



ELECTORAL AREA E/ WEST BOUNDARY – BIG WHITE ADVISORY PLANNING COMMISSION

Monday, May 6, 2024 – 5:00 pm

AGENDA

Big White Fire Hall, 7555 Porcupine Road

and via Teams:

[Click here to join the meeting](#)

Meeting ID: 260 345 002 950

Passcode: 9QRk5Z

Or call in [+1 647-794-5571](tel:+16477945571), 63742247#

1. Call to Order

2. Land Acknowledgement

In the spirit of respect, truth and reconciliation, we honour and thank the Indigenous Peoples on whose traditional and unceded lands we operate.

3. Consideration of the Agenda (additions/deletions)

May 6, 2024

Recommendation: That the May 6, 2024 Electoral Area E/ West Boundary-Big White Advisory Planning Commission agenda be approved.

4. Draft Minutes

April 1, 2024

Recommendation: That the minutes of the April 1, 2024 Electoral Area E/ West Boundary – Big White Advisory Planning Commission meeting be adopted.

5. Delegations

- James Kay, Big White Utilities

6. Updates to Applications and Referrals

7. New Business

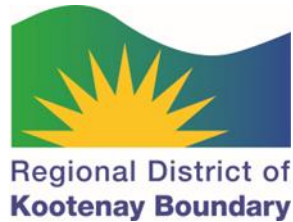
- A. RDKB-Initiated Zoning Amendment
RE: Bill 44 / Mandated Zoning Bylaw Updates
RDKB File: 6970

8. For Information

- Verbal Update (Donna Dean) – Building Height

9. For Discussion

10. Adjournment



Electoral Area E/ West Boundary – Big White
Advisory Planning Commission
MINUTES

Monday, April 1, 2024
In person and via teams

Present:

Carla Berrie, Chair
Mike Figurski, Vice-Chair
John Lebrun, Secretary

Director Sharen Gibbs

Absent:

Paul Sulyma
Anna Byrne
Alternate Director, G. Harfman

RDKB Staff Present: None

Guest(s) Present: Jordon Hettinga for Big White Ski Resort.
Marty Munrol, contractor, for BW-4222-07500.640
Ed Hall for BW-4222-07500.640

1. Call to Order

The meeting was called to order at 1705 p.m.

2. Land Acknowledgement

In the spirit of respect, truth and reconciliation, we honour and thank the Indigenous Peoples on whose traditional and unceded lands we operate.

3. Adoption of Agenda

Recommendation: That the April 1, 2024 Electoral Area E/ West Boundary – Big White Advisory Planning Commission agenda be adopted as presented.

CARRIED

4. Adoption of Minutes

Recommendation: That the January 2, 2024 Electoral E/ West Boundary – Big White Advisory Planning Commission discussion be adopted as presented.
CARRIED

5. Delegations

6. Updates to Applications and Referrals

- A. Jordan Hettings, Agent for
1312822 BC Ltd, and Black Forest Developments LTD.
RE: Zoning Bylaw Amendment
RDKB File: BW-4256/4257-2024-003

Discussion/Observations:

1. The addition of additional housing at Big White is welcomed. However with the additional accomodations other services are affected.
2. Current regulations do not allow sufficient parking for developments of this type and will create problems for snow removal, emergency vehicles and fire response.
3. The garbage and recycling facility is at or near capacity.
4. The change does not take into account the additional load on the sewer treatment facility.

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that RDKB File, BW-4256/-2024-003 be

Supported with the above comments.

7. New Business

- A. Jennifer Hall
RE: Development Variance Permit
RDKB File: BW-4222-07500.640

Discussion/Observations:

1. The application did not have input from the Feathertop Strata.

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that RDKB File, BW-4222-07500.640 be

Supported with the above comment.

B. John and Wendy Quinn
RE: Development Permit
RDKB File: BW-4222-07500.825

Discussion/Observations

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that RDKB File, BW-4222-07500.825 be

Supported without comment

C. BC Timber Sales
RE: Road Referral
RDKB File: B-54-BW

Discussion/Observations:

1. Once the area has been logged the trails and roads should be maintained for recreational use.
2. The RDKB should consider hiring a summer student to identify and map the existing trails and abandoned trails and logging roads within the Area E boundaries for further use for recreation purposes.

Recommendation:

It was moved, seconded and resolved that the APC recommends to the Regional District that RDKB File, B-54-BW

Supported with the above comment

8. For Information

1. The APC would like to request a presentation from the Big White Water and Sewer Department to better understand the developments in the area and what their impact are having on the facility.
2. The APC would like to request a presentation from the RDKB on how building lot elevation is determined to better understand how variations happen.

9. Discussion

1. The APC Guide does not require a member to abstain from voting even if they have a vested interest or connection to the referral. As an example if I am a member of the APC and a plumber/electrician or other trade and a variance or request comes to the APC and it is a building I am working on should I be allowed to vote on the application?

10. Adjournment

MOVED AND SECONDED that the meeting be adjourned at 1750 p.m.



Electoral Area E/ West Boundary-Big White Advisory Planning Commission (APC) Staff Report

RE:	Zoning Bylaw Amendment (Rezoning) – RDKB Initiated		
Date:	May 6, 2024	File #:	6970
To:	Members of the Electoral Area E/ West Boundary - Big White APC		
From:	JoAnn Peachey, Current Planning Supervisor		

Issue Introduction

The Provincial Government of BC enacted several significant pieces of legislation in 2023 related to housing (Bill 35, 44, 46 and 47).

This report is for informational purposes so Big White APC members are aware of how the RDKB is addressing Bill 44's mandates, and that there are no mandated changes applicable Big White.

Under Bill 44, the Province requires all zoning bylaws to be updated by June 30, 2024 to allow a minimum of one additional dwelling unit (i.e. one secondary suite or accessory dwelling unit) **in all zones "of which the permitted residential use would be...restricted to detached single-family dwellings", which are referred to as "restricted zones"**.

This report outlines the mandatory zoning amendments required under Bill 44 to be made to various RDKB Zoning Bylaws, to comply with Provincial legislation. These amendments are limited in nature to include only amendments necessary to bring **RDKB's** Zoning Bylaw into compliance and do not include any amendments to Big White Zoning Bylaw No. 1166.

History / Background Information

Unlike other RDKB Zoning Bylaws, the Big White Zoning Bylaw does not contain any zones where residential use **would be restricted to a "detached single-family dwelling"**. All of the Residential zones allow for other residential uses such as two family dwellings (R1, R1A, R3, R3A), two to four family dwellings (R2), two family dwellings and multiple family dwellings (R4, R4A) and multiple family dwellings (R5, VC6, VC6A, VC6B, R6A, R7, R8). The Institutional & Community Facilities zone (ICF1) allows for two dwellings in conjunction with an institutional use.

The remaining zones include one Recreational zone (REC1) and two Industrial zones (I1, I2), all of which do not contain any residential uses. As such, these zones are also not considered "restricted zones".

Secondary suite regulations were recently introduced into the Big White Zoning Bylaw in conjunction with site-specific permissions for District Lot 4258 abutting Black Forest Road (zoned R3) and a definition.

Secondary suites are defined in Big White Zoning Bylaw as follows:

SECONDARY SUITE means a self-contained dwelling unit located upon a parcel as a secondary use of land that is contained either within a single family dwelling or a two family dwelling building

As such, a secondary suite is attached to the main dwelling, not in a stand-alone building nor within a separate accessory building.

Secondary suites require one parking space per secondary suite, in addition to required parking for the main dwelling.

Secondary suites also have specific regulations that apply, including limiting the size to 90m² or 40% of the floor area of the single family dwelling building or the associated dwelling unit within a two family dwelling building, as the case may be, whichever is less (*See Attachment #2-Big White Zoning Bylaw Section 321*).

Currently, the only place where secondary suites are allowed are on DL4258 on Black Forest Road. **However, there is** another application in process to allow for secondary suites on District Lot 4256 and 4257 (also on Black Forest Road).

Proposal

Staff has prepared a draft zoning amendment bylaw that is applicable to several Zoning Bylaws throughout the RDKB (*Attachment#2-Draft Zoning Amendment Bylaw No. 1875*). The proposed amendments do not included any amendments to Big White Zoning Bylaw No. 1166.

Implications

Provincial Policy Guidelines

The Province established guidelines that must be considered when developing or adopting a zoning bylaw to comply with the small-scale multi-family housing legislation, including standards specific to **"restricted zones that are required to permit a secondary suite and/or an accessory dwelling unit"** (*See Attachment #3- Provincial Policy Manual & Site Standard's Site Standards Package A*).

For example, the draft amendment bylaw includes provisions in zoning bylaws where the definition of a secondary suite allows for a detached unit so that a secondary suite must be on a 1ha or larger parcel to be detached. Otherwise, it must be within the **same building as the main dwelling**.

Big White OCP

Secondary suites are not mentioned in the Big White OCP currently. However, this topic is anticipated to be discussed as part of the OCP review process currently underway.

Other Considerations

The increased density in “restricted zones” is mandated under Provincial legislation with few alternatives available. The Province has provided local governments with the option to obtain an extension to the deadline in extraordinary circumstances (or where infrastructure improvements **are in process **or compliance is like to increase health, safety or environmental risks**).**

The Province also has a general exemption for lands subject to a hazardous condition where increased density will significant increase a threat or risk of a hazardous condition that cannot be practically mitigated. However, the Province places the onus on the local government to obtain a report from a qualified professional certifying this and the RDKB has not obtained such a report.

Attachments

- 1- Big White Zoning Bylaw Section 321
- 2- Draft Zoning Amendment Bylaw No. 1875
- 3- **Provincial Policy Manual & Site Standard’s Site** Standards Package A

501 to 600 spaces	7.5%
601 to 700 spaces	10.0%
701 to 800 spaces	12.5%
801 to 900 spaces	15.0%
901 to 1,000 spaces	17.5%
Over 1,000 spaces	20.0%

*	Amendment Bylaw No. 1263; April 28, 2005 (Adds new Clause 11 to Section 317))
**	Amendment Bylaw 1316; August 31, 2006 (Adds new Clause 12 to Section 317)
***	Amendment Bylaw 1334; June 28, 2007 (Adds new Multiple Use Parking Credit Provision as Section 317(13))

318. Off-street Loading Facilities

1. Off-street loading facilities for commercial or industrial uses involving the receipt and delivery of goods or materials by vehicles shall be 1 space for the first 12,000 m² of gross floor area or fraction thereof, plus 1 additional space for each additional 2,000 m² of gross floor area or fraction thereof.
2. Off-street loading facilities shall:
 - (a) be provided on the same parcel as the use it serves;
 - (b) be set back a minimum of 9 metres from the designated fronting street;
 - (c) have a minimum of 30 m² in area, at least 4 metres in width and 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) have a durable dust free surface.

319. Minimum Parcel Sizes for Section 996 Subdivision

The minimum size for a parcel of land that may be subdivided under Section 996 of the Municipal Act shall be 20 ha.

320. Setback Adjacent To *Publicly Owned Ski Trail*****

Notwithstanding the interior side **or rear* lot line setback contained within the applicable zone, the setback shall be 2 metres from an interior side **or rear* lot line adjacent to a publicly owned ski trail**.

Bylaw
1825

321. Secondary Suites

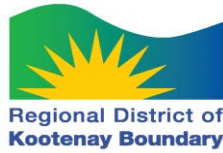
Where a *secondary suite* is expressly permitted as a permitted use within a zone, the following regulations apply:

- (a) The *secondary suite* shall have a floor area that does not exceed 90m² or 40% of the floor area of the single *family dwelling* building or the associated *dwelling unit* within a *two family dwelling* building, as the case may be, whichever is less;
- (b) Prior approval of the authority responsible for liquid waste disposal, pursuant to the relevant Provincial legislation, shall be obtained before

- issuance of building permit;
- (c) For parcels located within an area served by a community water system, prior approval of the water purveyor shall be obtained before issuance of a building permit;
 - (d) Not more than one *secondary suite* shall be located on a parcel, except in the case of a *two family dwelling* building where a maximum of one secondary suite is permitted for each principal *dwelling unit*;
 - (e) No *secondary suite* may be stratified, subdivided, or otherwise legally separated from the principal single family or two family dwelling use to which it is considered a secondary use, except where the subdivision is in conformity with the minimum parcel area requirements of this bylaw;

*	Amendment Bylaw No. 1202; May 1, 2003 (adds new text “or rear”)
**	Amendment Bylaw No. 1248; October 28, 2004 (replaces words ski run with “ski trail”)

- | | |
|----|---|
| ** | Amendment Bylaw No. 1248; October 28, 2004 (replaces words ski run with “ski trail”) |
|----|---|
- (f) A *secondary suite* shall not be connected to a community water system which is subject to a Drinking Water Notification pursuant to the Drinking Water Protection Act under an order of the Drinking Water Protection Officer; and
 - (g) Except for the floor area provisions of Subsection 321(a), it is the Board’s intent that the provisions of Section 321 are integral to the definition of a *secondary suite* use and therefore cannot be varied except through an amendment to this Zoning Bylaw.



REGIONAL DISTRICT OF KOOTENAY BOUNDARY

BYLAW NO. 1875

A Bylaw to amend Electoral Area A Zoning Bylaw No. 1460, 2013, Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014, Electoral Area C Zoning Bylaw No. 1300, 2007, Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019, Mt. Baldy Zoning Bylaw No. 1340, 2010, Jewel Lake Rural Land Use Bylaw No. 855, 1995, and Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 of the Regional District of Kootenay Boundary

WHEREAS the Regional District of Kootenay Boundary may amend the provisions of its Zoning Bylaws pursuant to the provisions of the *Local Government Act*;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors believes it to be in the public interest to amend the Electoral Area A Zoning Bylaw, Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw, Electoral Area C/ Christina Lake Zoning Bylaw, Electoral Area D/ Rural Grand Forks Zoning Bylaw, Mt. Baldy Ski Resort Zoning Bylaw, Jewel Lake Rural Land Use Bylaw, and Bridesville Townsite Land Use Plan Bylaw.

NOW THEREFORE BE IT RESOLVED that the Board of the Regional District of Kootenay Boundary, in open meeting assembled, enacts as follows:

ADMINISTRATIVE PROVISION

1. If any section, subsection, sentence, clause or phrase in this bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the decision shall not affect the validity of the remaining portion of the bylaw.

TEXT AMENDMENT

1. That Section 324 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by adding the following:

h) Notwithstanding the definition of a *secondary suite*, a *secondary suite* shall not be within an *accessory building*, except on a *parcel* one (1) hectare or greater, in the following zones: Forest Resource (FR), Industrial 4 (IN4), Industrial 5 (IN5), and Industrial 6 (IN6).
2. That Section 411.4 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

3. That Section 417.2 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by adding the following:

f) *Secondary suite*

4. That Section 417.7 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by deleting in its entirety and replacing with the following:

7. Dwelling Unit

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

5. That Section 418.2 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by adding the following:

e) *Secondary suite*

6. That Section 418.6 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by deleting in its entirety and replacing with the following:

6. Dwelling Unit

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

7. That Section 419.2 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by adding the following:

d) *Secondary suite*

8. That Section 419.5 of the Electoral Area A Zoning Bylaw No. 1460, 2013 is amended by deleting in its entirety and replacing with the following:

5. Dwelling Unit

Maximum one *dwelling unit* and one *secondary suite* per *parcel*

9. That Section 402 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

g) Notwithstanding the definition of a *secondary suite*, a *secondary suite* shall not be within an *accessory building*, except on a *parcel* one (1) hectare or greater, in the following zones: Comprehensive Development 1 (CD1), Rural Residential 2 (RR2), Agricultural Resource 3 (AGR3), Drinking Water Resource 1 (DWR1), Drinking Water Resource 2 (DWR2), Forest Resource (FR), Commercial Zone 1 (C1), and Conservation (CONS).

10. That Section 605.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

c) *Secondary suite*

11. That Section 605.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

c) *Secondary suite*

12. That Section 605.7 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

7. Density of Development on Individual Parcels

The maximum density of *dwelling units* permitted on a *parcel* is one *single family dwelling* and one *secondary suite*.

13. That Section 605.11 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting this section in its entirety.

14. That Section 607.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

d) *Secondary suite*

15. That Section 607.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

16. That Section 611.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

b) *Secondary suite*

17. That Section 611.7 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 be added as follows:

7. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

18. That Section 612.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

b) *Secondary suite*

19. That Section 612.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

20. That Section 613.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

b) *Secondary suite*

21. That Section 613.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

22. That Section 617.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

b) *Secondary suite*

23. That Section 617.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

24. That Section 618.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

e) *Secondary suite*

25. That Section 618.4 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

4. Dwelling Unit

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

26. That Section 626.2 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by adding the following:

b) *Secondary suite*

27. That Section 626.3 of the Electoral Area B/ Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2014 is amended by deleting in its entirety and replacing with the following:

3. Dwelling Unit

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

28. That Section 324 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

h) Notwithstanding the definition of a *secondary suite*, a *secondary suite* shall not be within an *accessory building*, except on a *parcel* one (1) hectare or greater, in the following zones: Compact Residential 5 (R5), Core Commercial 1A (C1A), Highway Commercial 2 (C2), Highway Commercial 3 (C3), Neighbourhood Commercial 4 (C4), Seasonal Resort Commercial 5 (C5), Marina Commercial 6 (C6), Campground Commercial 7 (C7), Industrial 1 (I1), Industrial 2 (I2), Industrial 3 (I3), Parks and Recreational 1 (P1).

29. That Section 406.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

d) *Secondary suite*

30. That Section 406.7 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

7. Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

31. That Section 411A.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

c) *Secondary suite*

32. That Section 411A.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

33. That Section 412.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

c) *Secondary suite*

34. That Section 412.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

35. That Section 413.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

c) *Secondary suite*

36. That Section 413.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

37. That Section 414.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

c) *Secondary suite*

38. That Section 414.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

39. That Section 415.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

f) *Secondary suite*

40. That Section 415.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

41. That Section 416.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

e) *Secondary suite*

42. That Section 416.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

43. That Section 417.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

d) *Secondary suite*

44. That Section 417.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Maximum Number of Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

45. That Section 418.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

d) *Secondary suite*

46. That Section 418.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

47. That Section 419.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

g) *Secondary suite*

48. That Section 419.5 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

5. Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

49. That Section 419A.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

d) *Secondary suite*

50. That Section 419A.4 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

4. Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

51. That Section 420.2 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by adding the following:

c) *Secondary suite*

52. That Section 420.5 of the Electoral Area C Zoning Bylaw No. 1300, 2007 is amended by deleting in its entirety and replacing with the following:

5. Dwelling Units

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

53. That Section 602.2(e) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

e) *Secondary suite, subject to Section 402*

54. That Section 603.2(e) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

e) *Secondary suite, subject to Section 402*

55. That Section 605.2(f) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

f) *Secondary suite, subject to Section 402*

56. That Section 606.2(f) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

f) *Secondary suite, subject to Section 402*

57. That Section 607.2(g) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

g) *Secondary suite, subject to Section 402*

58. That Section 608.2(g) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

g) *Secondary suite, subject to Section 402*

59. That Section 609.2(g) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

g) *Secondary suite, subject to Section 402*

60. That Section 610.2(h) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

h) *Secondary suite, subject to Section 402*

61. That Section 611.2(f) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

f) *Secondary suite, subject to Section 402*

62. That Section 612.2(g) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

g) *Secondary suite, subject to Section 402*

63. That Section 615.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

d) *Secondary suite, subject to Section 402*

64. That Section 615.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

65. That Section 616.2(c) of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

c) *Secondary suite, subject to Section 402*

66. That Section 617.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

d) *Secondary suite, subject to Section 402*

67. That Section 617.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

68. That Section 618.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

d) *Secondary suite, subject to Section 402*

69. That Section 618.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

70. That Section 619.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

c) *Secondary suite, subject to Section 402*

71. That Section 619.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

72. That Section 620.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

f) *Secondary suite, subject to Section 402*

73. That Section 620.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit*, one *secondary suite* and six *guest cabins* per *parcel*.

74. That Section 621.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

c) *Secondary suite, subject to Section 402*

75. That Section 621.4 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

4. Density

Maximum one *dwelling unit* and one *secondary suite* per *parcel*.

76. That Section 623.2 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by adding the following:

b) *Secondary suite, subject to Section 402*

77. That Section 623.3 of the Electoral Area D/ Rural Grand Forks Zoning Bylaw No. 1675, 2019 is amended by deleting in its entirety and replacing with the following:

3. Dwelling Unit

Maximum one *single family dwelling* and one *secondary suite* per *parcel*.

78. That Section 1.1 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by adding the following definition alphabetically:

SECONDARY SUITE means a second dwelling unit located within a *single family dwelling*, in accordance with the provisions of this Bylaw

79. That Section 3.3.1.2 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by adding the following in the third column:

d) *Secondary suite*

80. That Section 3.3.1.4 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by deleting the third column in its entirety and replacing with the following:

Maximum one *single family dwelling* and one secondary suite per *parcel*.

81. That Section 3.3.3.2 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by adding the following in the third column:

c) *Secondary suite*

82. That Section 3.3.3.4 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by deleting the third column in its entirety and replacing with the following:

Maximum one *dwelling unit* and one secondary suite per *parcel*.

83. That Section 3.3.3A2 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by adding the following in the third column:

b) *Secondary suite*

84. That Section 3.3.3A.4 of the Bridesville Townsite Land Use Plan Bylaw No. 1485, 2012 is amended by deleting the third column in its entirety and replacing with the following:

Maximum one *dwelling unit* and one secondary suite per *parcel*.

85. That Section 1 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by adding the following definition alphabetically:

SECONDARY SUITE means a second dwelling unit located within a *single family dwelling* in accordance with the provisions of this Bylaw

86. That Section 8.1 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by adding the following:

h) *Secondary suite*

87. That Section 8.3 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by deleting in its entirety and replacing with the following:

8.3 Maximum Number of Dwelling Units per Parcel

The maximum number of dwelling units permitted per parcel in the Rural

Resource 2 zone shall be one single family residence and one secondary suite.

88. That Section 9.1 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by adding the following:

e) Secondary suite

89. That Section 9.3 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by deleting in its entirety and replacing with the following:

9.3 Maximum Number of Dwelling Units per Parcel

The maximum number of dwelling units permitted per parcel in the Rural Resource 3 zone shall be one single family residence and one secondary suite.

90. That Section 10.1 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by adding the following:

d) Secondary suite

91. That Section 10.3 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by deleting in its entirety and replacing with the following:

10.3 Maximum Number of Dwelling Units per Parcel

The maximum number of dwelling units permitted per parcel in the Residential 1 zone shall be one single family residence and one secondary suite.

92. That Section 11.1 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by adding the following:

d) Secondary suite

93. That Section 11.3 of the Jewel Lake Rural Land Use Bylaw No. 855, 1995 is amended by deleting in its entirety and replacing with the following:

11.3 Maximum Number of Dwelling Units per Parcel

The maximum number of dwelling units permitted per parcel shall be:

- (a) 5 dwelling units on District Lot 1023; and
- (b) One dwelling unit and one secondary suite on all other parcels.

94. That Section 402.2 of the Mt. Baldy Zoning Bylaw No. 1340, 2010 is amended by adding the following:

c) *Secondary suite*, contained within a *single family dwelling* on parcels less than one (1) hectare

95. That Section 402.4 of the Mt. Baldy Zoning Bylaw No. 1340, 2010 is amended by deleting in its entirety and replacing with the following:

Maximum one *single family dwelling* and one secondary suite per *parcel*.
Notwithstanding the previous sentence, more than one *dwelling unit* per *parcel* is permitted on Strata Lots 1, 3, 52, 54, and 55 in accordance with subsection 402.1(b) above.

96. That Section 407.2 of the Mt. Baldy Zoning Bylaw No. 1340, 2010 is amended by adding the following:

- c) *Secondary suite*, contained within a *single family dwelling* on parcels less than one (1) hectare

TITLE

97. **This bylaw may be cited as “Regional District of Kootenay Boundary Zoning Amendment Bylaw No. 1875, 2024.”**

Read a FIRST TIME this _____ day of _____, 2024.

Read a SECOND TIME this _____ day of _____, 2024.

Read a THIRD TIME this _____ day of _____, 2024.

Approved pursuant to section 52(3)(a) of the Transportation Act this _____ day of _____, 2024.

for Minister of Transportation and Infrastructure

Adopted this _____ day of _____, 2024.

Chair

Corporate Officer

2. Site standards package A

2.1 Where should it apply?

This group of zoning bylaw regulations is intended for lots in *Restricted Zones* that are **required to permit a secondary suite and/or an accessory dwelling unit** in addition to the principal residence. Lots and jurisdictions to which this requirement applies include:

- the lands within a regional electoral area that are not identified in an urban containment boundary established by a regional growth strategy or that are wholly outside of the boundary,
- the portions of municipalities or municipalities that are wholly outside of urban containment boundaries, and
- municipalities with populations less than 5,000 that do not have urban containment boundaries.

There is no size limit for the lots to which the requirement for a secondary suite and/or accessory dwelling unit applies. (To mitigate risks related to groundwater contamination, only secondary suites, not accessory dwelling units, should be permitted on properties less than one hectare in size that are not serviced by sewer systems operated by a local government).

Lands in the Agricultural Land Reserve that are zoned for single-family use must also permit secondary suites and/or an accessory dwelling unit, subject to the 2021 changes to the *Agricultural Land Commission Act* and Agricultural Land Reserve Use Regulation. Further information can be found at: [Housing in the ALR](#).

2.2 Objectives

The objectives of the benchmark zoning bylaw regulations in Table 5 include:

- recognizing and maintaining consistency with the rural and semi-rural characteristics of the lots and jurisdictions to which they will apply,
- discouraging and mitigating the impacts of sprawl, and
- providing flexibility on the lot for various building forms and configurations.

Table 5: Recommended zoning regulations for lots requiring a minimum of 2 units

Zoning Bylaw Parameter	Recommended Benchmark Regulation	Considerations
Front Lot Line Setback	Minimum of 5 – 6 metres	This front lot line setback maintains some consistency with conditions in most rural and semi-rural areas.
Rear Lot Line Setback	Minimum of 6 metres for principal buildings Minimum of 1.5 metres for ADUs	
Side Lot Line Setbacks	Minimum of 1.2 metres	This minimum requirement will enable flexibility for a large range of lot sizes, configurations, and building types. Larger distances from property lines are likely to be used by builders or developers to meet BC Building Code requirements for combustible buildings, and to accommodate drive aisles to back of the property (if used).
Maximum Height	Maximum building height of 11 metres to the mid-point of a pitched roof or highest point of a flat roof on principal buildings At least 8 metres for accessory dwelling units	A universal height limit that permits three stories regardless of the method of measurement, site gradient, or roof style is recommended to help improve the viability and diversity of SSMUH housing forms.
Maximum Number of Storeys	3 storeys for principal dwellings 2 storeys for accessory dwelling units	In smaller lot settings, permitting 3 stories may reduce the loss of trees, green space, or farmland. In larger lot settings, large distances between adjacent dwellings mitigate relative height and privacy concerns.
Maximum Lot Coverage	25-40%	Relatively low lot coverages will help limit the size and cost of new units on large lots. 25% may be appropriate for large lots and up to 40% for smaller lots.
Off-Street Parking Requirements	One space per dwelling unit	