
   Concrete Batch Plant
   Quarries
   Asphalt Plant
   Gravel Pits
   Processing of Aggregate Mined on site:
   - preliminary grading
   - crushing
   - screening
   - washing

   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite
   - business office

Development Regulations

2. The minimum site area shall be five (5) hectares.
3. The minimum setback for any processing operation shall be 100 metres from any lot line.
4. Landscaping shall comply with the requirements of Sections 17.0 (93) and (106).

33.0 RAILWAY (RW)

Permitted Uses

1. Land, buildings and structures in the Railway (RW) zone shall be used for the following purposes only:
   All operations necessary for the operation of a railway
   Recycling Depot
   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite
   - warehousing

Development Regulations

2. The minimum site area for each permitted use shall be two (2) hectares.

34.0 COMMUNITY SERVICES (CS)

Permitted Uses

1. Land, buildings and structures in the Community Services (CS) zone shall be used for the following purposes only:
Cemeteries
Churches
Community Care Facilities
Community Halls
Day Care Centres
Educational Facilities
Group Care Facilities
Historic Interpretative Facilities
Hospitals
Government Offices
Recycling Depot
Retreat Centre
Group Care Accommodation (up to a maximum of 15 units)
Horticulture
Keeping of Farm Animals
Accessory Uses:
- Accessory Buildings or Structures
- Caretaker Suite
- accessory tourist accommodation
- accessory agri-tourism
- therapeutic and public horseback riding
- small-scale food processing
- retail sales and manufacturing of heritage products

Development Regulations

2. The minimum site area for each permitted use shall be one (1) hectare.
3. The maximum site coverage shall be 50 percent of the lot area.
4. The maximum size of accessory use structures for Historical Interpretative Facilities shall be 300 square metres.
5. Landscaping shall comply with all requirements of Sections 17.0 (93) to (106).

35.0 PARK AND RECREATION (PR)

Permitted Uses

1. Land, buildings and structures in the Park and Recreation (PR) zone shall be used for the following purposes only subject to compliance with the *Agricultural Land Commission Act, Regulations and Orders* where applicable:
   Agriculture on lands within the ALR
   Campgrounds
   Community Recreation Centres
   Community Wharves and Boat Launches
   Golf Courses
   Natural and Historic Interpretation Facilities
   Parks
   Recreation Facilities
   Shooting Range (archery, firearms)
   Accessory Uses:
   - Accessory Buildings or Structures
   - Caretaker Suite
   - concession booth
   - club house(s)
   - storage facilities

Development Regulations

2. The minimum site area for each permitted use shall be two (2) hectares.
3. The minimum site area for a Shooting Range shall be fifteen (15) hectares.
4. No person shall establish a rifle, archery or trap and skeet range less than 25 metres from any lot line.

36.0 RESOURCE AREA (RA)

Permitted Uses

1. Land, buildings and structures in the Resource Area (RA) zone shall be used for the following purposes only:
   Agriculture
   Community Wharves and Boat Launches
   Commercial Back Country Recreation
   Fishing and Hunting Camps
   Outdoor Recreational Activities
   Private Dock Adjacent to Upland Property
   Resource Based Activities:
   - resource processing as defined
   - forest harvesting
   - mineral exploration and mining
   Accessory Uses:
   - Accessory Buildings or Structures

Development Regulations

2. The minimum site area shall be fifteen (15) hectares.

37.0 FOREST RESOURCE (FR)

Permitted Uses

1. Land, buildings and structures in the Forest Resource (FR) Zone shall be used for the following purposes only:
   Back Country Recreation
   Timber production
   Forage production and grazing by livestock and wildlife
   A use or occupation authorized under the Coal Act, Geothermal Resources Act, Mineral Tenure Act, Mines Act, or Petroleum and Natural Gas Act
   Commercial Back Country Recreation
   Agriculture
   Accessory uses:
   - Accessory Buildings or Structures
   - Caretaker Suite

Development Regulations

2. The minimum site area for each permitted use shall be ten (10) hectares.

38.0 ENVIRONMENTAL RESERVE (ER)

Permitted Uses

1. Land, buildings and structures in the Environmental Reserve (ER) Zone shall be used for the following purposes only:
   Agriculture
   Bird Sanctuary
   Wildlife Sanctuary
   Nature Reserve
   Open Space
   Accessory uses:
   - Accessory Buildings or Structures
   - interpretative facilities
   - Caretaker Suite

Development Regulations

2. The minimum site area for each permitted use shall be one (1) hectare.

39.0 TEMPORARY USE PERMITS

Background

Temporary Use Permits may be issued by the RDCK under the *Local Government Act*, S.493. The temporary use may continue in accordance with the provisions of the permit until the date that the permit expires, or three years after the permit was issued, whichever occurs first. Permits may be renewed only once, after which the use must be either permanently designated in the OCP Bylaw and Zoning Bylaw or cease. Temporary Use Permits are not a substitute for a land use designation amendment in accordance with the Zoning Bylaw. Permits are also subject to approval by the Agricultural Land Commission where land is classified as farm under the *Assessment Act.*

Objective

1. Permit temporary uses to provide short-term opportunity when considered appropriate by the Regional Board, without negatively affecting surrounding properties or the environment.

Policies

The Regional Board:

2. May consider the issuance of Temporary Use Permits throughout the plan area, subject to the following:

    a. demonstration that the use is temporary or seasonal in nature;
    b. potential conflict with nearby land uses;
    c. potential impacts on environmentally sensitive areas;
    d. provision of adequate servicing that meets health requirements; and
    e. relevant policies within other sections of this plan.

3. May require conditions under which a temporary use may be allowed, including: the buildings or structures that may be used; the period of applicability of the permit; the area, duration or timing of use; and required site rehabilitation upon cessation of the use.

4. May require security deposits, site restoration plans or letters of undertaking to ensure conditions are met.

METRIC MEASUREMENT CONVERSIONS

LINEAR MEASUREMENTS	
METRIC	**IMPERIAL (approx)**
0.6 m	2.0 ft.
0.75 m	2.5 ft.
1.0 m	3.3 ft.
1.2 m	4.0 ft.
1.5 m	5.0 ft.
1.8 m	6.0 ft.
2.0 m	6.5 ft.
2.2 m	7.0 ft.
2.6 m	8.5 ft.
3.0 m	10.0 ft.
4.0 m	13.0 ft.
4.5 m	15.0 ft.
5.0 m	16.5 ft.
5.8 m	19.0 ft.
6.0 m	20.0 ft.
7.5 m	25.0 ft.
9.0 m	30.0 ft.
10.0 m	32.0 ft.
15.0 m	50.0 ft.
25.0 m	82.0 ft.
30.0 m	99.0 ft.
50.0 m	163.0 ft.
75.0 m	245.0 ft.
100.0 m	330.0 ft.
WEIGHT MEASUREMENT	
4000 kg	8,820.0 lb

AREA MEASUREMENTS	
METRIC	**IMPERIAL (approx)**
0.2 m^2	2.0 ft^2
0.4 m^2	4.3 ft^2
1.0 m^2	11.0 ft^2
17.0 m^2	183.0 ft^2
24.0 m^2	260.0 ft^2
30.0 m^2	323.0 ft^2
50.0 m^2	540.0 ft^2
55.0 m^2	592.0 ft^2
100.0 m^2	1,076.0 ft^2
200.0 m^2	2,153.0 ft^2
300.0 m^2	3,230.0 ft^2
400.0 m^2	4,305.0 ft^2
500.0 m^2	5,382.0 ft^2
600.0 m^2	6,460.0 ft^2
700.0 m^2	7,535.0 ft^2
1,200.0 m^2	12,920.0 ft^2
1,500.0 m^2	16,145.0 ft^2
2,000.0 m^2	21,530.0 ft^2
0.1 ha	0.3 ac
0.2 ha	0.5 ac
0.4 ha	1.0 ac
0.5 ha	1.3ac
0.75 ha	1.9 ac
0.8 ha	2.0 ac
1.0 ha	2.5 ac
1.5 ha	3.8 ac
1.6 ha	4.0 ac
2.0 ha	5.0 ac
3.0 ha	7.5 ac
4.0 ha	10.0 ac
5.0 ha	13.0 ac
8.0 ha	20.0 ac
10.0 ha	25.0 ac
15.0 ha	37.0 ac
40.0 ha	100.0 ac
60.0 ha	150.0 ac