



REGIONAL DISTRICT OF CENTRAL KOOTENAY

AREA B ADVISORY PLANNING AND HERITAGE COMMISSION OPEN MEETING AGENDA

7:00PM

Tuesday, September 29, 2026

Hybrid Meeting

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

Join by Video:

<https://rdck-bc-ca.zoom.us/j/94587073424?pwd=4jkdnpZMZ89MQZGZz3fj0dPx9wr8y.1>

Join by Phone:

+1 778 907 2071 Canada Toll-free

Meeting ID: 945 8707 3424

Meeting Password: 147647

In-Person Location: Creston Public Library – 531 16 Avenue South, Creston, BC

1. CALL TO ORDER

Chair Brunham called the meeting to order at ____ p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We would like to acknowledge that this meeting is being held on the unceded traditional territory of the Ktunaxa Nation and the Yaqan Nuʔkiy People.

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the September 29, 2026 Electoral Area B Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried/Defeated/Referred

4. RECEIPT OF MINUTES

The May 26, 2026 Electoral Area B Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS

5.1 Land Use Bylaw Amendment Application - Chacalias

The Referral Package dated August 25, 2026 from Planner Zachari Giacomazzo, has been received.

Moved and seconded,

AND Resolved that it be recommended to the Board:

That the Area B Advisory Planning Commission SUPPORT/NOT SUPPORT the Land Use Bylaw Amendment Application to Greg Chacalias for the property located 4580 44 Street, Canyon and legally described as BLOCK 145 DISTRICT LOT 812 KOOTENAY PLAN 730C EXCEPT PARCEL A(REFERENCE PLAN 113289I) (PID: 012-126-993).

Carried/Defeated/Referred

5.2 Bylaw Amendment Application – Referral Form

The Referral Package dated August 24, 2026 from Rishab Gaba, Planner 2 has been received.

Moved and seconded,

AND Resolved that it be recommended to the Board:

That the Area B Advisory Planning Commission SUPPORT/NOT SUPPORT the Bylaw Amendment Application.

Carried/Defeated/Referred

6. PUBLIC TIME

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

7. NEXT MEETING

The next Electoral Area B Advisory Planning and Heritage Commission Meeting is scheduled for October 27, 2026 at 7:00 p.m.

8. ADJOURNMENT

MOVED and seconded,

AND Resolved:

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



REGIONAL DISTRICT OF CENTRAL KOOTENAY

**AREA B ADVISORY PLANNING AND HERITAGE
COMMISSION
OPEN MEETING MINUTES**

7:00 PM

Tuesday, May 26, 2026

Hybrid Meeting

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

Join by Video:

<https://rdck-bc-ca.zoom.us/j/94587073424?pwd=4jkdnpZZM89MQZGZz3fj0dPx9wr8y.1>

Join by Phone:

+1 778 907 2071 Canada Toll-free

Meeting ID: 945 8707 3424

Meeting Password: 147647

In-Person Location: Creston Valley Public Library - 531B 16 Avenue South, Creston, BC

COMMISSIONERS

Commissioner Daryl Bjarnason
Commissioner Brock Lillico
Commissioner Lon Main
Commissioner Jon Delcaro
Commissioner Randy Meyer
Commissioner Jeff Karbonik
Commissioner Petra Flaa
Commissioner Adam Mjolsness

Electoral Area B
Electoral Area B
Electoral Area B, Acting Chair
Electoral Area B
Electoral Area B
Electoral Area B
Electoral Area B
Electoral Area B

ABSENT COMMISSIONERS

Commissioner Wade Brunham
Commissioner Karen Kraan
Commissioner Jerry Bauer

Electoral Area B, Chair
Electoral Area B
Electoral Area B

DIRECTORS

Roger Tierney

Electoral Area B, Director

STAFF

Sadie Chezenko	Planner
Zachari Giacomazzo	Planner
Robin Baril	Meeting Coordinator

PUBLIC

Rebecca and Cory Huscroft	Applicant
Jenna Traxel	Applicant
Jeshua Gibson	Applicant

8 out of 11 voting Commission/Committee members were present – quorum was met.

1. CALL TO ORDER

Vice Chair Main called the meeting to order at 7:01 p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

We would like to acknowledge that this meeting is being held on the unceded traditional territory of the Ktunaxa Nation and the Yaqan Nuʔkiy People.

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the May 26, 2026 Electoral Area B Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried

4. RECEIPT OF MINUTES

The Electoral Area B Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS

5.1 Development Variance Permit Application – Traxel/Gibson

The Referral Package dated May 12, 2026 from Planner Sadie Chezenko, has been received.

- The Commission was in favor of applicants home based business of working on large machinery to be fitting of the large shop size that they have applied to build.
- Planners reported that the location of the shop on the applicants' parcel is located well within the property boundaries, located centrally on the parcel.

MOVED and seconded,
AND Resolved:

That the Area B Advisory Planning Commission SUPPORT the Development Permit Variance Application to Jenna Traxel and Jeshua Gibson for the property located 7745 Highway 3, Yahk, Electoral Area B. DISTRICT LOT 12974 KOOTENAY DISTRICT, EXCEPT THE MOST SOUTHERLY 40 CHAINS (PID: 013-872-664).

Carried

5.2 Agricultural Land Reserve Referral - Huscroft

The Referral Package dated May 12, 2026 from Planner Zachari Giacomazzo, has been received.

- The applicants closed the business for personal health reasons in 2019 and want to reopen in 2027. Agricultural Land Commission requirements were missed by local government on first start up. Applicants have been proactive in searching out approvals they that are required for them to re-open the business.
- The applicants raise some of the product that they process on their parcel, 90% of the meat is supplied by local farmers.
- The proposed cut and wrap business is a service that the valley needs.

MOVED and seconded,
AND Resolved:

That the Area B Advisory Planning Commission SUPPORT the Agricultural Land Reserve Referral for Cory and Rebecca Huscroft for the property located 924 25 Avenue South, Erickson, Electoral Area B. LOT 26 DISTRICT LOT 891 KOOTENAY DISTRICT 698 EXCEPT (1) PARCEL A (SEE DD 18512) AND (2) PART INCLUDED IN PLAN 3031 (PID: 015-493-211).

Carried

5.3 Agricultural Land Reserve (Inclusion) Referral – Town of Creston

The Referral Package dated May 14, 2026 from Planner Zachari Giacomazzo, has been received.

- Town of Creston has proposed a land swap where a large parcel of land on airport lands be included for a smaller parcel of land be excluded from the Agricultural Land Reserve.
- The Commission was curious why the exclusion referral did not come to them for discussion. Staff explained that the exclusion did not have to come for referral according to the bylaws.

MOVED and seconded,
AND Resolved:

That the Area B Advisory Planning Commission SUPPORT the Agricultural Land Reserve Referral for Town of Creston c/o Joel Comer for the property located at 1993 Airport Roads, Lister, Electoral Area B. BLOCK A SECTION 13 TOWNSHIP 7 KOOTENAY DISTRICT (PID: 009-724-991).

Carried

5.4 Bylaw Amendment Referral Form

The Referral Package dated May 4, 2026 from Planner Sadie Chezenko, has been received.

- Commission is concerned that there is not enough appropriate checks and balances for property development, especially for residential zoned properties.

- Agricultural Land Commission bylaws will be more stringent than RDCK.
- Commission feels that there needs to be public consultation to find out what the community wants for future development in the Creston Valley.

MOVED and seconded,
AND Resolved:

That the Area B Advisory Planning Commission NOT SUPPORT the Bylaw Amendment Referral Form for Electoral Area B.

Carried

6. PUBLIC TIME

No public present

7. NEXT MEETING

The next Electoral Area B Advisory Planning and Heritage Commission Meeting is scheduled for June 24, 2026 at 7:00 p.m.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area B Advisory Planning and Heritage Commission meeting be adjourned at 8:38 p.m.

Carried

Digitally approved by:

Lon Main, Acting Chair



Land Use Bylaw Amendment Application

Referral Form – RDCK File Z2604B

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

Date: August 25, 2026

You are requested to comment on the attached Bylaw Amendment for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO SEPTEMBER 25, 2026).

PURPOSE OF THE BYLAW AMENDMENT:

The subject property was historically used as a club house and restaurant for a golf course and presently contains a dwelling unit. The applicant has indicated that the property has not been used for any commercial purposes for the past 15 years. The dwelling unit is presently serviced by an on-site wastewater (septic) system and a water connection to the North Canyon Improvement District.

The applicant is seeking a bylaw amendment to rezone the subject property from Neighbourhood Commercial (C1) to Agriculture 1 (AG1) and redesignate the property from General Commercial (GC) to Agriculture (AG) in order to better reflect the existing and future use of the property as residential.

LEGAL DESCRIPTION & GENERAL LOCATION:

4580 44th Street, Canyon, Electoral Area 'B'
BLOCK 145 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 730C EXCEPT PARCEL A (REFERENCE PLAN 113289I)
(PID: 012-126-993)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.37 hectare (0.92 acres)	Within the ALR	Neighbourhood Commercial (C1)	General Commercial (GC)

APPLICANT:

Gregory Carl Chacalias

Please provide your response via email.

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

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

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

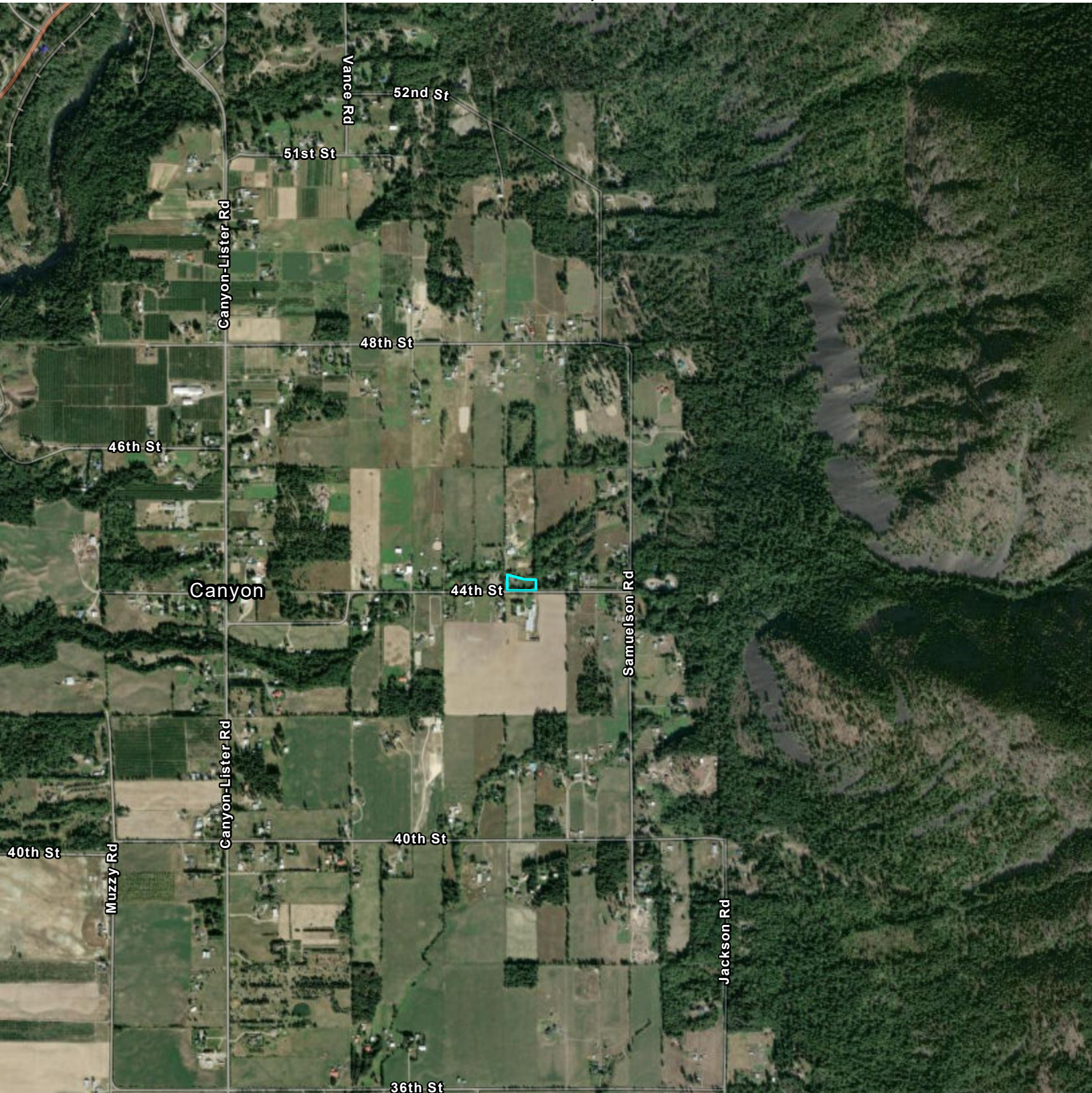
- | | |
|--|---|
| ☒ MINISTRY OF TRANSPORTATION (WEST KOOTENAY)
☒ HABITAT BRANCH
☒ FRONT COUNTER BC (FLNRORD)
☒ AGRICULTURAL LAND COMMISSION
☐ REGIONAL AGROLOGIST
☐ ENERGY & MINES
☐ MUNICIPAL AFFAIRS & HOUSING
☒ INTERIOR HEALTH HBE Team, Nelson
☐ KOOTENAY LAKES PARTNERSHIP | FIRST NATIONS
☒ KTUNAXA NATION COUNCIL (ALL REFERRALS)
YAQAN NU?KIY (LOWER KOOTENAY)
?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
?AKISQNUK (COLUMBIA LAKE)
?AQ'AM (ST. MARY'S)
☐ OKANAGAN NATION ALLIANCE
☐ C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN) |
|--|---|

☐ ARCHAEOLOGY BRANCH ☒ SCHOOL DISTRICT NO. 8 ☒ NORTH CANYON IMPROVEMENT DISTRICT ☒ UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER) REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: ☐ A ☒ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K ALTERNATIVE DIRECTORS FOR: ☐ A ☒ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K ☒ APHC AREA B ☒ RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA) ☒ RDCK EMERGENCY SERVICES ☒ RDCK BUILDING SERVICES ☐ RDCK UTILITY SERVICES ☐ RDCK REGIONAL PARKS ☒ RDCK FINANCE DEPARTMENT ☒ RDCK ENVIRONMENTAL SERVICES (RESOURCE RECOVERY)	☐ KŁK'ƏR'MÍWS (LOWER SIMILKAMEEN) ☐ SNPÍNTKTN (PENTICTON) ☐ STQA?TKWƏ+WT (WEST BANK) ☐ SUKNAQÍN (OKANAGAN) ☐ SWÍWS (OSOYOOS) ☐ SPAXOMƏN (UPPER NICOLA) ☐ SHUSWAP NATION TRIBAL COUNCIL ☒ KENPÉSQT (SHUSWAP) ☐ QW?EWT (LITTLE SHUSWAP) ☐ SEXQELTQÍN (ADAMS LAKE) ☐ SIMPCW ((SIMPCW) ☐ SKEMTSIN (NESKONLITH) ☐ SPLATSÍN (SPLATSÍN FIRST NATION) ☐ SKEETCHESTN INDIAN BAND ☐ TK'EMLUPS BAND ☐ SINIXT CONFEDERACY
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The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

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

RDCK Map



 Electoral Areas



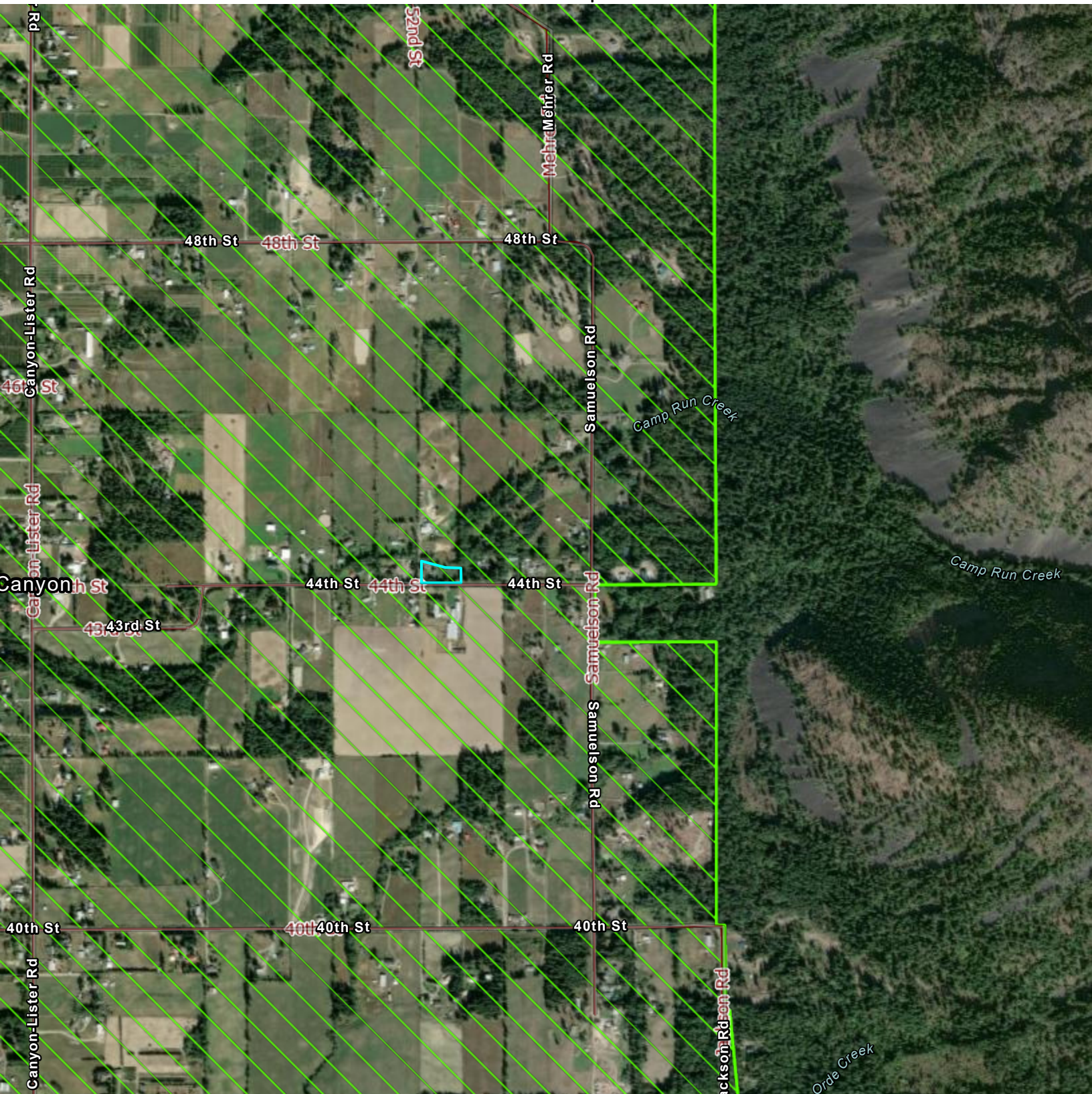
0 0.25 0.5 km

Scale: 1:25,000
August 24, 2026 3:53 PM
Size: 8.5 x 11"



The map data are approximate for reference only.
The Regional District of Central Kootenay is not
liable for any errors or omissions on this map nor
any loss or damage resulting from its use.

RDCK Map



- RDCK Streets
- Agriculture Land Reserve
- Electoral Areas



0 0.18 0.36 km

Scale: 1:18,056
August 24, 2026 3:51 PM
Size: 8.5 x 11"

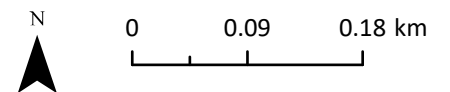


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RDCK Map



- | | |
|-------------------------|-----------------------|
| Address Points | Commercial |
| Cadastre Property Lines | Community Services |
| RDCK Streets | Environmental Reserve |
| Official Community Plan | Parks and Recreation |
| Legend | Resource Area |
| Agriculture | Electoral Areas |



Scale: 1:9,028
August 24, 2026 3:52 PM
Size: 8.5 x 11"

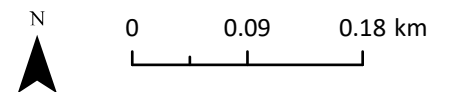


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RDCK Map



- | | |
|-------------------------|-----------------------|
| Address Points | Commercial |
| Cadastre Property Lines | Community Services |
| RDCK Streets | Environmental Reserve |
| Zoning | Parks and Recreation |
| Class | Resource Area |
| Agriculture | Electoral Areas |



Scale: 1:9,028
August 24, 2026 3:51 PM
Size: 8.5 x 11"



The map data are approximate for reference only.
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liable for any errors or omissions on this map nor
any loss or damage resulting from its use.

From: Greg Chacalias <[REDACTED]>
Sent: Saturday, June 27, 2026 2:17 PM
To: Planning
Subject: Re: 4580-44 st canyon lister road
Attachments: PastedGraphic-2.pdf; Bylaw-Amendment-Information-Package-FINAL_GregoryChacalias.pdf

CAUTION

This email originated from outside the organization. Please proceed only if you trust the sender.

Rezoning Application Summary

Property Address: 4580 44th Street, Creston, BC

Existing Bylaw, Zoning and Official Community Plan (OCP) Designation

The property at 4580 44th Street is currently zoned **Commercial**, a designation that has remained in place despite the property not being used for commercial purposes for approximately 15 years. The existing building has functioned solely as a residential dwelling during this time.

Proposed Zoning and OCP Designation

This application requests that the property be rezoned from **Commercial** to **Agriculture 1** to accurately reflect its long-standing residential use. If necessary, a corresponding amendment to the Official Community Plan is also requested so that the OCP designation is consistent with the proposed residential zoning.

Purpose of the Rezoning

The proposed residential zoning will:

- Officially recognize the property's long-established residential use.
- Permit the continued use of the dwelling as a single-family residence.
- Align the property's zoning with its actual use and the surrounding residential neighbourhood.
- Allow prospective purchasers to obtain conventional residential mortgage financing, which is generally unavailable for commercially zoned properties.

Rationale for the Change

The requested rezoning is intended to correct an outdated zoning designation that no longer reflects the property's use. The property has not operated as a commercial business for approximately 15 years and has been used exclusively as a residence throughout that period.

Maintaining the commercial zoning has created unnecessary challenges when selling the property. Most residential mortgage lenders require a property to be residentially zoned before approving standard home financing. As a result, the existing commercial zoning significantly limits the number of potential buyers and negatively affects the marketability of the property.

Rezoning the property to residential will bring the zoning into alignment with its actual use and eliminate barriers to residential financing.

Effects on Surrounding Properties

The proposed rezoning is not expected to have any negative impacts on neighbouring properties.

Because the property has functioned as a residence for many years, the rezoning will not result in changes to traffic, noise, parking, density, or neighbourhood character. Instead, the rezoning will simply formalize the property's existing use.

The change is expected to have positive effects by ensuring the property is consistent with surrounding residential uses and by supporting stable residential development within the neighbourhood.

Conclusion

The proposed rezoning from Commercial to Agriculture reflects the property's long-standing use, aligns the zoning with the surrounding area, and removes unnecessary obstacles to residential ownership and financing. The rezoning represents a logical and appropriate update that benefits both the property owner and the community while having no adverse impact on neighbouring properties.

Greg Chacalias Owner/ Operator,

INSULATION POLICE LTD. *“to serve and protect you from the weather”*

Phone: [REDACTED]

[REDACTED]
www.insulationpolice.ca

www.homestars.com (reviews)

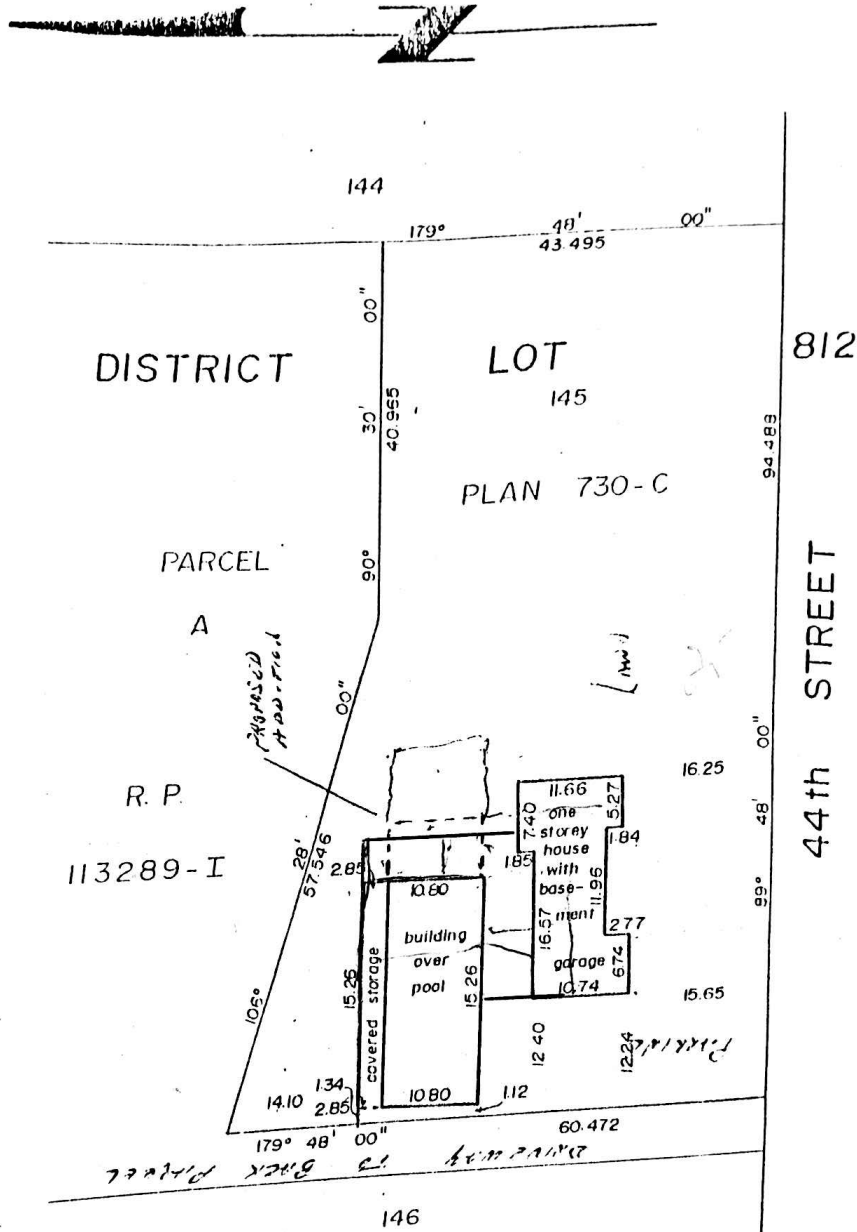
www.bbb.org (A + Rating for over 25 years)



PLAN SHOWING LOCATION OF BUILDINGS CONSTRUCTED ON BLOCK 145 EXCEPT PARCEL A (R.P. 113289-I), DISTRICT LOT 812, KOOTENAY DISTRICT, PLAN 730C.

SCALE 1:500

All distances are in metres, unless otherwise noted



Civic Address: 4580 - 44th Street
Canyon, B. C.

Improvements shown on this plan conform
with existing setback, side yard and
lot coverage zoning requirements.

The information contained hereon is
correct according to Land Title Office
records this 23th day of September, 1988.

GRIFFITH, BEDDOES & ASSOCIATES
B. C. Land Surveyors
Box 1488
Creston, B. C.
VOB 160

Authorized Signatory, Regional
District of Central Kootenay

Robert A. Griffith
Robert A. Griffith, B. C. L. S.

This plan was prepared for mortgage purposes only.

Existing Land Use Designation

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 and existing commercial nodes within Kitchener, Canyon, Lister and Arrow Creek. 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 scale industrial operations exist throughout the Plan area, but are generally concentrated in and around the Highway 3 and 21 corridors. 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 quarry operations, forestry, agriculture, and machine and equipment repair and storage. Zoning types applicable to this section include Neighborhood Commercial (C1), General Commercial (C2), Tourist Commercial (C3),

Light Industrial (M1), Medium Industrial (M2), Heavy Industrial (M3), Mixed Use Industrial (Airport) (M4) and Railway (RW).

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 direct commercial development to existing residential nodes and the Town of Creston where services and amenities are more readily available.
4. To minimize land use incompatibility between commercial activities and surrounding land uses by requiring screening and landscaping of new commercial developments.
5. To encourage home based businesses as a means of strengthening the economic base.
6. To accommodate a broad variety of home based businesses.
7. To expand employment opportunities associated with home based businesses and occupations within the Plan area.
8. To support new commercial development in combination with residential use to promote mixed use community areas where appropriate.
9. To accommodate temporary commercial uses in appropriate locations.

Industrial Objectives

10. To recognize and retain traditional resource-based livelihoods such as recreation, agriculture, and forestry while using sustainable management practices to maintain and protect the land base.
11. To ensure there is opportunity for industrial uses that support the local economy.
12. To accommodate industrial uses compatible with rural character that does not adversely affect the natural environment.
13. To support and enhance industrial uses within the Plan area while minimizing incompatibility with surrounding land uses through requirements for screening or landscaping.
14. To ensure that new proposed industrial operations have significant public input prior to development so that where possible, issues can be resolved to the satisfaction of the public and operator.
15. To encourage value added resource manufacturing and production to enhance or maximize the value of raw materials within the local community.
16. To ensure good arterial road access for existing and new industrial developments.
17. To encourage noise abatement techniques wherever possible.
18. To accommodate temporary industrial uses in appropriate locations.

General Commercial (GC) Policies

The Regional Board:

19. Directs that existing commercial uses shall be recognized and designated as such.
20. Will encourage the development of neighbourhood commercial areas where appropriate and where the majority of residents in the affected areas have been consulted and are in support of such developments; ensuring the design of such developments is compatible with surrounding land uses.
21. Supports that requirements for screening or landscaping be incorporated into the design of new commercial developments other than home based.
22. Will consider the provision of reduced parking in lieu of providing additional amenities to facilitate other modes of transportation such as walking, cycling and transit loading areas in keeping with existing rural form and character.
23. Recognizes the commercial and service center role of the Town of Creston and selected areas within the unincorporated communities of Kitchener, Canyon, Lister, Erickson and Arrow Creek; therefore commercial development in the Plan area will primarily be oriented toward serving local community needs and tourist and traveler needs.

24. 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.
25. Will ensure that home based business opportunities remain flexible and accommodate expanded employment needs.
26. Will ensure that adequate land is designated for commercial uses where deemed appropriate and necessary.

Tourist Commercial (TC) Policies

The Regional Board:

27. Directs that existing tourist commercial uses shall be recognized and designated as such.
28. 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.
29. 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 an anticipated or previously demonstrated detrimental impact on important habitat or riparian areas or adjacent land uses.

Industrial (M) Policies

The Regional Board:

30. Directs that existing industrial uses shall be recognized and designated as such.
31. 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.
32. Supports that requirements for screening or landscaping be incorporated into the design of new and expanded industrial developments.
33. Shall consider further industrial and resource development in the vicinity of Kidd Creek and Highway 3 east of the Town of Creston.
34. Supports that industrial activities resulting in significant noise impact are managed by acceptable hours of operation and/or noise abatement techniques to negate impact on residential properties in the area.
35. Discourages industrial activities that are considered noxious, emit pollutants, degrade air quality with smoke or particulates that are harmful to human health, create public safety hazards, extreme noise and/or otherwise detrimental to the environment and neighboring properties and the community as a whole.

Proposed Land Use Designation

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 fruit production, wineries, produce, dairies, livestock, nurseries and greenhouses and other associated agricultural activities. Agriculture is also a basis for tourism and industry in the area. Many lands within the ALR are used for rural residential and country residential purposes with small market gardens that 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 in Schedule 'A.1'. 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.

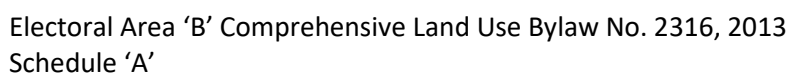
8. To examine any ALR boundary changes initiated by the RDCK, First Nation Governments or the Province, which review agricultural suitability in the Plan area, provided affected landowners are notified and have opportunity for input.
9. To work with the Town of Creston on a co-operative approach to agricultural lands within the urban / rural interface that will mitigate the loss of agricultural land to future growth.

Agriculture Policies

The Regional Board:

10. Directs that the principal use of land designated 'Agriculture' shall be for agricultural use.
11. Discourages subdivisions of agricultural land that do not benefit agriculture and result in further fragmentation of agricultural land.
12. Supports that all new land use and subdivision of land within the ALR shall be in accordance with the provisions of the *Agricultural Land Commission Act*, associated regulations, orders and decisions of the Provincial Agricultural Land Commission (ALC).
13. May consider applications to subdivide parcels smaller than two (2) hectares within the ALR, subject to the approval of the Agricultural Land Commission (ALC), in the following cases:
 - a. for a home-site severance under Provincial Acts and Statutes, where the subdivision or boundary adjustment will allow for more efficient use of agricultural land or the better utilization of farm buildings for farm purposes;
 - b. where the community interest in the subdivision of the land outweigh the community interest in the retention of the land in a larger parcel; and where
 - c. such proposed parcel sizes are subject to the approval by the Agricultural Land Commission (ALC)
14. May require that new development adjacent to agricultural areas provide sufficient buffering in the form of setbacks, fencing or landscaping.
15. Supports the consolidation of legal lots that may support more efficient agricultural operations.
16. 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.
17. Supports the use of minimum and maximum setback distances for residential development and the clustering of built structures on agricultural lands to reduce the impact to agricultural potential and operations.
18. 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.
19. May consider secondary dwelling applications within the ALR in accordance with the density provisions of the associated zoning regulations of this Bylaw and with Provincial approval where necessary.

- ## Map 2: Agricultural Land Reserve



Existing Zoning

26.0 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), 600m ² for each additional sleeping unit, 0.1hectares for each additional housekeeping unit
Community Water	0.4 hectares, 300m ² for each additional sleeping unit, 400 m ² for each additional housekeeping unit
Full Servicing	0.2 hectares (first unit), 200 m ² 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 section 16.0 (94 to 107).

Proposed Zoning

23.0 AGRICULTURE 1 (AG1)

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 1 (AG1) zone shall be used for the following purposes only:

Agriculture

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

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

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

Accessory Uses:

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

Development Regulations

2. The minimum lot area shall be 4 hectares.
- 2b. The maximum density is 2 Dwelling Units not including a Farmworker Dwelling Unit.
3. The maximum site coverage permitted shall be 35 percent of the lot area unless an area not 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 Land Reserve; and
 - b. must be located at least 30 meters from the nearest business or residence on another parcel.
12. The minimum setback for a kennel building shall be 30 metres from any lot line. All kennel operations shall ensure that dogs are held within the kennel building between the hours of 8 pm and 7 am.

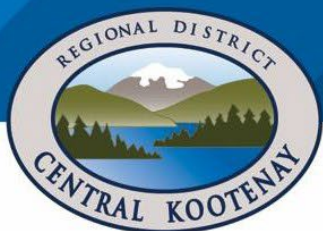
Cannabis Regulations

- 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.

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



Bylaw Amendment Application

Referral Form

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

Date: August 24, 2026

You are requested to comment on the attached Bylaw Amendment for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (**PRIOR TO September 24, 2026**). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF THE BYLAW AMENDMENT:

The proposed amendments update the Official Community Plans and Schedule A of applicable land use bylaws to align policy with residential zoning changes adopted in 2024 and related updates made in 2026. The amendments form part of the RDCK's ongoing response to provincial housing legislation, including Bill 44 Housing Statutes (Residential Development) Amendment Act, 2023.

The amendments modernize residential terminology, support accessory dwelling units, and clarify residential policy direction.

Amendment Bylaw	Official Community Plan Bylaw
Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3042, 2025	Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

Link to the full text of existing bylaws : <https://www.rdck.ca/development-sustainability/development-community-sustainability-services/community-planning/official-community-plans-comprehensive-land-use-bylaw-zoning-bylaws/>

Enclosed with this referral package are the following documents:

- Drafts of the proposed bylaw amendment;
- Concurrence Tables, which present a side-by-side comparison of the current policies and the proposed amendments, including rationale; and
- A map identifying Electoral Areas within the RDCK that are currently subject to Official Community Plans (OCPs).

LEGAL DESCRIPTION & GENERAL LOCATION:

The proposed bylaw amendments apply to the communities in Electoral Area 'B' of the Regional District of Central Kootenay (RDCK), which are subject to the Official Community Plans. The area includes various communities, as illustrated in Attachment C.

AREA OF PROPERTY AFFECTED
n/a

ALR STATUS
The proposed amendments apply to properties both within and outside the ALR.

APPLICANT/AGENT:
RDCK Planning Department

Please provide your response via email.

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

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

Rishab Gaba, PLANNER 2

REGIONAL DISTRICT OF CENTRAL KOOTENAY

- ☐ TRANSPORTATION West Kootenay
- ☐ HABITAT BRANCH
- ☐ FRONT COUNTER BC (FLNRORD)
- ☐ AGRICULTURAL LAND COMMISSION
- ☐ REGIONAL AGROLOGIST
- ☐ ENERGY & MINES
- ☐ MUNICIPAL AFFAIRS & HOUSING
- ☐ INTERIOR HEALTH HBE Team, Nelson
- ☐ KOOTENAY LAKES PARTNERSHIP
- ☐ SCHOOL DISTRICT NO. 8, 10, 20
- ☐ WATER SYSTEM OR IRRIGATION DISTRICT
- ☐ UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)

REGIONAL DISTRICT OF CENTRAL KOOTENAY

DIRECTORS FOR:

☐ A ☒ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K

ALTERNATIVE DIRECTORS FOR:

☐ A ☒ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K

- ☒ APHC AREA B
- ☐ RDCK FIRE SERVICES
- ☐ RDCK EMERGENCY SERVICES
- ☐ RDCK BUILDING SERVICES
- ☐ RDCK UTILITY SERVICES
- ☐ RDCK REGIONAL PARKS

FIRST NATIONS

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

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

RETURN TO: **RISHAB GABA, PLANNER 2**
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY
BOX 590, 202 LAKESIDE DRIVE
NELSON, BC V1L 5R4
Ph. 250-352-1548
Email: rgaba@rdck.bc.ca

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3042

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

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

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

APPLICATION

- 1 That Schedule 'A' Official Community Plan of *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* be amended as follows:
 - A. That the Suburban Residential (RS) Policies subsection of section 4.0 Residential be amended as follows:
 14. Directs that the principal use shall be single detached or duplex housing.
 - B. That the Country Residential (RC) Policies subsection of section 4.0 Residential be amended as follows:
 18. Directs that the principal use shall be single detached or duplex housing.
 - C. That the Rural Residential (RR) Policies subsection of section 4.0 Residential be amended as follows:
 21. Directs that the principal use shall be single detached or duplex housing.
 - D. That the Multi-Unit Residential (RH) Policies subsection of section 4.0 Residential be amended as follows:
 24. Directs that the principal use be single detached, duplex or multi-unit housing.
 - E. That the Erickson subsection of section 14.0 Community Specific Policies be amended as follows:
 6. Supports the provision of alternative housing in the form of accessory dwelling unit, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.

Attachment A

- F. That the Canyon subsection of section 14.0 Community Specific Policies be amended as follows:

15. Supports the provision of alternative housing in the form of accessory dwelling unit, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.

- G. That the Lister, Rykert, Riverview and Huscroft subsection of section 14.0 Community Specific Policies be amended as follows:

24. Supports the provision of alternative housing in the form of accessory dwelling unit, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.

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

CITATION

- 3 This Bylaw may be cited as **“Electoral Area ‘B’ Comprehensive Land Use Amendment Bylaw No. 3042, 2025**

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

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

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month], 20XX.

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

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

[Name of Board Chair], Board Chair

[Name of CO], Corporate Officer

Concurrence Table

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

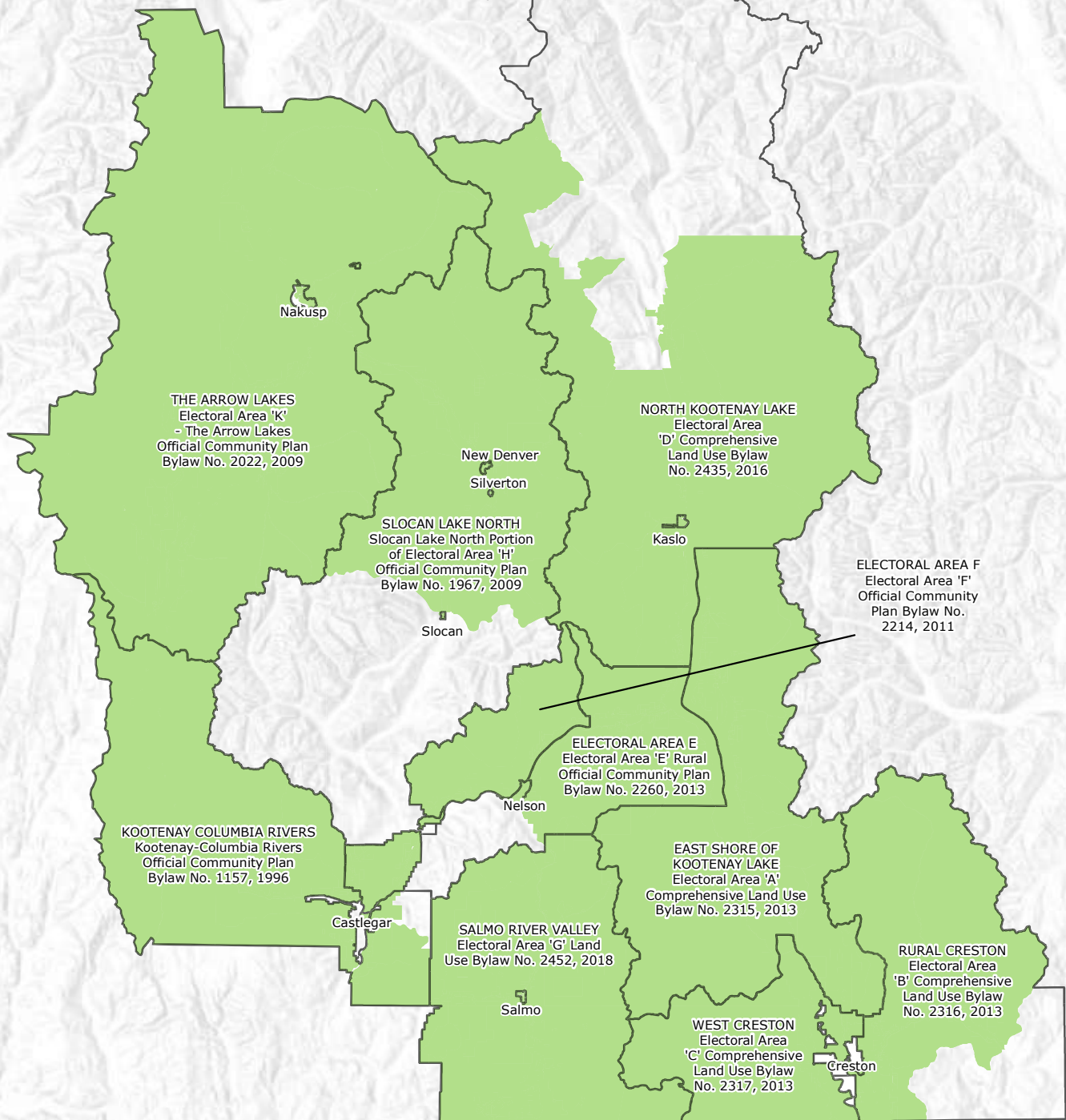
Amendments to Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 Schedule 'A' Official Community Plan

Section	Existing Item / Wording	Change	Rationale
4.0 RESIDENTIAL Suburban Residential (RS) Policies	14. Directs that the principal use shall be single-family or two-family dwellings.	AMEND 14. Directs that the principal use shall be single detached or duplex housing .	Clarify and modernize.
4.0 RESIDENTIAL Country Residential (RC) Policies	18. Directs that the principal use shall be single-family or two-family dwellings.	AMEND 18. Directs that the principal use shall be single detached or duplex housing .	Clarify and modernize.
4.0 RESIDENTIAL Rural Residential (RR) Policies	21. Directs that the principal use shall be single-family or two-family dwellings	AMEND 21. Directs that the principal use shall be single detached or duplex housing .	Clarify and modernize.
4.0 RESIDENTIAL Multi-Unit Residential (RH) Policies	24. Directs that the principal use be single-family, two-family or multi-unit residential	AMEND 24. Directs that the principal use be single detached, duplex or multi-unit housing .	Clarify and modernize.
14.0 COMMUNITY SPECIFIC POLICIES Erickson	6. Supports the provision of alternative housing in the form of accessory dwellings, such a garage suites and carriage housing, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	AMEND 6. Supports the provision of alternative housing in the form of accessory dwelling unit , to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	Update term.

Concurrence Table

14.0 COMMUNITY SPECIFIC POLICIES Canyon	15. Supports the provision of alternative housing in the form of accessory dwellings, such a garage suites and carriage housing, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	AMEND 15. Supports the provision of alternative housing in the form of accessory dwelling unit , to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	Update term.
14.0 COMMUNITY SPECIFIC POLICIES Lister, Rykert, Riverview and Huscroft	24. Supports the provision of alternative housing in the form of accessory dwellings, such as garage suites and carriage housing, to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	AMEND 24. Supports the provision of alternative housing in the form of accessory dwelling unit , to allow for greater flexibility and affordability of housing choice, subject to approval by the Agricultural Land Commission, where required.	Update term.

Attachment C



RDCK Areas with OCP

- Electoral Areas
- Official Community Plan Coverage

0 20 40
Kilometres

Thursday, February 8, 2024
Datum/Projection: NAD83/UTM Zone 11N
Created By: Chenoa McLean

The map data shown are approximate representations for reference purposes only. The Regional District of Central Kootenay is not liable for any errors or omissions on this map nor any loss or damage resulting from the use of this map.