

## **Electoral Area Services Committee**

**Thursday, March 15, 2018 - 4:30 pm**

**The Regional District of Kootenay  
Boundary Board Room, RDKB Board  
Room, 2140 Central Ave., Grand Forks, BC**

### **A G E N D A**

1. CALL TO ORDER
2. ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

A) **March 15, 2018**

**Recommendation:** That the March 15, 2018 Electoral Area Services Agenda be adopted as presented.

3. MINUTES

A) **February 15, 2018**

**Recommendation:** That the February 15, 2018 Electoral Area Services Minutes be adopted as presented.

[Electoral Area Services Committee - 15 Feb 2018 - Minutes - Pdf](#)

4. DELEGATIONS
5. UNFINISHED BUSINESS

A) **Memorandum of EAS Committee Action Items**

**Recommendation:** That the Memorandum of Committee Action Items be received.

[ToEndOfFebforMarch2018](#)

B) **Bylaw Enforcement Statistics**

**Recommendation:** That the Bylaw Enforcement Statistics be received.  
[2018-03-06-Enforcement Stat-EAS](#)

6. NEW BUSINESS

A) **RDCK Electoral Area 'G' Land Use Bylaw Referral**

**RE: Electoral Area 'A'**

RDKB File: C-23

**Recommendation:** That the referral from the Regional District of Central Kootenay for proposed Land Use Bylaw No. 2452 be forwarded to the Regional District of Kootenay Boundary Board of Directors for consideration with a recommendation that the Regional District of Kootenay Boundary supports the provisions in Land Use Bylaw No. 2452 that include measures to protect the Kelly Creek Community Watershed which is a source of drinking water for the Village of Fruitvale and Electoral Area 'A'.

[2018-03-07 RDCK EAS](#)

B) **Evelyn and Allan Uphill**

**RE: MoTI Subdivision**

2704 Nicholson Creek Road, Electoral Area 'E'/West Boundary

RDKB File: E-2704-06737.500

**Recommendation:** That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel described as Plan KAP1186 DL 2704, SDYD, Electoral Area 'E'/West Boundary, be received.

[2018-03-07 MoTI Uphill EAS](#)

C) **Judy Rosen and Lance Varhanik**

**RE: Development Variance Permit**

595 Feathertop Way, Big White, Electoral Area 'E'/West Boundary

RDKB File: BW-4222-07500.950

**Recommendation:** That the Development Variance Permit application submitted by Judy Rosen and Lance Varhanik, to allow for a 1.5 metre interior side yard variance - a decrease from 3 metres to 1.5 metres - on the property legally described as Lot 70 Plan KAS3134 District Lot

4222, SDYD, Big White, Electoral Area 'E'/West Boundary, be presented to the Board of Directors with a recommendation to deny.

[2018-03-08 DVP Rosen-Varhanik EAS](#)

D) **Big White Ski Resort Ltd.  
Brent Harley and Associates Inc.  
RE: Bylaw Amendment Application**

Unsurveyed Crown Land south east of Big White Road and Black Forest Way, Electoral Area 'E'/West Boundary  
RDKB File: BW-4253 Temp

**Recommendation:** That the application submitted by Brent Harley and Associates Inc. on behalf of Big White Resort Ltd. to amend the Big White Official Community Plan Bylaw No. 1125 and the Big White Zoning Bylaw No. 1166 to allow for a Hostel on unsurveyed Crown Land south east of Big White Road and Black Forest Way, be deferred until additional information is provided by the applicant.

[2018-03-08 rezone EAS](#)

E) **Grant in Aid Report**

**Recommendation:** That the Grant in Aid Report be received.

[Grant in Aid](#)

F) **Gas Tax Update**

**Recommendation:** That the Gas Tax Update be received.

[Gas Tax Agreement EA Committee \(March 7 2018\)](#)

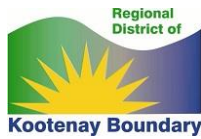
7. LATE (EMERGENT) ITEMS

8. DISCUSSION ITEMS

- A) "Share Your Ideas for Revitalizing the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC)" - Director Gee  
<https://engage.gov.bc.ca/agriculturallandreserve/>

9. CLOSED (IN CAMERA) SESSION

10. ADJOURNMENT



## **Electoral Area Services Committee**

### **Minutes**

**Thursday, February 15, 2018  
843 Rossland Ave., Trail, BC**

#### **Directors Present:**

Director Linda Worley, Chair  
Director Grace McGregor, Vice-Chair, via video conference from Grand Forks  
Director Ali Grieve  
Director Roly Russell, via video conference from Grand Forks  
Director Vicki Gee, via video conference from Grand Forks

#### **Directors Absent:**

#### **Other Directors:**

Director Joe Danchuk

#### **Staff Present:**

Mark Andison, CAO  
Donna Dean, Manager of Planning and Development  
Beth Burget, General Manager of Finance  
Jennifer Kuhn, Recording Secretary  
Dan Derby, Regional Fire Chief  
Chris Marsh, Manager of Emergency Programs

#### **Guests:**

Carol and Peter Bowen  
Carol and Terry Forsythe



1. **CALL TO ORDER**

Chair Worley called the meeting to order at 4:30 pm.

2. **ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)**

**February 15, 2018**

The agenda for the February 15, 2018 Electoral Area Services Committee was presented.

Motion: Director Grieve                      Seconded: Director McGregor

That the February 15, 2018 Electoral Area Services Agenda be adopted as presented.

Carried.

3. **MINUTES**

**January 11, 2018**

The Minutes of the January 11, 2018 Electoral Area Services Committee meeting were presented.

Director Gee expressed concern regarding Discussion Item D) since she felt the minutes implied that she has control over the issues she's having and she would like the wording changed. She also said she is working with staff and the APC to clarify the APC's role.

Moved: Director Gee                      Seconded: Director Russell

That the January 11, 2018 Electoral Area Services Minutes be adopted as amended.

Carried.

4. **DELEGATIONS** - None

## 5. **UNFINISHED BUSINESS**

### A) **Memorandum of Committee Action Items**

The Electoral Area Services Committee Memorandum of Action Items for the period ending January, 2018 was presented.

Moved: Director Grieve

Seconded: Director Gee

That the Memorandum of Electoral Area Services Committee Action Items be received.

Carried.

## 6. **NEW BUSINESS**

### A) **Area 'A' Drainage Management Plan** **RE: Columbia Gardens Industrial Area** RDKB File: A-18

Director Grieve received additional information regarding this issue prior to the meeting which would impact the Drainage Management Plan. Therefore, she recommends delaying the implementation of a Drainage Management Plan requirement for the time being until stakeholders in the Columbia Gardens Industrial Area can be consulted. Director Grieve agreed with the APC that a letter should be sent to the Province regarding the redirection of Langford and Sayward Creeks.

Moved: Director Grieve

Seconded: Director McGregor

That the Regional District of Kootenay Boundary initiative to add the requirement for a Drainage Management Plan to the Industrial Development Permit Area in the Electoral Area 'A' Official Community Plan #1410 for the parcels identified in the February 9, 2018 staff report 'Drainage Management – Columbia Gardens Industrial Area be deferred.

And further that staff send a letter to the Province regarding the redirection of Langford and Sayward Creeks and that staff investigate potential sources of funding to develop and implement a Master Drainage Plan as recommended by the Electoral Area 'A' Advisory Planning Commission.

Carried.

Director Danchuk; Fire Chief Dan Derby; Chris Marsh; and Carol and Terry Forsythe left the meeting.

**B) Denise Preston**

**RE: Development Variance Permit**

90 West Lake Drive, Electoral Area 'C'/Christina Lake

RDKB File: C-317-02578.100

Carol and Peter Bowen were present as observers. Director McGregor advised that the Area 'C'/Christina Lake APC were very supportive of this application and the need to allow smaller house sizes.

Moved: Director McGregor

Seconded: Director Russell

That the Development Variance Permit application submitted by Denise Preston to reduce the minimum floor area requirement for a dwelling unit from 60m<sup>2</sup> to 35.7m<sup>2</sup> – a 24.3m<sup>2</sup> variance, for a dwelling unit, in order to convert an existing garage into a secondary suite, on the property legally described as Lot 21, Plan KAP23397, DL 317, SDYD, Electoral Area 'C'/Christina Lake be presented to the Board of Directors for consideration, with a recommendation of support.

Carried.

Chair Worley thanked Carol and Peter Bowen for attending the meeting, and they left the meeting.

**C) Irene Anthony**

**Kevin Anthony**

**RE: MoTI - Subdivision**

5030 Covert Road and Lot 13 Coryell Road

Electoral Area 'D'/Rural Grand Forks

RDKB File: D-497-02982.000 and D-497-02982.500

Donna Dean explained this application is regarding an interior lot line adjustment. The applicants want to turn two square-shaped parcels into rectangular parcels as road access is not developed for the southerly parcel and this subdivision would allow for the applicants to have access to both parcels from Coryell Road.

Moved: Director Russell

Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as Lots 12 and 13, Plan KAP104, DL 497, SDYD, Electoral Area 'D'/Rural Grand Forks, be received.

Carried.

**D) Bryn and Suzanne Wilkin**

**Re: MoTI Subdivision**

5200 Hardy Mountain Road

Electoral Area 'D'/Rural Grand Forks

RDKB File: D-955s-04238.005

Donna Dean explained that both lots meet the minimum parcel requirement; that the subdivision is permitted in the Zoning and that the Area 'D'/Rural Grand Forks APC supports this application.

Moved: Director Russell

Seconded: Director McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as Lot 12, Plan KAP104, DL 497, SDYD, Electoral Area 'D'/Rural Grand Forks, be received.

Carried.

**E) 643249 BC Ltd. (Heinz Strege)**

**Re: MoTI Subdivision**

290 Beaverdell Station Road, Beaverdell,

Electoral Area 'E'/West Boundary

RDKB File: E-2764s-06857.050

Donna Dean explained that the parcel is located west and south of the Beaverdell townsite, and is about 4 hectares in size. There has been industrial activity, including a sawmill, and crushing and concentrator for mining. The owner of the property wants to create small lots and put water and sewer systems in place. There is no zoning or OCP in this part of Electoral Area 'E'/West Boundary.

This referral is for the first phase of development and a second phase would see more parcels created in the future. The APC had some local knowledge, and had concerns about contamination of the soil and water, which would be addressed by MOTI, and concerns about water demands at drier times of the year.

Director Gee questioned whether applicants could be required to prove water availability earlier in the development approval process to avoid spending a lot of money for other aspects of a subdivision only to find out later that there is not sufficient water. Donna said Planning staff were having an annual meeting with MOTI staff soon and this concern can be discussed there.

Director Gee also wants staff to clarify with the applicant and MOTI that the potential development on Teck owned lands would not replace the park land requirement of the *Local Government Act*.

Moved: Director Grieve

Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as Plan KAP66B District Lot 1209s, SDYD in Beaverdell, Electoral Area 'E'/West Boundary be received, and that staff forward this report with comments from the Advisory Planning Commission to the Ministry of Transportation and Infrastructure. And further, that staff be directed to work with the land owner to resolve the park dedication requirements of Section 510 of the *Local Government Act*.

Carried.

**F) Stewart Warkentin**

**Heinz Strege**

**Re: MoTI Subdivision**

350 Beaverdell Station Road, Beaverdell,

Electoral Area 'E'/West Boundary

RDKB File: E-1209S-04662.000

Donna Dean explained that the parcel in this application is immediately south of 290 Beaverdell Station Road, and is 19 hectares in size. The agent for the owner wants to subdivide a 1-hectare portion with dwelling and outbuildings. One of the concerns is this property is entirely within the ALR and no application to the ALC has been made.

Director Gee said that the APC is concerned that subdividing the land will not improve agriculture, and would like to see an application for subdivision in the ALR made to the ALC.

Moved: Director Gee

Seconded: Director McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as Plan KAP66B District Lot 1209s, SDYD in Beaverdell, Electoral Area 'E'/West Boundary be received and that staff forward comments from this Committee and the Advisory Planning Commission to the Ministry of Transportation and Infrastructure.

Carried.

**G) Patrick and Peter Browne-Clayton**

**Shane Browne-Clayton**

**Re: MoTI Subdivision**

5525 Highway 33, Beaverdell

Electoral Area 'E'/West Boundary

RDKB File: E-3308-07142.000

The subject property is located south of Beaverdell on the west side of Highway 33. A previous application to the ALC for subdivision that came before the Board was to create five parcels, which was not supported by ALC because the proposed lot lines would have had a greater impact on the ALR land. The proposal now matches what is acceptable to both the APC and the ALC. Director Gee said the suggestion to subdivide the parcel this way came from the APC who support this application.

Moved: Director Gee

Seconded: Director McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as Lot A Plan KAP16372, DL 3308, SDYD, Electoral Area 'E'/West Boundary, be received. And further, that staff work with the land owner regarding the park dedication requirement of Section 510 of the *Local Government Act*.

Carried.

**H) Derek and Jennifer Klumpp****Re: MoTI Subdivision**

3434 Blyth-Rhone Road, Westbridge  
 Electoral Area 'E'/West Boundary  
 RDKB File: E-1265s-04703.045

This parcel is located north of Westbridge, and the application is to divide the parcel roughly into half. The parcel is not in the ALR and the APC says it is steep and is not suitable for agriculture. Director Russell asked for clarification regarding whether the small triangle on the east side of the railway right of way is part of the subject parcel. Donna Dean stated that the most recent plan for the parcel indicates that it is part of the subject parcel.

Moved: Director Grieve

Seconded: Director Gee

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the property legally described as Lot A Plan EPP33295 DL 1265s, SDYD, Electoral Area 'E'/West Boundary be received.

Carried.

**I) Judy Rosen and Lance Varhanik****Re: Development Permit**

595 Feathertop Way, Big White  
 Electoral Area 'E'/West Boundary  
 RDKB File: BW-4222-07500.950

Donna Dean explained the building and landscape plan, and that staff will be asking the applicants to change the landscape plan as some of the proposed landscaping is in the road right of way. As well, the retaining wall, which is part of the house, is within the setback so the applicants have submitted an application for a variance. This development permit cannot be approved unless the variance is supported.

Director Gee stated that the APC has commented that they have not supported variances in the past because they believe the zoning bylaw should be adhered to.

Moved: Director Gee

Seconded: Director Russell

That the staff report regarding the Development Permit Application submitted by Judy Rosen and Lance Varhanik to construct a single family residence in the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area on the parcel legally described as Lot 70 Plan KAS3134 District Lot 4222, SDYD, Big White, Electoral Area 'E'/West Boundary, be received.

Carried.

**J) City of Grand Forks**

**RE: Light Industrial Development Permit**

8168 Donaldson Drive, City of Grand Forks

RDKB File: GF-210-00998.800

Director Russell noted construction appears to have started before the application came before Grand Forks Council. As well, one of the concerns of the APC was the potential impact of an additional septic field over the aquifer. Director Russell also mentioned that the bulk of the APC's concern was for the potential of industrial types of contaminants leaking into the aquifer.

Moved: Director Russell

Seconded: Director McGregor

That the referral submitted by the City of Grand Forks for a Light Industrial Development Permit for 8168 Donaldson Drive be received and further that the City of Grand Forks be advised that the Regional District of Kootenay Boundary supports the proposed Development Permit.

Carried.

**K) Five Year Financial Plans**

Work Plans and Five Year Budgets (2018-2022) for services that are under the responsibility of the Electoral Area Services Committee were presented.



Budgets Discussed:

## 002 – Electoral Area Administration

After discussion, the Directors agreed to increase the amount for Communications to \$7,000 from each Electoral Area.

Moved: Director McGregor      Seconded: Director Grieve

That the budgeted amount for Communications across all areas be increased to \$7,000.

Carried.

Director Gee would like to revisit town hall meeting expenses, and noted some of the expense comes out of the General Administration budget (001) as well. Beth Burget confirmed some of the funds for town hall expenses comes from General Administration, including advertising. The directors will have further discussions regarding 001 and specific areas.

Director Gee questioned self-directed professional development amounts in this budget. Beth Burget will look into those expenses, and whether they were covered with specific conferences as well.

Director Remuneration:

It was confirmed that during the 2017 budget review process the Electoral Area Directors requested the following increases: Electoral Area Director's Remuneration increased from \$716 to \$800 and Expense Allowance increased from \$358 to \$400. However, a bylaw amendment was not adopted. The budget will be amended to reflect the request. A new bylaw, with Board approval, would be required before changes could be implemented.

Director Gee questioned if savings could be found in tendering out janitorial services for RDKB facilities. Mark Andison and Beth Burget explained that janitorial services vary from facility to facility with some carried out by RDKB employees and others contracted-out.

Moved: Director McGregor

Seconded: Director Grieve

That the Electoral Area Services Committee discuss the following Work Plans and proposed Five Year Budgets, provide direction to Staff as to any changes to be made to the various plans or issues to be investigated, and refer them to a future meeting for further review for the following Work Plans and proposed Five Year Budgets:

- 002 Electoral Area Administration Work Plan 2018-2019
- 002 Electoral Area Administration Budget
- 003 Grants-in-Aid Service Budget
- 045 Area 'D'-Rural Grand Forks Regional Parks and Trails Work Plan 2018-2019
- 045 Area 'D' Rural Grand Forks Regional Parks and Trails Budget
- 047 Heritage Conservation-Electoral Area 'D'-Rural Grand Forks Budget
- 053 Beaverdell Fire Protection Service Work Plan 2018-2019
- 053 Beaverdell Fire Protection Service Budget
- 054 Big White Fire Service Work Plan 2018-2019
- 054 Big White Fire Service Budget
- 056 Rural Greenwood Fire Protection Service Budget
- 057 Grand Forks Rural Fire Protection Service Work Plan 2018-2019
- 057 Grand Forks Rural Fire Protection Service Budget
- 058 Kettle Valley Fire Protection Service Work Plan 2018-2019
- 058 Kettle Valley Fire Protection Service Budget
- 065 Electoral Area 'E'-West Boundary Regional Parks and Trails Service Budget
- 074 Big White Security Service Budget
- 075 Big White Noise Control Service Budget

That the Electoral Area Services Committee approves the following 2018-2019 Work Plans and 2018-2022 Five-Year Financial Plans. Further that the 2018-2022 Five-Year Financial Plans be included in the overall RDKB 2018-2022 Five-Year Financial Plan:

- 005 Planning and Development Work Plan 2018-2019
- 005 Planning and Development Budget
- 014 Area B Recreation-Parks and Trails Work Plan 2018-2019
- 014 Area B Recreation-Parks and Trails Budget
- 023 Christina Lake Recreation Programs Work Plan 2018-2019
- 023 Christina Lake Recreation Programs Budget
- 024 Christina Lake Recreation Facilities Work Plan 2018-2019
- 024 Christina Lake Recreation Facilities Budget
- 027 Christina Lake Regional Parks and Trails Work Plan 2018-2019
- 027 Christina Lake Regional Parks and Trails Budget
- 028 Beaverdell Community Club-Recreation Services Budget

051 Christina Lake Fire Protection Service Work Plan 2018-2019  
 051 Christina Lake Fire Protection Service Budget  
 070 East End Animal Control Service Work Plan 2018-2019  
 070 East End Animal Control Service Budget  
 077 Christina Lake Economic Development Service Budget  
 081 Mosquito Control Christina Lake Service Work Plan 2018-2019  
 081 Mosquito Control Christina Lake Service Budget  
 090 Weed Control Area A Columbia Gardens Service Work Plan 2018-2019  
 090 Weed Control Area A Columbia Gardens Service Budget  
 091 Weed Control Christina Lake Milfoil Work Plan 2018-2019  
 091 Weed Control Christina Lake Milfoil Budget  
 120 House Numbering Areas A and C Work Plan 2018-2019  
 120 House Numbering Areas A and C Budget  
 121 House Numbering Area D Work Plan 2018-2019  
 121 House Numbering Area D Budget  
 122 House Numbering Area B Work Plan 2018-2019  
 122 House Numbering Area B Budget  
 123 House Numbering Area E Work Plan 2018-2019  
 123 House Numbering Area E Budget  
 141 Library Electoral Area E-West Boundary Budget

Carried.

**L) Grant in Aid Report**

Moved: Director Grieve

Seconded: Director McGregor

That the Grant in Aid Report be received.

Carried.

**M) Gas Tax Update**

Moved: Director Grieve

Seconded: Director McGregor

That the Gas Tax Update be received.

Carried.

## 7. **LATE (EMERGENT) ITEMS**

There were no late (emergent) items.

## 8. **DISCUSSION ITEMS**

### A) **What is the RDKB stand on the Marijuana Issue – Director Grieve**

Mark Andison distributed copies of the letter sent from this committee to the Minister of Public Safety and Solicitor General in November 2017. The letter outlined the EAS Committee's interests regarding cannabis legalization.

Director Grieve brought this item to the meeting with respect to zoning, and agricultural production. Director Grieve questioned if there were changes the Regional District needs to anticipate, and is the zoning in place with respect to the legalization of marijuana.

Donna referred to information regarding zoning for retail sales and the agricultural production of cannabis. She described how growing is permitted in the ALR but could be restricted on non-ALR lands.

Director Grieve suggested an information package be provided to the APC's for their next meetings.

Director Russell stated that his APC has already reviewed the issue as part of the bylaw reviews and it is not necessary to have it on their agenda.

Director Gee said there is no need to forward to this information to her APC since there is no zoning.

## 9. **CLOSED (IN CAMERA) SESSION**

There was no Closed (In Camera) Session.

## 10. **ADJOURNMENT**

There being no further business to discuss, Chair Worley adjourned the meeting at 6:00 pm.

**RDKB MEMORANDUM OF  
ELECTORAL AREA SERVICES COMMITTEE  
ACTION ITEMS**

**Action Items Arising from Electoral Area Services Committee Direction (Task List)**

**Pending Tasks**

Date	Item/Issue	Actions Required/Taken	Status – C / IP
Mar. 16/17	New funding streams for projects that don't Qualify for Gas Tax or GIA	CAO Mark Andison (staff) will look into options	IP
Apr. 13/17	Bylaw Enforcement	EAS direct Staff to outline process and implications	IP
	0980131 BC Ltd. - MoTI Subdivision	Dedication of cash in lieu of park land-Monashee – previously known as High Forest	IP
June 15/17	Service budgets on web	Staff to initiate	IP
Sept. 14/17	George DVP	Sent to Staff to discuss with applicant	IP
Nov. 16/17	Darbyshire (OCP & Zoning Amendments)	Present Bylaws to Board and hold Public Hearing pending ALC decision	IP
Jan. 12/18	West K Sand and Gravel (OCP & Zoning Amendments)	Present Bylaws to Board and hold Public Hearing	C
	Logging in Watersheds	Staff to contact forestry companies operating in the Kelly Creek Watershed to request referrals	IP
	RDKB Swag	Incorporate use of swag into Corporate Communications Plan	IP
	Planning Agreements	Add wording from Agreements to invitations to municipal directors	IP

**Tasks from Electoral Area Services Committee Meeting February 15, 2018**

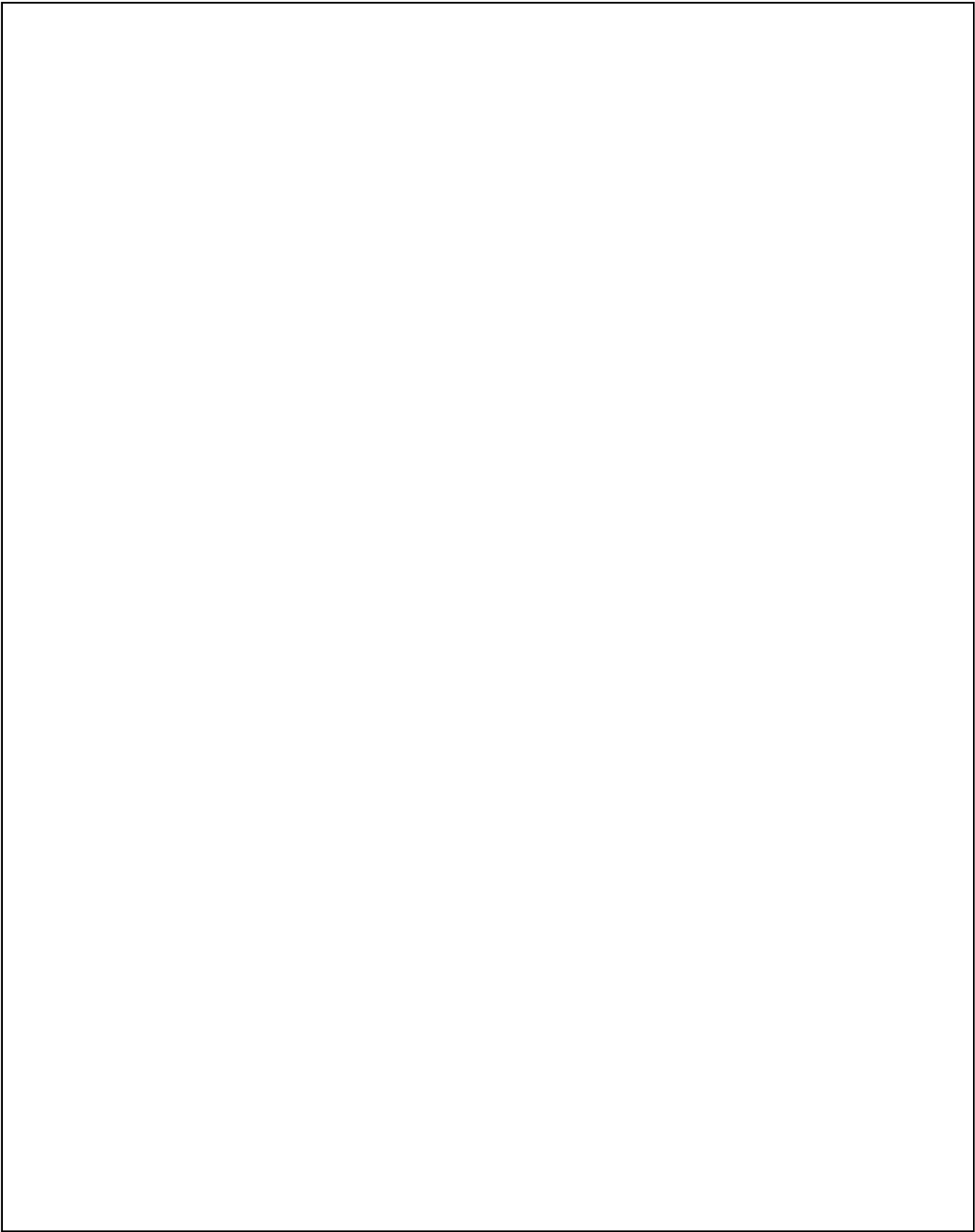
Date	Item/Issue	Actions Required/Taken	Status – C / IP
Feb. 15/18	Area 'A' Drainage Issue-Columbia Gardens Industrial Area	Staff forward a letter with concerns to FLNRO	C
	Preston DVP	Present DVP to Board for consideration	IP
	643249 BC/Strege – MoTI Subdivision	Staff forward comments to MoTI and discuss park dedication requirements with applicant	IP
	Warkentin/Strege – MoTI Subdivision	Staff forward report and comments to MoTI	C
	Browne-Clayton – MoTI Subdivision	Staff work with applicant re park dedication	IP
	Rosen-Varhanik DP	Awaiting DVP result	IP
	City of Grand Forks – Light Industrial Development Permit	Staff advise City of Grand Forks Development Permit supported	C
	Marijuana Issue	Staff forward information packages to Area A, B and C APC's	IP

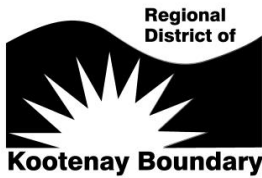
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**Memorandum of Committee Action Items**

**Electoral Area Services to the End of February 2018**

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## ELECTORAL AREA SERVICES (EAS) COMMITTEE STAFF REPORT

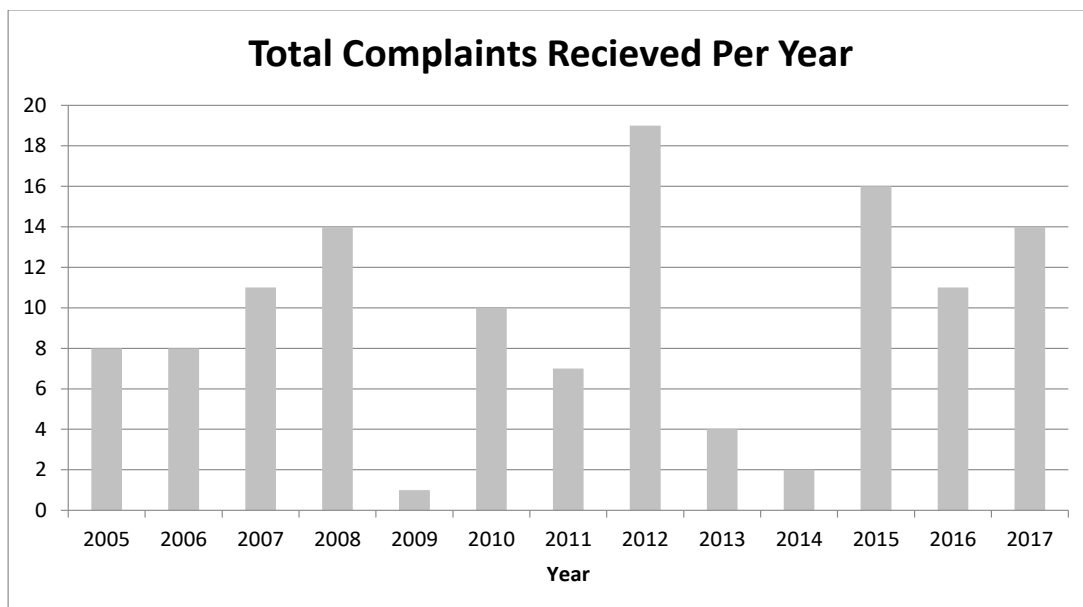
<b>Date:</b>	March 9, 2018	<b>File #:</b>	—
<b>To:</b>	Chair Worley and Members of the EAS Committee		
<b>From:</b>	Ken Gobeil, Planner		
<b>RE:</b>	Bylaw Enforcement Statistics		

### ISSUE INTRODUCTION

The Planning and Development Department has been asked to provide an overview of the bylaw enforcement statistics to date. The work plan presented some preliminary information regarding the number of files handled in 2017 while this report provides greater detail. The Planning and Development Department is responsible for bylaw enforcement as an ancillary role to regular planning responsibilities. This summary does not include 2018 complaints or building bylaw enforcement.

### PER YEAR COMPLAINTS

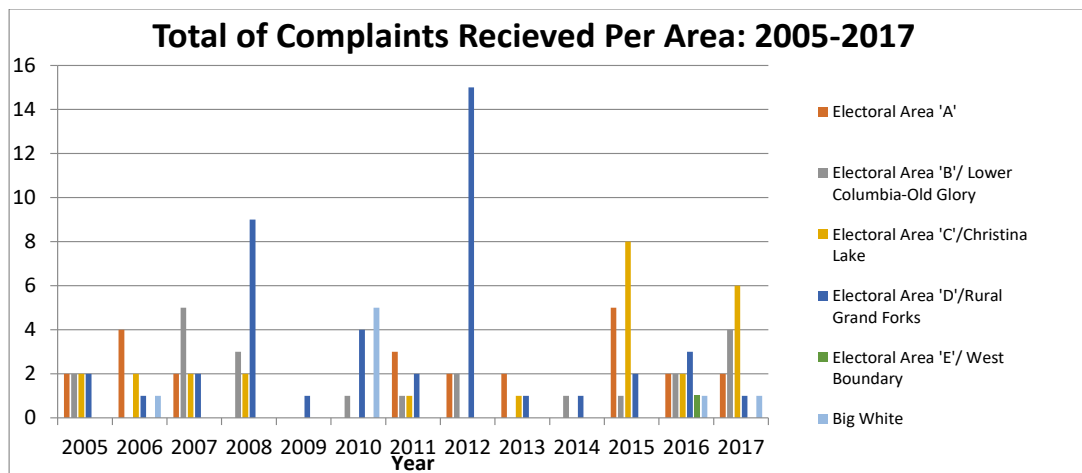
Bylaw enforcement is based off of complaints, or a request basis. Staff do not patrol areas looking for non-compliance issues. The chart below shows the number of complaints received per year between 2005 and 2017:



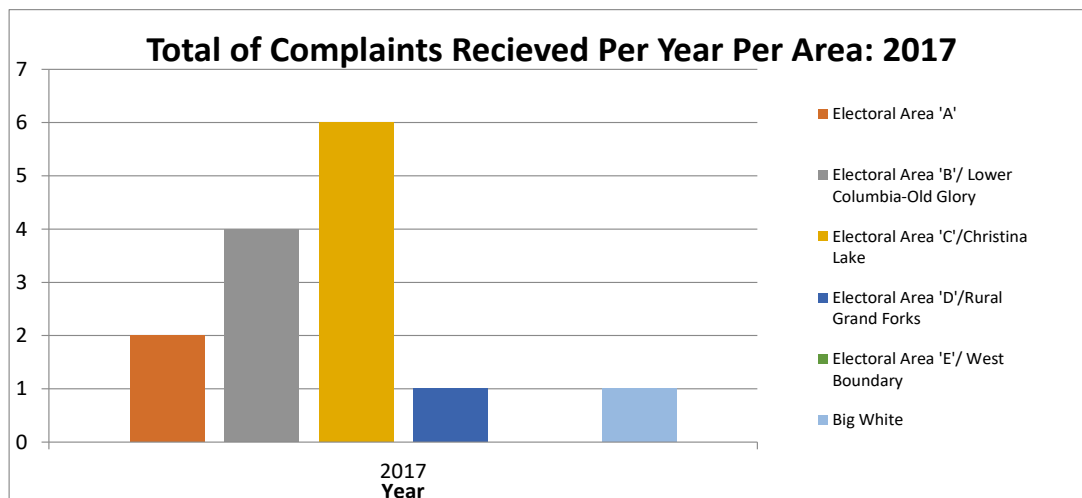
Recent trends indicate a regular increase in the complaints received. Since 2015 there have been an average of 14 complaints per year. Prior to 2015 an average of 7 complaints per year were received, although the lower average may be caused by 2009, and 2013-14, which are considerably lower than all other years.

## ELECTORAL AREAS

The number of complaints received per electoral area are fairly balanced, Electoral Area 'D'/Rural Grand Forks has received the most complaints. This is largely due to a higher than average number of complaints in 2008, and 2012. Electoral Area 'E'/West Boundary has no zoning for much of its area, and as a result, the RDKB does not receive many complaints that we can enforce. Unenforceable complaints are not tracked.



In 2017, Electoral Area 'C'/Christina Lake received the most complaints.





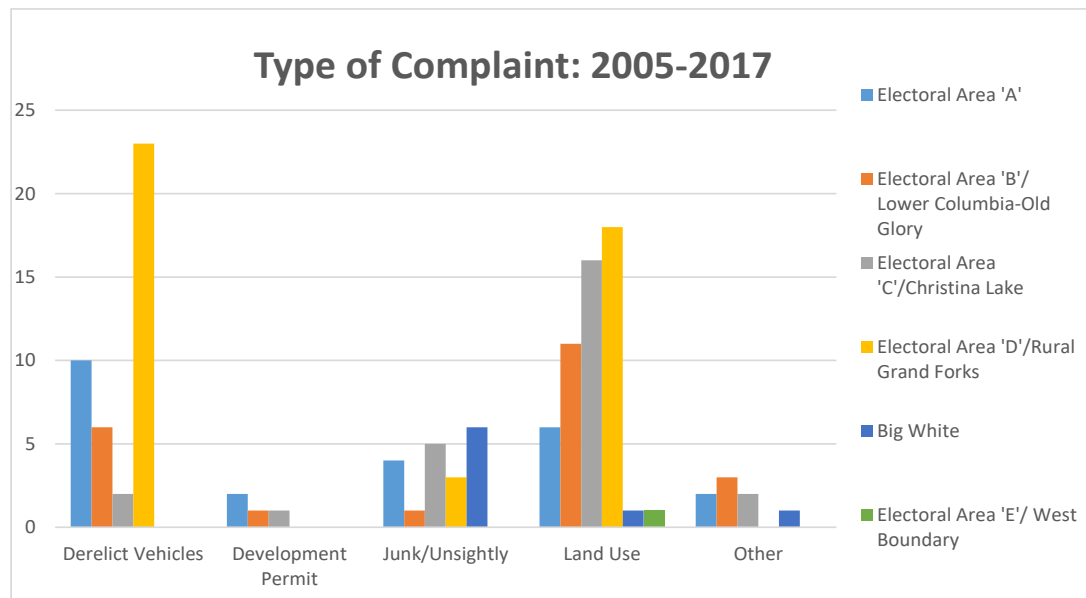
## TYPES OF COMPLAINTS

Complainants often share multiple concerns when they contact staff. The primary concerns raised can be characterised into 5 different categories. These categories are:

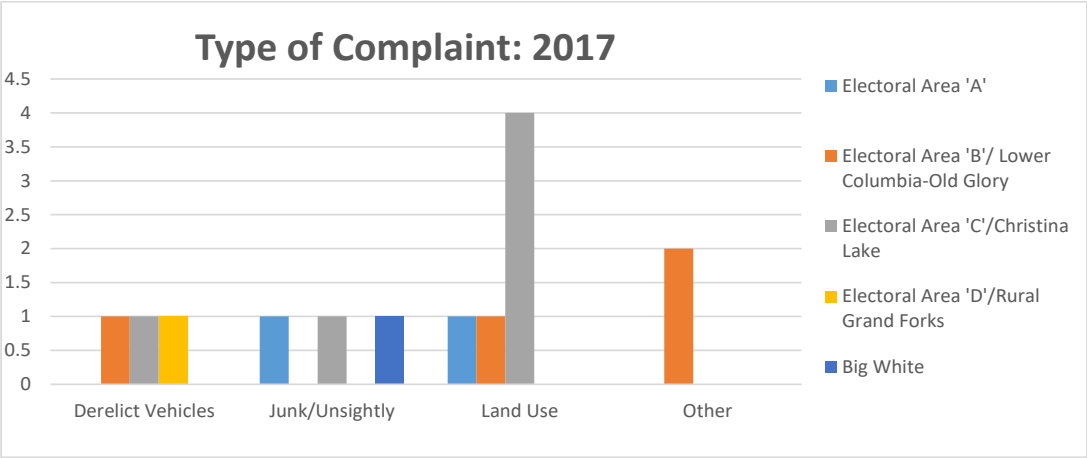
Complaint	Definition
Derelict Vehicles	Unlicensed vehicles parked on a property
Development Permit	An activity or structure not compliant with the terms of a development permit or variance
Junk/Unsightly*	A property storing waste and refuse, or one that is in disrepair or unsightly
Land Use	A use of a property that is not permitted
Other	Other complaints not covered by the categories above

\*Unsightly properties are not enforceable with current bylaws. However, upon further investigation of a property, it may be that the principal use of that property is not permitted or other aspects of the zoning bylaw are non-compliant.

Often the additional concerns that are raised are not enforceable by the Regional District (such as issues of provincial jurisdiction, vehicle noise, and trespassing) but are added to support or justify their request. All complaints are addressed by staff, even to inform the complainant of the correct path for registering complaints outside of our jurisdiction. A single complaint may require follow up regarding multiple items. The common complaints received are:



Some complaints may fit into multiple categories; these are assigned to the category the primary concern is most affiliated with. These complaints were not recounted. In 2017 land use complaints in Christina Lake were the most common.

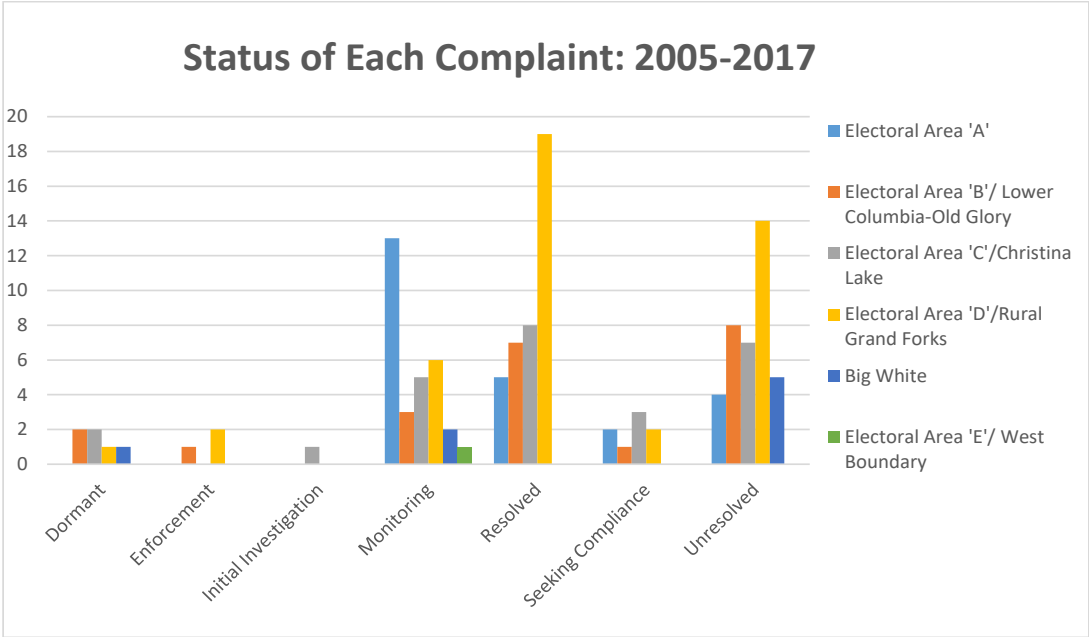


**STATUS OF COMPLAINTS**

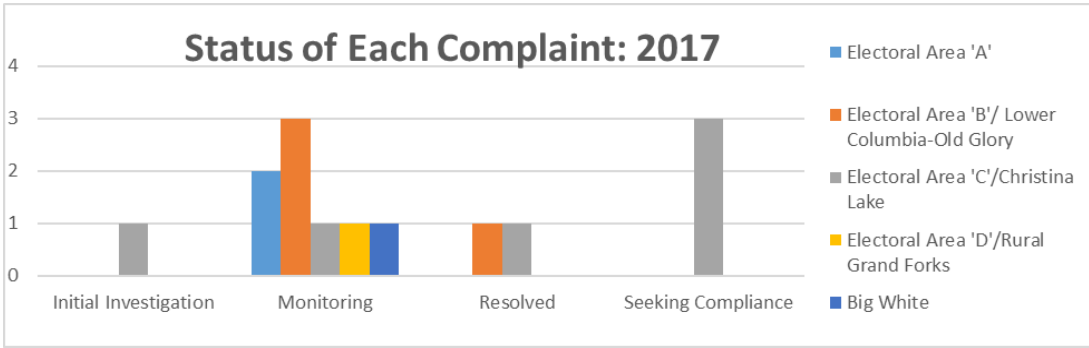
Each complaint is in a separate stage of completion. The goal of each complaint is to have it resolved. However, given time, resources and other restraints, many complaints can remain unresolved for extended periods. The stage of completion is given a specific status to outline status given to each file include:

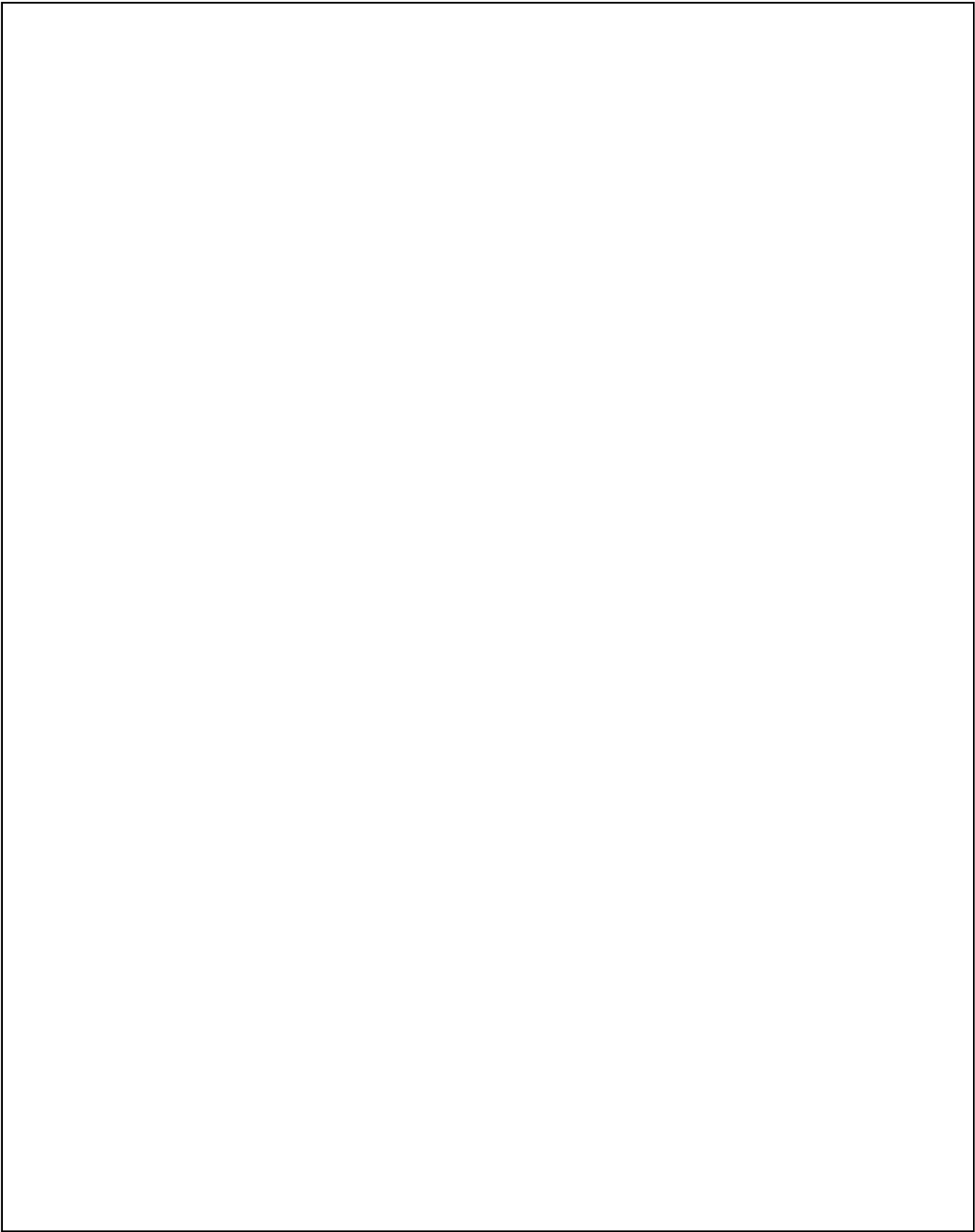
Status	Definition
Initial Investigation	Collecting information up to first site visit
Seeking Compliance	Letters phone calls and site visits
Monitoring	Occasionally observing property for updates
Enforcement	RDKB has sent an official order, or RDKB has obtained legal advice for the non-compliance.
Dormant	No additional complaint or action has been taken (first 5 years)
Unresolved	Inactive for over 5 years, no action being taken by the non-compliant party or pursued by the RDKB
Resolved	Compliance was achieved

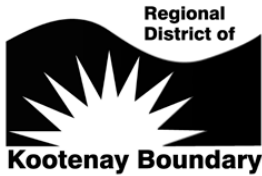
Due to limited resources, a complaint that is within the monitoring stage may be resolved. However, it might not be possible to confirm right away. In particular, some files require site inspections that are weather dependant.



In 2017 most complaints received are currently in the monitoring stage and many of these may be able to be resolved upon further investigation.







## ELECTORAL AREA SERVICES (EAS) COMMITTEE STAFF REPORT

<b>Date:</b>	March 14, 2018	<b>File #:</b>	C-23
<b>To:</b>	Chair Worley and Members of the EAS Committee		
<b>From:</b>	Ken Gobeil, Planner		
<b>RE:</b>	Regional District of Central Kootenay Referral – Electoral Area 'G' Land Use Bylaw		

### ISSUE INTRODUCTION

The RDKB has received a referral from the Regional District of Central Kootenay (RDCK) for a draft land use Bylaw in their Electoral Area 'G'. The RDKB has been asked to provide comments on the draft bylaw as part of the RDCK external referral process.

### HISTORY / BACKGROUND INFORMATION

Electoral Area 'G' in the RDCK neighbours Electoral Area 'A' in the RDKB, and is near Fruitvale. The Beaver Valley Water Service, which provides water for residents of Fruitvale and Electoral Area 'A' in the RDKB receives water from Kelly Creek. The Kelly Creek Community Watershed and the Kelly Creek Reservoir for the Beaver Valley Water Service are located within the RDCK Electoral Area 'G'.

### PROPOSAL

The RDCK has made revisions to the Electoral Area 'G' Land Use Bylaw No. 2452 following a public hearing and opinion poll conducted in 2017. Revisions include clarity on bylaw provisions, and the addition of new information for community assets, water protection, development permit areas, emergency management and emergency response.

The Land Use Bylaw has been prepared with an Official Community Plan as "Schedule A" and a Zoning Bylaw as Schedule 'B'.

Kelly Creek is documented in their draft RDCK Official Community Plan as Environmental Reserve. It has also been identified as an area with moderate wildfire risk. The Kelly Creek watershed is within the 'Watercourse Development Permit (WDP) Area'. The purpose of this Development Permit area is to ensure that development does not adversely affect watercourses. In this draft bylaw, any area within a 30-metre buffer of the high water mark of Kelley Creek must be developed to the standards established in the Development Permit Area.

The draft zoning bylaw excludes the Kelly Creek Reservoir from any zoning requirement.

## IMPLICATIONS

The portions of the RDCK adjacent to the RDCK, and in the vicinity of Kelly Creek, and the Kelly Creek Reservoir are:

- Designated as 'Rural' in Official Community Plan Bylaw No. 1410.
- Zoned 'Rural' in Zoning Bylaw No. 1460

Permitted land uses include, agriculture, resource use, and kennels.

Within the proposed RDCK bylaw, the Official Community Plan does identify Kelly Creek, and offers protection from adverse development by including the area within a development permit area. However, Kelly Creek is only listed in the text of the bylaw, and the maps do not highlight the development permit area along Kelly Creek.

The Development Permit Area requires that development shall be in accordance with the recommendations of an assessment report prepared by a Qualified Environmental Practitioner (QEP) in accordance with the Provincial Riparian Areas Regulation Assessment Methods at the expense of the applicant. Development Permit information can be found in Section 17 of Schedule 'A' or from pages 42-46 of the land use bylaw.

By not including this area within a Zoning Bylaw there are no restrictions on land use. However, most of this area is owned by the Crown, the most likely uses in this area will be forestry, which is provincially regulated. Provincial regulations and common forest practices includes provisions for water protection.

## ADVISORY PLANNING COMMISSION (APC)

The Electoral Area 'A' APC met on March 6, 2018, discussed the proposed land use bylaw and made the following recommendation:

*The committee's consensus was that the Provincial regulations and forest practices provides protection for the water shed. There were no recommendations to amend the RDCK land use bylaw.*

## PLANNING AND DEVELOPMENT COMMENTS

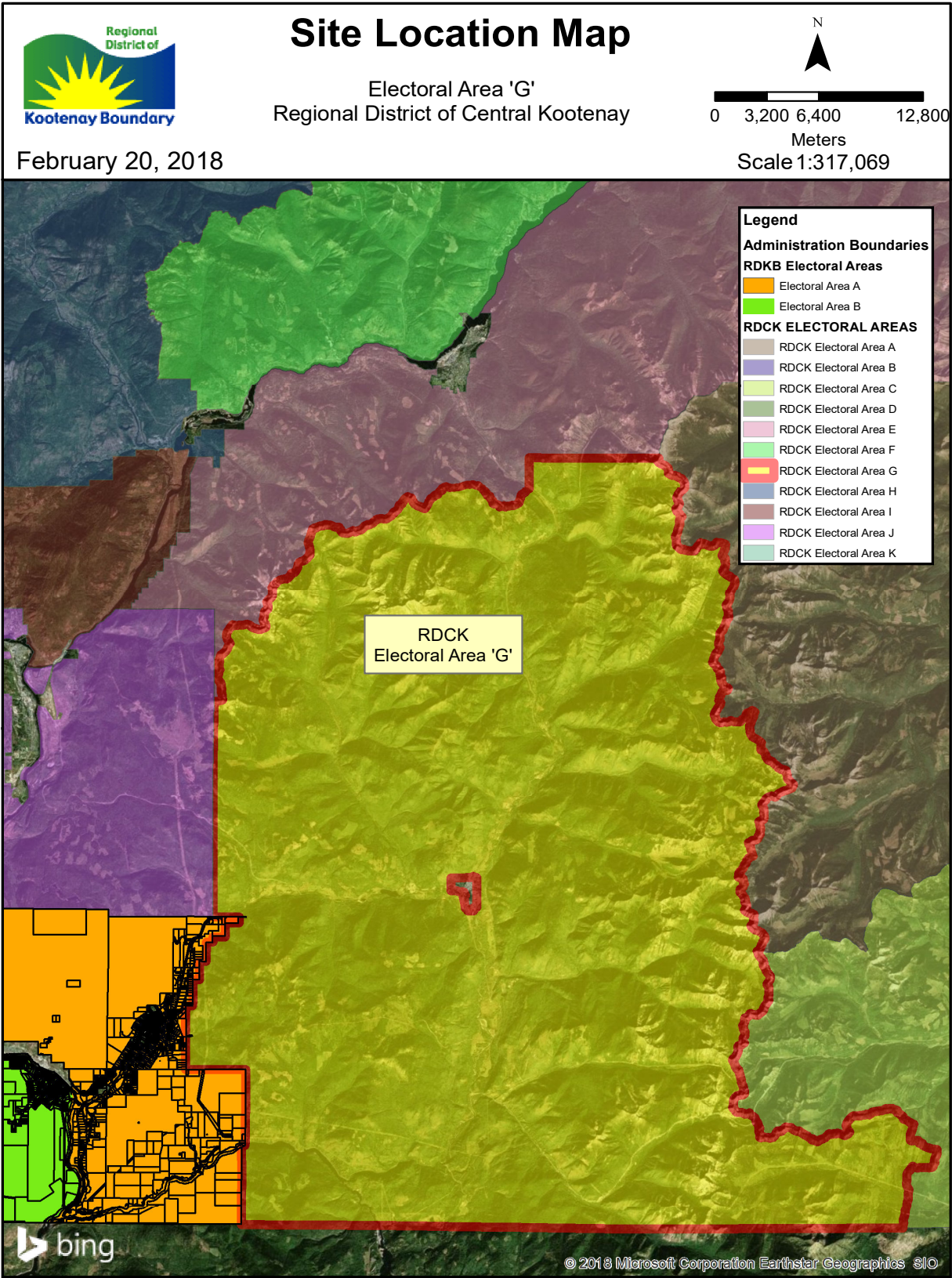
The Planning Department has informed the RDCK of the mapping deficiency concerns with the current bylaw schedules. As a result, the Watercourse Development Permit Area Map (Bylaw Schedule A4, map Page 9) has been revised to include the 30-metre buffer along Kelly Creek. The RDCK noted that the Development Permit areas might change or expand as more comments are received.

**RECOMMENDATION**

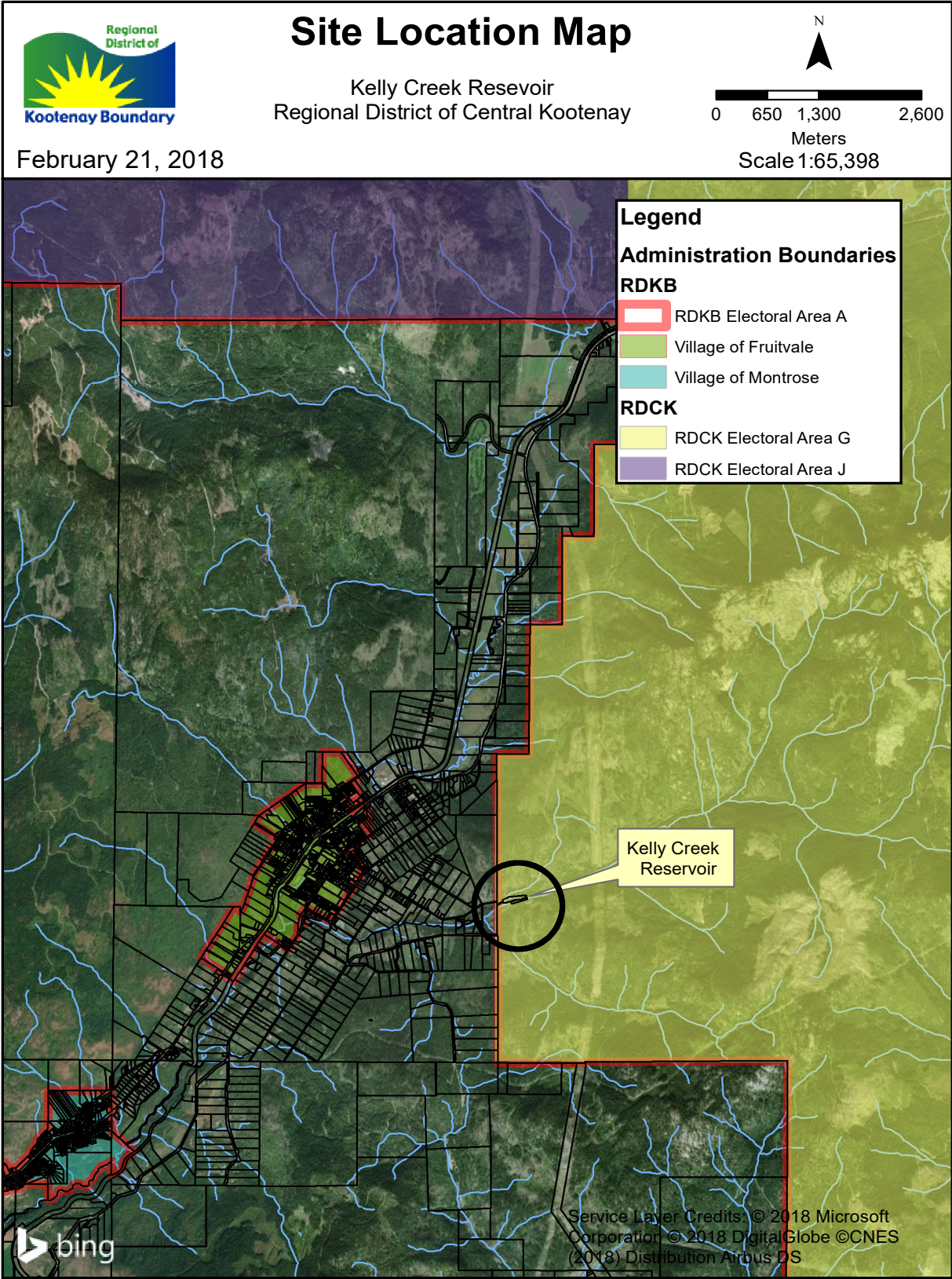
That the referral from the Regional District of Central Kootenay for proposed land Use Bylaw No. 2452 be forwarded to the Regional District of Kootenay Boundary Board of Directors for consideration with a recommendation that the Regional District of Kootenay Boundary supports the provisions in Land Use Bylaw No. 2452 that include measures to protect the Kelly Creek Community Watershed which is a source of drinking water for the Village of Fruitvale and Electoral Area 'A'.

**ATTACHMENTS**

*RDCK Electoral Area 'G' Site Location Map*  
*Kelly Creek Reservoir Site Location Map*  
*RDCK Draft Electoral Area 'G' Land Use Bylaw*  
*Bylaw Schedules that include the Kelly Creek Reservoir*







# **SALMO RIVER VALLEY**

**ELECTORAL AREA G LAND USE  
BYLAW NO. 2452, 2017**

**Regional District of Central Kootenay  
Electoral Area 'G' Land Use Bylaw No. 2452, 2017**

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**Regional District of Central Kootenay  
Electoral Area 'G' Land Use Bylaw No. 2452, 2017**

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

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**TITLE**

This Bylaw may be cited for all purposes as the 'Electoral Area 'G' Land Use Bylaw No. 2452, 2017'.

**AUTHORITY**

WHEREAS under the provisions of Section 472 of the *Local Government Act* the Regional Board may adopt an Official Community Plan for an area, including provisions for the designation of Development Permit Areas under Section 488 of the *Local Government Act*;

AND WHEREAS under the provisions of Sections 479, 492, 523, 525, 526 and 527 of the *Local Government Act* the Regional Board may adopt a Zoning Bylaw allowing the Regional District to regulate and/or prohibit the use and density of land, buildings and other structures; the siting, size and dimensions of buildings, other structures and uses permitted on the land; regulate the minimum and maximum lot area of land created by subdivision; designate areas in which temporary uses may be allowed by permit; provide provisions for runoff control through maximum lot coverage requirements; require provisions for off-street parking and loading spaces; regulate the number, size, type, form and location of signage; and set standards for the provision of screening and landscaping;

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

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

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

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

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

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

#### **APPLICATION**

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

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

is adopted as the 'Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw 2452, 2017'.

#### **ADMINISTRATION AND ENFORCEMENT**

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

#### **VIOLATION AND PENALTY**

Any person who contravenes any provision of this Bylaw commits an offense punishable on summary conviction and is liable to a fine not exceeding \$200 for the first and second offense, and \$400 for any subsequent offenses, and the costs of prosecution.

#### **VALIDITY**

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

#### **TRANSITION**

The Electoral Area 'G' Rural Land Use Bylaw No. 1335, 1998, and all subsequent amendments thereto, are hereby repealed.



**READINGS, APPROVALS AND ADOPTION**

READ A FIRST TIME on this 15th day of June, 2017.

READ A SECOND TIME on this 15th day of June, 2017.

REGIONAL BOARD CONSIDERATION OF SECTION 477 OF THE *LOCAL GOVERNMENT ACT* this 15th day of June, 2017.

PUBLIC HEARING held this 4th day of July, 2017.

APPROVED by the Ministry of Transportation and Infrastructure Approving Officer this day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Approving Officer

THIRD READING AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Karen Hamling, RDCK Board Chair

\_\_\_\_\_  
Mike Morrison, Corporate Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2452 cited as the 'Electoral Area 'G' Land Use Bylaw No. 2452, 2017' as adopted by the Regional Board on this day of \_\_\_\_\_, 2018.

Dated at Nelson, BC this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

\_\_\_\_\_  
Mike Morrison, Corporate Officer

**LIST OF SCHEDULES, MAPS, AND FIGURES**

<u>Schedule 'A'</u>	<u>Official Community Plan</u>
Schedule A.1	Land Use Designation Maps
Schedule A.2	Hazard Maps and Critical Infrastructure
Schedule A.3	Parks, Trails, and Community Assets
Schedule A.4	Watercourse Development Permit Area
 <u>Schedule 'B'</u>	 <u>Zoning Bylaw</u>
Schedule B.1	Zoning Designation Maps

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

Acronyms used in this document

Agricultural Land Commission	ALC
Agricultural Land Reserve	ALR
Land Use Bylaw	LUB
Regional District of Central Kootenay	RDCK
Watercourse Development Permit	WDP

**LAND USE MAP DESIGNATIONS**

The development of land within portions of Electoral Area 'G' following adoption of this Bylaw should be consistent with the overall pattern of land use depicted on Schedules 'A.1' and Schedule 'B.1', and based on the following land use designations and zoning designations:

<u>Residential Designations:</u>	<u>Land Use:</u>	<u>Zoning:</u>
Town-site Residential	RS	R1
Country Residential	RC	R2
Rural Residential	RR	R3
Remote Residential	RR	R4
Multi-Unit Residential	RMU	R5
<u>Commercial Designations:</u>	<u>Land Use:</u>	<u>Zoning:</u>
General Commercial	GC	C1
Tourist Commercial	TC	C2
<u>Industrial Designations:</u>	<u>Land Use:</u>	<u>Zoning:</u>
Industrial	M	M1
	M	M2
	M	M3
Quarry	Q	Q
<u>Community Services and Administrative Designations:</u>	<u>Land Use:</u>	<u>Zoning:</u>
Community Services	CS	CS
Public Utility	U	U
Parks and Recreation	PR	PR
Environmental Reserve	ER	ER
<u>Rural Designations:</u>	<u>Land Use:</u>	<u>Zoning:</u>
Agriculture	AG	AG
Resource Area	RA	RA
Forest Reserve	FR	FR

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**SCHEDULE 'A'**  
**OFFICIAL COMMUNITY PLAN**  
Regional District of Central Kootenay  
Electoral Area 'G' Land Use Bylaw No. 2452, 2017

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## 1.0 COMMUNITY VISION AND GUIDING PRINCIPLES

In developing the Electoral Area 'G' Community Plan, the following principles were considered:	
Community Stewardship	<p><b>Support healthy, clean and resilient communities based on an ecosystem approach, by ensuring that environmental integrity and diversity are maintained in land use decisions.</b></p> <p>In support of a resilient community, the OCP should serve to preserve and enhance the local economy, the health and well-being of its residents and property owners, and the natural environment.</p>
Attractive, Liveable and Affordable	<p><b>Create attractive and liveable communities that offer a wide range of opportunities for residents and property owners.</b></p> <p>Strive toward enhancing the quality of life for residents by providing a range of housing, job and leisure opportunities.</p>
Public Involvement	<p><b>Public involvement is a cornerstone of land use decision making within the community area.</b></p> <p>Public involvement helps to ensure sound decision-making, enhances public education and provides opportunities for residents and property owners to contribute suggestions, knowledge and expertise.</p>
Support Existing and New Business	<p><b>Create a community development pattern that supports the existing business community and promotes new business development opportunities by protecting critical areas of economic enterprise and promoting a variety of locations for economic activity.</b></p> <p>A strong and diverse local economy is essential to enhance the quality of life enjoyed by area residents and property owners.</p>
Community Identity	<p><b>Foster unique, strong community identities.</b></p> <p>This community plan should contribute to the unique attributes of individual communities.</p>
Collaboration & Cooperation	<p><b>Promote collaboration, cooperation and partnerships between government agencies, non-governmental organizations, volunteers and private interests.</b></p> <p>These linkages enable the establishment of relationships between the public and private sectors and better connections between communities.</p>
Public Safety	<p><b>Support safe development.</b></p> <p>All development should be safe for the intended use wherever development occurs.</p>
Accountability	<p><b>The Regional District of Central Kootenay is accountable for the application and adherence to these principles and for implementation of developed policy.</b></p> <p>The RDCK should be seen to follow the principles identified.</p>

## 2.0 PURPOSE AND RELATED INITIATIVES

An Official Community Plan (OCP) sets out the long term vision for a community. It is intended to be a statement of objectives and policies to guide decisions on planning and land use management within the areas covered by the Plan.

While all bylaws enacted or works undertaken by the Regional District of Central Kootenay (RDCK) Board after the adoption of an OCP must be consistent with the Plan, amendments may be made to the OCP from time to time.

In circumstances in which matters are outside the jurisdiction of the RDCK, this OCP states broad community objectives. This OCP cannot, and does not, commit other government agencies or other organizations to act according to community objectives or policies.

The RDCK has undertaken the following related initiatives that have informed the development of this Official Community Plan. These include as follows:

- ✓ Regional District of Central Kootenay Salmo and Ymir Community Wildfire Protection Plans (2008)
- ✓ Regional District of Central Kootenay Regional Parks Strategy (2009)
- ✓ Regional District of Central Kootenay SustainABLE Central Kootenay (2010)
- ✓ Regional District of Central Kootenay Water Management Plan and Acquisition Strategy (2010)
- ✓ Regional District of Central Kootenay Agricultural Area Plan (2011)
- ✓ Regional District of Central Kootenay Resource Recovery Plan (2011)
- ✓ Regional District of Central Kootenay Parks Regulation Bylaw (2011)
- ✓ Regional District of Central Kootenay Waste Water Management Plan (2012)
- ✓ BC Transit West Kootenay – Transit Future Plan (2013)
- ✓ Regional District of Central Kootenay Agricultural Land Use Inventory (2016)
- ✓ Regional District of Central Kootenay Strategic Community Energy and Emissions Plan (SCEEP) (2016)

### 3.0 RESIDENTIAL

#### Background



This section outlines the objectives and policies for Town-site Residential, Country Residential, Rural Residential, Remote Residential and Multi-Unit Residential designations in the areas covered by this Plan (OCP).

Electoral Area 'G' has a population of 1,627 persons based on 2016 census data. The area has a total of 794 dwellings, most of which are single person or two person households. One family dwellings and modular homes are the predominant housing type.

Development activity with regard to subdivision in the area remains small scale with an average of 14 new lots being created per year. Similarly, building activity tends to be focused on renovations and additions to existing residential structures.

Electoral Area 'G' is expected to grow due to parallel growth in the proximate communities of City of Nelson and Castlegar. It is anticipated that there will be an increase in population of 80 new residents within five years and 160 new residents over a ten year period<sup>1</sup>.

#### General Residential Objectives

1. Accommodate anticipated residential growth in a manner that protects the rural character, environmental integrity, and the social and cultural diversity of the Plan area.
2. Encourage a variety of residential locations, types, tenures, and densities, including mixed use buildings in commercial areas to accommodate expected growth in the community and to accommodate options for housing affordability.
3. Direct residential development of less than 1 hectare (2.47 acres) to established residential areas and municipalities to ensure efficient use of existing services, amenities, and infrastructure.
4. Encourage high quality design, building, development and landscaping standards that improve energy efficiency and maintain and enhance rural character.
5. Support accessibility in housing to ensure that seniors and those with mobility challenges are able to reside safely in their respective communities.

<sup>1</sup> Columbia Basin Selkirk College Rural Development Institute (2012) and (2016) Census Data

6. Continue to provide for the keeping of farm animals and market gardens on residential properties provided that the keeping of farm animals is conducted in a manner that minimizes negative impact to adjacent property owners.
7. Continue to enable income-generating accessory uses including home based business and tourist accommodation opportunities, provided that they are compatible with the residential character of Plan area communities.

### **General Residential Policies**

The Regional Board:

8. Will accommodate anticipated residential growth in the areas designated as residential on Schedule A.1 mapping.
9. Will increase housing diversity and choice in the community through allowing for accessory dwellings such as: secondary suites, cottages, carriage houses and garage suites to increase the number of dwellings available for rental occupancy and to single occupancy households.
10. Will support initiatives to provide for special needs housing required for seniors and those with mobility issues or in need of support, within the Village of Salmo or Ymir where servicing needs can be met given the predominately rural nature of the Plan area.
11. Will assess and evaluate proposed residential development based on the following:
  - a. capability of accommodating on-site domestic water and waste water disposal;
  - b. capability of the natural environment to support the proposed development, and any impacts on habitat and riparian areas;
  - c. susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
  - d. compatibility with adjacent land uses and designations, and how the form and character complements the surrounding rural area;
  - e. proximity and access to existing road networks and other community and essential services if they exist; and
  - f. mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas.
12. Recognizes that existing lots smaller than the minimum lot size permitted by designation may be used for the purposes permitted in the designation provided all other regulations are met.
13. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development where feasible.



14. Encourages the infill of vacant residential lots before development of new residential areas, in addition to the consolidation of small residential lots to address safe building and servicing requirements.
15. Recognizes the limitations for further residential development in specified areas of Ymir and Rosebud Lake where water supply may be limited or septic servicing at capacity.

#### **Town-site Residential (RS) Policies**

The Regional Board:

16. Directs that the principal use shall be one-family, two-family or multi-family dwellings.
17. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
18. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
19. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
20. Encourages mixed use development that builds upon existing infrastructure.

#### **Country Residential (RC) Policies**

The Regional Board:

21. Directs that the principal use shall be one-family or two-family dwellings.
22. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
23. Supports low density residential development with lot sizes for subdivision purposes determined by the capacity for on-site servicing, such as ground or surface water and Type 1 waste water disposal.

#### **Rural Residential (RR) Policies**

The Regional Board:

24. Directs that the principal use shall be one-family or two-family dwellings, horticulture or portable sawmills.

- 25. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture, keeping of farm animals, kennels and small scale wood product manufacturing as accessory uses.
- 26. Supports rural residential development with lot sizes for subdivision that generally exceed 2.0 hectares.
- 27. Supports remote residential development with lot sizes for subdivision that generally exceed 4.0 hectares for properties that do not have access to a maintained public road or other servicing constraints.

#### **Multi-Unit Residential (RMU) Policies**

The Regional Board:

- 28. Directs that the principal use shall be multi-family dwellings or manufactured home parks.
- 29. Will allow for accessory buildings and structures, home-based business and horticulture as accessory uses in Multi-Unit Residential developments.
- 30. Will allow for accessory buildings and structures, and common facilities associated with a Manufactured Home Parks.
- 31. Supports that new Manufactured Home Parks will meet the standards for servicing and design as required under any applicable Regional District Manufactured Home Park Bylaw.
- 32. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
- 33. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
- 34. Encourages mixed use development that builds upon existing infrastructure.

## 4.0 COMMERCIAL AND INDUSTRIAL

### Background

This section outlines the objectives and policies for General Commercial, Tourist Commercial and Industrial designations in Electoral Area 'G'

Most of the commercial and business needs within the Plan area are met within the Village of Salmo or Ymir. However, rural communities also support tourist accommodation and commercial facilities. There are many home-based businesses within the Plan area that are vital to the liveability and economic and social sustainability of rural communities.



Small and large scale industrial operations exist throughout the area, but are generally concentrated in and around the Highway 6 corridor. Principal industrial activities in the Plan area are orientated toward primary and secondary resource processing related to forestry, mining, machine and heavy equipment repair.

The need for additional commercial and industrial lands within the Plan area was not identified through community consultations or the Employment Lands Initiative undertaken by the Rural Development Institute at Selkirk College. There is renewed interest in potential production being initiated at several of the established mine sites due to new technologies in this industry. Over 600 mine sites are thought to have been operational in the Plan area at one time; many of which have resulted in contaminated lands and brownfields<sup>2</sup>.

### Commercial Objectives

1. Enhance the long term vitality and economic sustainability of the Plan area by supporting new and existing businesses and the creation of employment.
2. Provide for commercial activities servicing the needs of local residents and visitors.
3. Recognize the commercial and service center role of the City of Nelson and Village of Salmo and direct that commercial development in the rural communities will primarily be oriented toward serving local community needs and visitor needs.
4. Encourage home based businesses as a means of strengthening the economic base.
5. Expand employment opportunities associated with home based businesses and occupations.

<sup>2</sup> Salmo Watershed Stream-keepers (2010)

6. Accommodate temporary commercial uses in appropriate locations.

#### **General Commercial (GC) Policies**

The Regional Board:

7. Anticipates that general commercial needs will be accommodated within existing commercial nodes within the community of Ymir and Village of Salmo as designated on Schedule A.1 mapping.

#### **Tourist Commercial (TC) Policies**

The Regional Board:

8. Anticipates that tourist commercial needs will be accommodated throughout the Plan area on lands designated as such on Schedule A.1 mapping.
9. 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.
10. Enable commercial outdoor recreation, resort commercial, agri-tourism and eco-tourism opportunities such as trail rides, campgrounds and wilderness tours provided they do not have demonstrated detrimental impact on important habitat, riparian areas, or adjacent land uses.

#### **Home-based Business and Accessory Tourist Accommodation Policies**

The Regional Board:

11. Will promote home based businesses as a significant means of satisfying local employment needs provided they do not conflict with or negatively impact the natural environment and residential character of communities.
12. Will ensure that home based business opportunities remain flexible and accommodate expanded employment needs.
13. Will provide for accessory tourist accommodation, such as bed and breakfast operations and camping facilities, as a means of secondary income and to provide for diversity of choice for visitor accommodation. Tourist accommodation involving vacation rentals will be prohibited from residentially designated properties.

#### **Industrial Objectives**

14. Recognize and retain traditional resource-based livelihoods such as outdoor recreation, agriculture, wild harvesting, mining and forestry while ensuring sustainable management of their land base.

15. Ensure there is opportunity for light industrial uses in support of the local economy.
16. Support and enhance industrial uses within the Plan area while minimizing incompatibility with surrounding land uses through requirements for screening or landscaping.
17. Encourage value added resource manufacturing and production to enhance or maximize the value of raw materials within the local community.
18. Ensure good arterial access for existing and new industrial developments.

#### **Industrial (M) Policies**

The Regional Board:

19. Anticipates that industrial development needs will be accommodated within existing and proposed industrial areas as designated on Schedule A.1 mapping.
20. Ensure that proposals for new industrial operations have significant public input prior to development so that issues can be resolved to the satisfaction of the public and operator through the land use amendment or temporary use permit application process.
21. 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 retained in the local community.
22. Directs that requirements for screening or landscaping be incorporated into the design of new and expanded industrial developments.
23. Directs that new or expanded industrial developments take place on existing brownfield lots as to minimize further contamination of lands within the area.

## 5.0 COMMUNITY SERVICES

### Background

The Community Services land use designation generally refers to land uses that serve a community's educational, health, social and cultural needs. Land uses may include schools, daycare facilities, public health facilities, group care facilities, libraries, museums, post offices, fire halls and government buildings. The Plan recognizes that many of the community services and administrative activities available to residents of the Plan area are centrally located in the Village of Salmo, City of Nelson, City of Trail or provided through regional partnerships.



The Area falls under Kootenay Lake School District No. 8 and educational facilities are provided for within the Village of Salmo and City of Nelson. There are presently no public health or group care facilities within the Plan area. Ymir has several community facilities, including: the community hall, old school house and gallery. Several community programs and events are hosted in these facilities throughout the year. A post office is also located in the communities of Ymir and Salmo.

Cemeteries are located in Ymir, Boulder Creek and rural Salmo.

Fire service is provided to portions of the Plan area through the Ymir Volunteer Fire Department and the Village of Salmo Volunteer Fire Department. Fire service is not presently available to the unincorporated communities of Rosebud Lake and Nelway.

### Community Services Objectives

1. Direct community service and administrative developments to areas where services and amenities are more readily available and where they best serve the needs of the community.
2. Work with the Province and Kootenay Lake School District 8 to ensure public educational needs are being met through the provision of educational facilities and student transportation.
3. Support the establishment of daycare facilities and small group care facilities within residential areas or service areas such as Ymir and rural Salmo.

4. Recognize the importance of maintaining health service facilities and larger group care facilities centrally within the Village of Salmo, though consideration may be given to other areas where deemed appropriate and supported by the community.
5. Recognize the variety of social and cultural activities important to residents of the unincorporated communities within Electoral Area G.
6. Collaborate with local First Nations, including: the Ktunaxa, Nq̓lispélišc̓n, Nsyilxc̓n and Secwepemctsin speaking peoples in identification and conservation of archaeological and cultural values within the Plan area.
7. Support the Province, senior governments, aboriginal communities, individuals and interest groups in identifying and protecting places of scenic, architectural, historical, spiritual, archaeological and cultural significance within the Plan area.
8. Coordinate with the Village of Salmo and cemetery societies for Ymir and Boulder Creek to improve record of burials through inventory and mapping and to ensure that future needs are considered.
9. Investigate and support the expansion of fire protection services to all communities within the Plan area.
10. Ensure that land use decisions accommodate emergency response through provision of adequate access to developments and facilities for fire protection services and emergency first response where such services are provided.

#### **Community Services Policies**

##### **The Regional Board:**

11. Anticipates that community services needs are accommodated within existing and proposed facilities within the community of Ymir and Village of Salmo as indicated on Schedule A.1 mapping.
12. Will work cooperatively with the Village of Salmo, City of Nelson and the Province to direct community service and administrative facilities to areas where they are central, accessible and meet the needs of the broader community.
13. Will work with Kootenay Lake School District 8 to improve student transportation to educational facilities within the Village of Salmo and City of Nelson.
14. Will collaborate with support service partners in the Village of Salmo and City of Nelson with regard to efforts to reduce poverty levels in the community. Effort will be made toward providing choice of housing, enhanced access to affordable childcare options, access to services and enabling the production of and access to local food.
15. Will allow for daycare facilities and small group care facilities as home-based occupations on lands designated residential.

16. Will support the use of public and private lands for local community events as important contributors to the social and cultural values of the Plan area, provided that such events are supported by and do not negatively impact neighbouring properties.
17. Encourages maintenance and enhancement of recreational and cultural amenities in the community of Ymir, including: Ymir Community Hall, Schoolhouse, Ymir Hotel, the Palace, Tiny Lights Festival, community ice rink, skate board park, campground and other community events and venues.
18. Encourages that public spaces and buildings are designed or re-designed to accommodate accessibility.
19. Encourages a strong sense of community through support to local volunteer organizations.
20. Supports the establishment of a heritage registry for properties and lots with significant historical or cultural value to residents of the Plan area such as: the Schoolhouse, Fire Hall, Ymir Hotel and the Palace in the community of Ymir, the historic Doukhobor cemetery north of Salmo and Endersby museum near Erie.
21. Supports collaboration with local First Nations in the identification and protection of areas of archaeological and cultural value, including maintaining Aboriginal access for fishing and hunting, resource gathering and processing, burial sites, pictographs and places of other cultural significance.
22. Will continue to implement the RDCK Civic Addressing Bylaw to ensure that properties are appropriately addressed and that such addresses are posted in a manner as to facilitate emergency response.

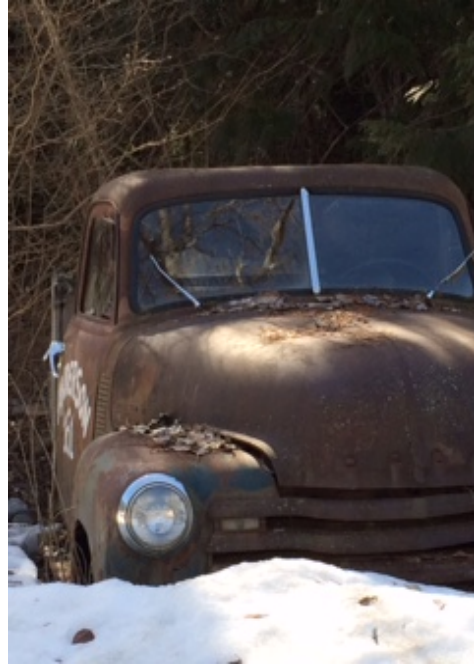


## 6.0 AGRICULTURE

### 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. Lands outside of the ALR are used for rural residential and country residential purposes and may contain hobby farms and small market gardens. These small scale agricultural uses can be an important contributor to local food production. Agricultural operations and activities, such as livestock grazing, are also dependent on rural lands outside of the agricultural designation.

Lands within the ALR comprise only 3 percent of the land base in Electoral Area G. In 2016, 340 hectares of lands within the ALR were being used actively for the purposes of agricultural production. This figure compares to 154 hectares of land being used for residential purposes and 1,709 hectares remaining in a natural or semi-natural state. It is important to note that there are significant lands within the ALR within the Plan area that are not in active production due to Provincial ownership of such lands. The area has potential for agricultural expansion with focus on forage and meat production, as well as value added food processing. The short growing season and unpredictable frost cycles make the production of fruit and produce difficult<sup>3</sup>.



### Agriculture Objectives

1. Preserve and promote the use of agricultural land for current and future agricultural production, and protect this land from uses which are inconsistent with agriculture or are incompatible with existing agricultural uses in the area.
2. Encourage the agricultural sector's viability by adopting supportive land use policies within and adjacent to farming areas and ensure adequate water and land resources for agricultural purposes with recognition of the importance of local food production.

<sup>3</sup> RDCK Agricultural Area Plan (2011)

3. Discourage agricultural land uses that adversely impact the surrounding environment or compromise the capability of the land for future food production.
4. Minimize conflicts between agriculture and other land uses.
5. Encourage diversification and enhancing farm income by enabling uses secondary to and related to agricultural use consistent with the provisions of the *Agricultural Land Reserve Act*, associated regulations, orders and decisions of the Provincial Agricultural Land Commission.
6. Encourage senior levels of government to enable and facilitate agricultural activity and industry.
7. Support the Province, other agencies, non-profit societies and the agricultural community with the development of tools for the management of invasive and nuisance plant species to conserve agricultural values in the area.

### **Agriculture Policies**

#### **The Regional Board:**

8. Anticipates that agricultural production will be accommodated within existing lands contained within the Agricultural Land Reserve and as designated on Schedule A.1 mapping.
9. Directs that the principal use of land designated Agriculture shall be agriculture.
10. Supports that new land use and subdivision of land within the Agricultural Land Reserve (ALR) shall be in accordance with the provisions of the *Agricultural Land Reserve Act*, associated regulations, orders and decisions of the Provincial Agricultural Land Commission.
11. May consider forwarding applications to the Agricultural Land Commission for subdivision and non-farm use in the ALR where the proposal does not negatively impact agriculture or agricultural potential.
12. Should consider potential impacts on water resources in agricultural areas when considering land use amendment applications not related to agriculture or subdivision and non-farm use proposals in the Agricultural Land Reserve.
13. Directs residential and non-farm uses to lands where there is low agricultural capability.
14. May consider buffering of commercial, industrial and high density residential development adjacent to agricultural areas.
15. May consider applications to subdivide lots smaller than that as permitted by zoning 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;  
or
- b. where the community interest in the subdivision of the land outweigh the community interest in the retention of the land in a larger lot.
16. Supports the consolidation of legal lots that may support more efficient agricultural operations.
  17. Directs intensive agricultural operations to larger lots with increased building setbacks and other possible mitigation measures to prevent potential conflict with adjacent land uses.
  18. Will enable secondary agricultural uses including home based business, agri-tourism or accessory tourist accommodation opportunities that are consistent with the provisions of the *Agricultural Land Reserve Act*, associated regulations, orders and decisions of the Provincial Agricultural Land Commission.
  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.
  20. Will encourage food processing activities and broadened market opportunities, such as: market gardens, craft wineries, breweries and meaderies, farmers' markets and farm gate sales.
  21. Supports the efforts of non-profit and community organizations with regard to sustaining local food security by enabling access to healthy foods for all residents.

## 7.0 PARKS AND RECREATION

### Background

Electoral Area G contains two RDCK Regional Parks: the Great Northern Rail Trail which extends through Electoral Area G from Apex to the Village of Salmo and the Rosebud Lake Wildlife Refuge. Provincial sites include Champion Lakes Provincial Park and the former Erie Lake Provincial Park. Provincial recreation sites in the area include Clearwater, Salmo Riverside, Barrett Lake, Huckleberry Hut and Erie Creek.



Ymir and the Village of Salmo also maintain community park space: including a campground, skateboard park and picnic areas in Ymir, and Knights of Pythias Park and Springboard Park in the Village of Salmo. A volunteer run ski hill and golf course operate just south and east of the Village of Salmo.

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

### Parks and Recreation Objectives

1. Develop a comprehensive regional park and trail system that is consistent and complementary with other parks and trails in the RDCK.
2. Encourage the Province to provide on-going access to public recreation sites, trails and forest service roads for the purposes of outdoor recreation, foraging and wild harvesting.
3. Partner with the Village of Salmo to ensure that the long term recreational needs of the community are met.
4. Support the enhancement of opportunities for children, youth, and adult recreational and leisure activity and the creation of inter-generational programs to improve youth engagement and encourage social interaction for rural seniors.

### **Parks and Recreation Policies**

The Regional Board:

5. Supports the existing network of public outdoor recreation lots and trails, as well as the creation and extension of a connected network of trails and public corridors to access community parks, recreation areas, public open space and amenities where feasible and as indicated on Schedules A.1 and A.3.
6. Recognizes the importance and significance of the Great Northern Rail Trail at a community and regional level.
7. Recognizes the importance and significance of the Fort Shepard to Salmo portion of the Dewdney Trail at a community and regional level.
8. Supports continued dialogue and investigation of options toward dedicated non-motorized use on portions of the Great Northern Rail Trail in collaboration with all users.
9. Encourages on-going dialogue between residents of Porto Rico and the operator of the Rifle Range to ensure that community impacts are mitigated.
10. Supports the establishment of public access points along the Salmo River for the purposes of swimming, fishing and other recreational pursuits.
11. Supports opportunities to re-establish and enhance recreational and visitor facilities at Erie Lake and Rosebud Lake.
12. Encourages investigation into options for the potential purchase or protection of conservation lands in the vicinity of Rosebud Lake.
13. Encourages investigation into options for the conservation and on-going access to recreational lands associated with rock climbing adjacent to Highway 6 in proximity to Hall Siding.
14. Recognizes and supports the establishment of an integrated trail network between the various unincorporated communities of the Plan area and the Village of Salmo; including on-going and proposed improvements at the Salmo Ski Hill and south slopes between Erie and the Village of Salmo.

## **8.0 PUBLIC UTILITIES, WATER AND SEWERAGE**

### **Background**

There is one RDCK owned and managed water system within the Plan area that provides service to Ymir. Domestic and irrigation water supply is generally provided through groundwater wells or surface water licensing (both individual and small water users groups). Small water systems and individual water sources are vulnerable to drinking water advisories or over subscription of water resources. Areas that require water for both domestic and irrigation purposes can be especially vulnerable. There are no new community water systems proposed within the Plan area.

There are no publicly owned waste water disposal services in the area. Septic and waste water treatment plants are the present forms of sewage treatment. Refuse disposal for the area is provided at regional transfer and recycling depots in Ymir, Salmo and Nelson.

Utility services are provided for by BC Hydro and Fortis BC with large transmission corridors running from facilities along the Pend O'Reille for energy transmission. Telephone and internet services are provided through the placement of cell towers at Cottonwood Lake and Kapak Road. The communities of Rosebud Lake and Nelway do not have access to high speed internet services at the time of community plan development.

### **Servicing Objectives**

1. Encourage coordination of land use planning and service delivery among the Regional District, Village of Salmo and senior levels of government to ensure that costs are minimized and services provided in an effective and efficient manner.
2. Investigate options for enhanced service delivery through regional partnerships where services or activities can not be sustainably supported within the rural areas.
3. Support expanded utility services in the Plan area where there is community need and desire.
4. Work toward supporting community health and safety within existing and proposed water and sewer systems within the Plan area through appropriate and affordable standards of service.
5. Encourage water license holders to register any unrecorded domestic and irrigation surface water sources.
6. Support measures to ensure that long term quantity and quality of water supplies are maintained or improved.
7. Promote water resource conservation strategies and reduce water demand through educative materials and voluntary incentives, particularly in areas where the water resource has already been over-subscribed.

8. Support the protection of groundwater and surface water sources from degradation through improper disposal of liquid waste.
9. Encourage reduction of solid waste through consumer habits, recycling, re-use and composting within the community.
10. Investigate the feasibility and applicability of alternative construction techniques and servicing requirements that reflect the needs of rural communities.

### **Servicing Policies**

The Regional Board:

11. Anticipates that public utility needs will be accommodated within existing facilities as designated on Schedule A.1 and A.2 mapping.
12. Will investigate options for improved or expanded utility services within the Plan area in cooperation with affected communities where it is deemed necessary or desirable, with consideration given to long term feasibility and availability of resources. Decisions on improved or expanded utility services shall be made by the authority having jurisdiction and the community on a case by case basis.
13. Requires that any extension or modification of local infrastructure or creation of new infrastructure necessitated by the approval of subdivision or issuance of a building permit, including all costs for upgrades and design, be the responsibility of the developer or those benefiting from such improvements.
14. Encourages all users and government agencies having jurisdiction over water sources for domestic and irrigation use within the Plan area to use best management practices for conservation.
15. Encourages all property owners to investigate domestic water supply quality through testing and monitoring programs.
16. Applies the precautionary principle<sup>4</sup> to ensure that the density and intensity of land use is not increased beyond available servicing capacity in areas which are known to have concerns with domestic and irrigation water supply.
17. Supports investigation into alternative and innovative building design, construction, and servicing techniques for residential and commercial construction within the Plan area, reflective of the needs of rural communities and supportive of green infrastructure.

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<sup>4</sup> Precautionary Principle' is an approach to decision- making in risk management which justifies preventive measures or policies despite scientific uncertainty about whether detrimental effects will occur (precautionary principle). *Webster's New Millennium™ Dictionary of English, Preview Edition (v 0.9.7)*.

18. Encourages the cooperation and coordination with and among utility companies in utilizing existing and proposed utility corridors for multiple uses, where feasible and compatible, as determined by the relevant service provider.
19. Will investigate the costs associated with, and long term feasibility of enhancing waste management facilities to expand recycling and composting.



## 9.0 AGGREGATE AND MINERAL RESOURCES

### Background

Aggregate is an essential resource, vital to the prosperity and well-being of British Columbians and RDCK residents. Aggregate consumption in BC was estimated at about 50 million tonnes per year<sup>5</sup>, which is approximately equivalent to one dump truck load for every person in the Province.

Control over the development of aggregate extraction sites is retained by the Province. While there is interest in ensuring that extraction is conducted in an environmentally and community-friendly manner, there is also interest in ensuring that local aggregate sources are available or maintained in relatively close proximity to the demand. Aggregate resources exist throughout the Plan area, but have been identified to be of limited quantity and quality with many deposits within existing locations being exhausted.

### Aggregate and Mineral Resources Objectives

1. Protect land with recoverable deposits of sand and gravel from adjacent uses that would limit or prohibit extraction, and identify lands having recoverable deposits of sand and gravel.
2. Minimize conflict between sand and gravel processing operations and adjacent land uses.
3. Encourage the Province to refer mineral exploration proposals to the RDCK for comment and give due consideration to the impact of resource extraction activities on surrounding land uses, sources of domestic and irrigation water supply, and development activity.
4. Strongly encourage the Province to inform and communicate with affected communities before Crown land is utilized for aggregate or mineral processing and that such proposals comply with RDCK zoning.
5. Encourage the protection and maintenance of sources of domestic and irrigation water supply as an integral part of the extraction and processing process for aggregates and other resources.
6. Encourage the Province to include in their licensing the on-going rehabilitation of aggregate extraction and mineral processing lots.
7. Support Provincial requirements for rehabilitation and reclamation of resource extraction lots.

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<sup>5</sup> British Columbia Stone, Sand and Gravel Association. 2014. Retrieved April 29, 2014 from <http://www.gravelbc.ca/aggregate/faq.html>.

### **Aggregate and Mineral Resources Policies**

The Regional Board:

8. Anticipates that recoverable deposits of sand and gravel will be accommodated within existing quarry or industrial designated properties as indicated on Schedule A.1 mapping and that any new proposals will be subject to application for a land use amendment or temporary use permit.
9. Will consider land use designation amendment applications for the processing of aggregate or mineral resources on the basis of a variety of criteria; including but not limited to the:
  - a. extent of visual screening, and other mitigation works proposed;
  - b. type of processing proposed;
  - c. potential for noise and dust nuisance for nearby properties;
  - d. compatibility with adjacent land uses;
  - e. potential for light pollution;
  - f. potential for vibration from blasting of materials;
  - g. environmental sensitivity of the lot and adjacent land;
  - h. accessibility;
  - i. and the characteristics of the aggregate deposit and groundwater resources.
10. Encourages full utilization of recoverable deposits prior to development in areas where recoverable deposits are located.
11. Recognizes that much of the aggregate managed by the Ministry of Transportation and Infrastructure has been exhausted, but that such properties still serve an important role for the staging of equipment and materials during highway improvement projects.
12. Recognizes that the terms or conditions of this Bylaw can not restrict or conflict with any mineral or mining management activity relating to the exploration or production of minerals, sand, gravel, coal or quarries that is classified as a *mineral* or a *mine* under Provincial Acts and Statutes, so long as the Province manages the activities and land for that purpose.

## 10.0 HAZARD LANDS AND FIRE MANAGEMENT

### Background

Hazard lands include areas the RDCK has reason to believe are subject to natural hazards including: wildfire, flooding, mud flow, debris torrents, erosion, rock fall, landslip, and avalanche.

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

### Hazard Lands Objectives

1. Prevent development in areas subject to known hazardous conditions, unless the hazard has been sufficiently addressed.
2. Prevent injury and loss of life and prevent or minimize property damage as a result of natural hazards.
3. Support inventories and studies to further determine the nature, extent, and risk of development below, on and adjacent to identified natural hazard areas.
4. Support the potential development of Development Permit Area guidelines to address known hazards where deemed appropriate and feasible.

### Hazard Lands Policies

The Regional Board:

5. Directs development away from those lands that may have a potential natural hazard or have been identified as hazardous by the RDCK or other agencies having jurisdiction.
6. Directs development away from lands identified as being susceptible to soil instability and potentially hazardous geotechnical conditions; such as steep slopes or erosion areas.
7. Requires that the construction and siting of buildings and structures to be used for habitation, business, industry, or the storage of goods damageable by flood waters to be flood proofed to geotechnical standards and certified by a registered professional as safe for the use intended, where land that may be prone to flooding is required for development and no alternative is available.
8. Will work with other jurisdictions and other agencies responsible for flood and hazard mitigation and planning to improve flood and hazard mapping and information management to better inform land use decisions.

### **Fire Management Objectives**

9. Reduce wild fire hazards and risk, particularly in and around communities and other high value areas.

### **Fire Management Policies**

The Regional Board:

10. Supports protection of accesses to water sources such as hydrants, standpipes, lakes, and streams to remain free of obstructions for fire protection purposes.
11. Encourages local volunteer fire departments to work with the RDCK to keep up to date with emergency preparedness and with the identification of increased risk as a result of natural or man-made events.
12. Encourages voluntary efforts to reduce fire risk to existing buildings and new developments through educational materials and appropriate Fire Smart programs.
13. Supports the development and implementation of Community Wildfire Protection Plans and associated adjacent forest management strategies in areas of high to moderate wildfire risk.
14. Will evaluate opportunities to assist in Interface Fire Fuel Reduction treatment.
15. Will evaluate land development proposals with consideration to hazard mitigation, need for and ability to provide for year round access and emergency and protective services.
16. Will undertake on-going efforts to identify areas for safe refuge from wildfire events, evacuation routes, supply of water for fire suppression activities and the location of critical infrastructure and community assets as identified on Schedule A.2.



## 11.0 NATURAL ENVIRONMENT

### Background

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



There are significant wildlife corridors and habitat values that have been identified. Riparian areas in the community have been heavily modified by historic mining, forestry and settlement patterns. Significant effort has been made with regard to improving fish and wildlife habitat along the Salmo River and its tributaries where such values have been compromised.

### Natural Environment Objectives

1. Maintain high water quality of groundwater and surface water sources of domestic and irrigation water supply.
2. Foster an awareness of the values associated with the natural environment and conserve sensitive and significant natural features and values from the negative impacts of development.
3. Encourage the maintenance of biodiversity, important to the biological functioning and ecological integrity of the area.
4. Protect, restore and enhance natural areas and establish an interconnected ecosystem network of protected areas and corridors, wherever feasible.
5. Support the Provincial requirement that developers apply for and obtain appropriate permits and authorization for "Changes In and About a Stream" pursuant to the *Water Sustainability Act*.
6. Support the protection, enhancement and management of sensitive habitat areas for endangered or threatened species in the Plan area.
7. Encourage the province to recognize environmentally sensitive areas, hazard areas, and areas upstream of alluvial fans, and uphold the strictest regulation for forest and mining or mineral development in these areas.

**Natural Environment Policies**

The Regional Board:

8. Supports best management practices for land developers as found in applicable provincial guidelines and regulations.
9. Encourages on-going efforts and a collaborative approach toward the remediation and restoration of riparian areas that have been modified or determined to be at risk.
10. Supports the establishment of environmental reserves in areas identified as containing old growth trees or rare or vulnerable eco-system values at Rosebud Lake, Stag Leap Ranch and along the Great Northern Trail corridor between Porto Rico and Hall Siding.
11. Encourages private landowners and developers to protect environmental and heritage values through the registration of conservation covenants, land management agreements or through planned donation of lands.
12. Recognizes the importance of containing and controlling noxious weeds through the continued endorsement of weed prevention and control initiatives, with preference to biological and non-toxic methods.

## 12.0 TRANSPORTATION

### Background

All major highways are provincially designated controlled access highways and are intended to function as regional transportation corridors. The road infrastructure connecting communities within the RDCK is largely managed by the province; however the RDCK influences the transportation system through its decisions with regard to development. Major transportation corridors include Highway 6 connecting communities between the Village of Salmo and City of Nelson and extending through to the Nelway Border Crossing and Highways 3 and 3A which provides access between the Plan area and Fruitvale and Creston.

The RDCK also works closely with the province to facilitate public transit. Transit service is available between the City of Nelson and Village of Salmo three times daily.

### Transportation Objectives

1. Encourage the Province to plan for the provision of a road network capable of safely servicing existing and future development.
2. Ensure that future development patterns and land use decisions recognize and support highway safety and mobility objectives.
3. Encourage community consultation and discussion during any initiative that reviews the transportation capacity of local roads, pedestrian and recreational corridors, and commercial development strategies.
4. Support that the local road network is safe, effective and equally accessible and inviting for use by cyclists, pedestrians, equestrians, agricultural equipment and motorists.
5. Investigate options for the provision of expanded and enhanced public and shared transit throughout the Plan area.

### Transportation Policies

The Regional Board:

6. Supports that all new developments and the redevelopment of lands provide adequate off-street parking.
7. Supports the enhancement of cycling and pedestrian systems in new and existing developments, and supports the development of a comprehensive network of pedestrian and bicycle routes on public and private lands and along existing and future road networks.

8. Advocates for improvement to and expansion of public transportation service opportunities, bus shelters, and cross walks in cooperation with BC Transit.



### **13.0 ENERGY AND ENVIRONMENT**

#### **Background**

Beginning in 2007, the Province of BC has moved forward with a number of legislated and policy actions designed to encourage energy efficiency and reduce emissions of greenhouse gases (GHGs). These are driven by a legislated target to reduce the total GHG emissions in the Province by 33% from 2007 levels by 2020, and 80% by 2050.<sup>6</sup> The Regional District of Central Kootenay developed a Greenhouse Gas Emissions Reduction Plan in 2010 that committed to working collaboratively toward a reduction of the combined greenhouse gas emissions of the rural areas by 15% from baseline levels (2007) by 2020 and by 25% from baseline levels (2007) by 2030.

#### **Greenhouse Gas Emission Reduction Objectives**

1. Work collaboratively with our partners and community members to reduce greenhouse gas emissions in the rural areas by 15% from baseline levels (2007) by 2020 and by 25% from baseline levels (2007) by 2030 as established by the RDCK Corporate Greenhouse Gas Emissions Reduction Plan (2010).
2. Demonstrate leadership in energy conservation, energy efficiency and greenhouse gas emission reductions and work toward carbon neutrality.
3. Foster the development of renewable energy supply options.
4. Reduce energy consumption and greenhouse gas emissions and encourage energy efficiency in planning, design and construction of neighbourhoods and buildings.
5. Work toward future settlement patterns that reduce dependency on private automobiles and encourage other forms of transportation such as walking, cycling and transit, where realistic and achievable.

#### **Greenhouse Gas Emission Reduction Policies**

The Regional Board:

6. Encourages the reduction of landfill waste through the RDCK zero waste policy, and will investigate ways to increase waste diversion through strategies identified in the RDCK Resource Recovery Plan (2011).
7. Supports collaboration with and supports partners that raise awareness and provide education on energy and emissions to local businesses, residents, and other organizations in the community.
8. Encourages energy efficient retrofits of older buildings, including both residential and commercial buildings.

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<sup>6</sup> This target is defined in the Greenhouse Gas Reduction Targets Act (Bill 44, 2007)

9. Encourages the use of local materials and green building techniques in new and retrofitted developments.
10. Supports the development of a sustainability checklist for the evaluation of land use and building applications and supports the investigation into the creation of associated incentives for developers that develop buildings to a high level of building performance.
11. Supports a voluntary reduction of personal vehicle transportation emissions by promoting use of public transit and shared transit, including the use of buses, car co-operatives and delivery services, more efficient vehicles, use of alternative fuels, providing sufficient pedestrian and cycling facilities and routes, encouraging home based businesses and encouraging changes in travel patterns.
12. Supports the expansion and enhancement of electric vehicle charging stations and infrastructure throughout the region through the *Accelerate Kootenays* program (2016).
13. Seeks partnerships with utility companies, independent power producers, NGOs, member municipalities, provincial and federal agencies and others to further local energy strategies and concurrent planning efforts.
14. Encourages the investigation and development of renewable energy supply options such as district energy, ground source heat pumps, solar and heat recovery systems where opportunities might be present.
15. Supports the exploration of renewable energy opportunities in the agricultural and forestry industries such as biomass energy production.
16. Supports the creation of a renewable energy service for the RDCK.
17. Encourages identification, establishment and maintenance of natural and managed carbon sinks for the purposes of conservation, maintenance of biodiversity, and enhanced community resilience with consideration to local ecosystem values and socio-economic drivers.

## 14.0 RESOURCE AREA

### Background

Resource Areas (RA) are described as large lots of land and include both private and Crown land used for resource based activities. Typical uses include forest land, grazing or range land, public recreation areas, watersheds, and resource extraction areas. Although it is recognized that local land use designations do not apply to the Crown, the designation is intended to provide regulations upon alienation and to address Crown leases and licenses, as well as situations where the Crown is otherwise compelled or chooses to respect local government zoning. Forest Reserves (FR) may also be delineated within the Plan area and reflect both private and community owned and managed forest lands.

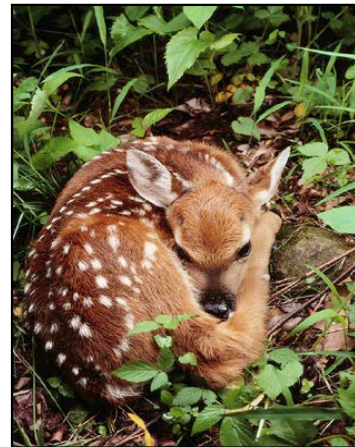
### Resource Area Objectives

1. Retain and diversify resource-based land uses which contribute to the local economy and nature of communities in the Plan area.
2. Recognize the importance of Crown lands for recreational values and opportunity.
3. Work with the province and private land owners to ensure that resource based activities do not result in increased occurrence or magnitude of natural hazards in areas where there is risk to persons or property in the area and that such activities include safeguards for water supply.

### Resource Area Policies

The Regional Board:

4. Recognizes the jurisdiction of the province over public Crown land.
5. Will work with the province to ensure community watersheds and sources of domestic water supply are recognized and protected within the Plan area.
6. Will support the development of community owned and managed woodlots in consultation and with the support of the community.
7. Supports appropriate small scale forest related activities, such as sustainable gathering of products, food crops, hiking, bird watching and wildlife viewing, education and value added resource industries.



## 15.0 TEMPORARY USE PERMITS

### Background

Temporary Use Permits (TUPs) may be issued by the RDCK under Section 492 of the *Local Government Act*. The intent is to accommodate temporary land uses as specified by the permit on lands that are not zoned for the proposed use. The temporary use may continue in accordance with the provisions of the permit until the permit expires, or three years after the permit was issued, whichever occurs first. Permits may be renewed only once, after which the use must be either permanently designated in the OCP Bylaw and Zoning Bylaw or cease. Permits are subject to approval by the Agricultural Land Commission (ALC) where land is classified as farm under the *Assessment Act*.

### Temporary Use Permit Designation

1. Consider the issuance of temporary use permits in accordance with the appropriate conditions.

### Temporary Use Permit Conditions

The Regional Board:

2. Will consider issuing temporary use permits on lands that are not designated for the proposed land use as indicated on Schedule B.1. Permits will consider the following general conditions:
  - a. must be clearly temporary or seasonal in nature;
  - b. should not create an unacceptable impact on the environment or on surrounding land uses;
  - c. should include appropriate remedial measures to mitigate any damage to the natural environment as a result of the temporary use;
  - d. and should be reviewed and supported by the province with respect to access and effect on public roads.
3. May specify conditions under which the temporary use may be carried out and may also set requirements with regard to any associated developments with respect to construction of buildings or structures related to the proposed temporary use.
4. May require as part of permit issuance that the permit holder restore lands described in the permit by a specified date.

## 16.0 COMMUNITY SPECIFIC POLICIES

### Apex

1. Recognizes that residential development within the community of Apex will be primarily Country Residential based on the level of available servicing and infrastructure.
2. Recognizes that the community will be primarily oriented toward the provision of outdoor recreational facilities and visitor services associated with the Nelson Nordic Ski Club and Whitewater Ski Resort.
3. Supports the establishment of residential and tourist accommodation facilities to support the housing of staff and visitors associated with the recreational values of this community.

### Hall Siding

4. Recognizes that residential development within the community of Hall Siding will be primarily Country Residential based on the level of available servicing and infrastructure.
5. Recognizes the ecological values associated with Hall Creek and encourages stewardship and conservation of this community resource.
6. Encourages protection of the black cottonwood ecological communities located along this portion of the Great Northern Rail Trail.
7. Supports the continued maintenance of non-motorized access and use of the Great Northern Rail Trail from Hall Creek to Apex
8. Supports investigation into the future use and enjoyment of recreational lands originally intended for cross country ski trail development within the community and the long term maintenance of lands used for the purposes of rock climbing adjacent to Highway 6.

### Porto Rico

9. Recognizes that residential development within the community of Porto Rico will be primarily Country and Rural Residential based on the level of available servicing and infrastructure.
10. Supports expanded opportunities for home based business development, tourist accommodation and facilities, horticulture and local food and drink production, such as craft breweries.
11. Encourages on-going dialogue between community members and the rifle range to ensure that issues with regard to noise and disturbance are managed accordingly.
12. Supports the recognition and protection of old-growth forest communities within the area.

**Ymir**

13. Recognizes that Ymir will continue to be a mixed development community with both existing Town-site Residential, Commercial and Community Service developments contributing to its role as a service center for the area.
14. Supports the establishment of a community park at 2nd Street and Cedar Street.
15. Supports expanded opportunities for home based business development, tourist accommodation and facilities, horticulture and local food and drink production, such as craft breweries, wineries and farmer markets.
16. Encourages the identification and establishment of beach access areas along the Salmo River.
17. Recognizes the importance of Quartz Creek as a source of domestic and irrigation water supply and encourages the establishment of an environmental reserve to protect this resource.
18. Supports recognition of heritage assets within and surrounding the community, including the Oscar Bear Cemetery, The Palace, Ymir Hotel, Schoolhouse, Ymir Church and various artifacts related to the mining history in the community.
19. Recognizes the importance of local cultural venues and events as contributing to the social fabric of the community, such as: the ice rink, skate-board facilities, community campground, community hall and various community events.
20. Encourages that new construction and renovation to existing commercial and community service buildings within the commercial core area maintain the heritage values of the community.
21. Encourages investigation into a pedestrian bridge to the Yankee Girl flats as a valued community asset.
22. Supports the development of community based skill sharing and enhanced arts and cultural programs.
23. Supports the development of a community amenity audit and plan that identifies long term needs and guides future resource allocations.
24. Recognizes that further community development and in-fill is constrained by waste water servicing capabilities and that Crown land dispositions may impact the future ability of the community to expand or establish services in the future.

**Wildhorse**

25. Recognizes that residential development within the community of Wildhorse will be primarily Country and Rural Residential based on the level of available servicing and infrastructure.
26. Encourages that the siting of new developments within the community take into consideration the view-scape of adjacent property owners, and that landscape retention and design consider separation between neighbors.

27. Supports community education pertaining to living with wildlife in recognition of the high wildlife values within the community.

#### **Porcupine/Boulder Creek**

28. Recognizes that residential development within the community of Porcupine and Boulder Creek will be primarily Country and Rural Residential based on the level of available servicing and infrastructure.
29. Recognizes that the community has several medium to heavy industrial developments and that further expansion of industrially zoned properties not be supported without further community consultation.
30. Supports expanded opportunities for home based business development, commercial development, and tourist accommodation and facilities along the Highway 6 corridor.
31. Encourages the identification and establishment of beach access areas along the Salmo River.

#### **Rural Salmo**

32. Recognizes that residential development within Rural Salmo will be primarily Country and Rural Residential based on the level of available servicing and infrastructure.
33. Recognizes that properties to the north along the Highway 6 corridor and to the east and west along Highway 3 in proximity to the Village of Salmo are located within the Provincial Agricultural Land Reserve (ALR) and supports that these properties continue to be retained for current and potential agricultural use.
34. Supports expanded opportunities for home based business development, tourist accommodation and facilities, horticulture and local food and drink production, such as craft breweries, wineries and farmer's markets.
35. Directs higher density residential development to those areas proximate to the Village of Salmo where there is services and infrastructure available.
36. Recognizes that further community development and in-fill in those areas proximate to the Village of Salmo is constrained with the flood hazard and risk associated with the Salmo River and associated tributaries.
37. Recognizes the historic importance of the Japanese cemetery located on private lands to the northwest of the Village of Salmo and supports the protection of this valuable cultural asset.

#### **Rosebud Lake/Nelway**

38. Recognizes that residential development within Rosebud Lake and Nelway will be primarily Rural and Remote Residential based on the level of available servicing and infrastructure.
39. Recognizes that properties along the Pend D'Oreille and proximate to Rosebud Lake are located within the Provincial Agricultural Land Reserve (ALR) and supports that these properties continue to be retained for current and potential agricultural use.

- 40. Supports expanded opportunities for home based business development, tourist accommodation and facilities, horticulture and local food and drink production, such as craft breweries.
- 41. Supports expansion of conservation lands associated with Rosebud Lake and a prohibition on motorized use within the Wildlife Reserve in recognition of its wildlife and fisheries values.
- 42. Encourages investigation into the establishment of a community based fire department to support fire protection and first response within the area.

**Erie-Ross Spur**

- 43. Recognizes that residential development within Erie-Ross Spur will be primarily Country and Rural Residential based on the level of available servicing and infrastructure.
- 44. Recognizes that properties along Highway 3 to the east of Erie Lake are located within the Provincial Agricultural Land Reserve (ALR) and supports that these properties continue to be retained for current and potential agricultural use.
- 45. Supports expanded opportunities for home based business development, visitor accommodation and facilities, horticulture and local food and drink production, such as craft breweries, wineries and farmer's markets.
- 46. Encourages the Province to consider restoration of Erie Creek Provincial Park and enhancements to the junction of Highway 3 and 3B to include facilities for travellers.
- 47. Supports recognition and conservation of heritage values associated with the community and preservation of historic sites such as Endersby Museum.



## 17.0 WATERCOURSE DEVELOPMENT PERMIT (WDP) AREA

### Purpose

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

### Objectives

Riparian areas are highly valuable ecosystems providing ecological services that communities freely gain from a healthy functioning natural environment. These areas act as natural filtration systems for both surface water and groundwater while providing protection against flooding and erosion. Riparian areas provide movement corridors for many species, particularly in fragmented landscapes. Riparian areas function as essential habitats particularly for species at risk and are highly effective in moderating stream temperatures which is critical for fish and other wildlife.

The objectives of this Development Permit Area designation are:

1. To protect local watercourses, lakes and wetlands and their adjacent riparian areas from adverse impacts of land use.
2. To restore degraded watercourses and their riparian areas within the Plan area.
3. To protect the quality of local drinking water supplies.
4. To protect the biological diversity and habitat values of riparian and aquatic ecosystems and the species dependent on them.

### Area

The Watercourse Development Permit Area (WDPA) includes all lands designated as such on Schedule A.4 and includes the following:

- a. All areas within 30.0 metres of the high water mark of the Pend O'Reille River, Salmo River, Erie Lake and Rosebud Lake.
- b. All areas within 30.0 metres of the high water mark of Erie Creek, Hall Creek, Kelly Creek, Quartz Creek and Ymir Creek.
- c. All areas within 15.0 metres of the high water mark of any other watercourse designated on Schedule A.4, including the natural boundary of a lake and wetland.

Where the boundaries of the WDPA will be verified and determined on the ground at the time of application.

Where the following definitions apply:

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

**LAKE** means any area of year round open water covering a minimum of 1.0 hectares (2.47 acres) of area and possessing a maximum depth of at least 2.0 metres. Smaller and shallower areas of open water may be considered to meet the criteria of a wetland.

**QUALIFIED ENVIRONMENTAL PROFESSIONAL (QEP)** means an applied scientist or technologist who is registered and in good standing with an appropriate B.C. professional organization constituted under an Act. A qualified environmental professional could be a professional biologist, agrologist, forester, geoscientist, engineer or technologist.

**STREAMSIDE PROTECTION AND ENHANCEMENT AREA (SPEA)** means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both the riparian area vegetation and the adjacent upland vegetation that exerts an influence on the stream, the width of which is determined by assessment by a Qualified Environmental Practitioner (QEP).

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

**WETLAND** means any areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs and similar areas.

#### **Applicability**

6. A Development Permit is required except where specified under the exemptions section for development or land alteration within the WDP Area. Where not exempt, development requiring a Development Permit includes any of the following associated with or resulting from residential, commercial, industrial or ancillary activities:
  - a. land within the area must not be subdivided;
  - b. construction of, addition to, or alteration of a building or other structure must not be started; and
  - c. land within the area designated must not be altered.

#### **Exemptions**

The WDP area does not apply to the following:

7. The subdivision of land, where the proposed subdivision of land does not fall within the WDPA, or where a newly proposed lot is greater than 1 ha (2.47 acres) in site area.
8. Addition to or alteration of farm buildings.
9. Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation* where a minimum 3 meters from the natural boundary of a watercourse is maintained in native vegetation or agro-forestry crops.

10. Construction or alteration of a building or structure on an existing foundation or footprint; provided that the existing foundation or footprint is not extended within the WDP Area.
11. Construction of water works authorized under the *Water Sustainability Act* or *Fisheries Act*.
12. Construction of access authorized under the *Water Sustainability Act* or *Fisheries Act*.
13. Construction of a small accessory building *not more than* ten (10) square metres, if all of the following apply:
  - a. the building is intended as an accessory use and not used for occupancy or habitation;
  - b. the building is not located in an identified Streamside Protection and Enhancement Area (SPEA) where these boundaries have been delineated; and
  - c. where the removal of native trees or vegetation is minimized to the extent possible.
14. Land alterations involving emergency measures to prevent or reduce immediate threats to life or property including:
  - a. emergency flood or protection works conducted under direction of local or provincial government;
  - b. the removal of trees that have been examined by a qualified arborist and certified to pose an immediate threat to life or property;
  - c. the removal of trees that have been deemed necessary for the purposes of wildfire mitigation measures, where such trees are replaced or compensated for elsewhere within the WDPA;
  - d. clearing of an obstruction from a bridge, culvert or an obstruction to drainage flow; and
  - e. repairs to bridges and safety fences carried out in accordance with the *Water Sustainability Act* or *Fisheries Act*.
15. Land alterations a minimum distance of 5.0 metres of the high water mark of any watercourse designated on Schedule A.4, including the natural boundary of a lake and wetland involving gardening and yard maintenance activities, including: mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land and does not involve the cosmetic application of artificial fertilizers, pesticides or herbicides.
16. Land alteration activities to restore and enhance the natural features, functions and condition of riparian areas in accordance with provincial best management practices.

#### **Guidelines**

Development shall be in accordance with the following guidelines:

17. Development shall be in accordance with the recommendations of an assessment report prepared by a Qualified Environmental Practitioner (QEP) in accordance with the

Provincial Riparian Areas Regulation Assessment Methods at the expense of the applicant and as required as Development Approval Information supporting an application under Section 491 of the *Local Government Act*.

18. No development activities should take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP. The applicant will be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the Development Permit.
19. Where a QEP report describes an area within the WDPA as suitable for development the development permit should only allow the development to occur in compliance with the measures described in the report.
20. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during the construction and development phases as specified in the Development Permit.
21. A QEP report should identify any invasive species and areas subject to prior degradation and should provide recommendations as to potential restoration or mitigation options.
22. Construction methods and timing must minimize environmental impacts. Clearing of land, grading, and other activities that expose soil should be completed during the dry months of the year usually between June and September. Timing of construction should follow the recommended timing windows for species based on provincially accepted best management practices.
23. The Regional District may impose permit conditions based on the Assessment Report including the following:
  - a. Require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit.
  - b. Require natural water courses to be dedicated.
  - c. Require works to be constructed to preserve, protect, restore or enhance natural watercourses or other specified natural features.
  - d. Require protection measures including that vegetation or trees be planted or retained in order to preserve, protect, restore or enhance fish habitat or riparian areas, control drainage, or control erosion.

#### **Development Approval Guidelines**

24. The Board may consider variances to the subdivision or siting regulations of this Bylaw or other bylaws where the variance may result in enhanced protection of a SPEA in compliance with the recommendations of an assessment report.

#### **Restoration Guidelines**

Where development has occurred in violation of the WDPA, the following guidelines shall apply:

25. A QEP must be retained at the expense of the applicant for the purpose of preparing a report outlining how to mitigate the damage incurred by any clearing and site development activities and how to restore the area to its undisturbed condition.
26. Buildings and structures constructed in violation of this WDPA may be subject to removal at the applicant's expense in order to restore the integrity of the riparian area.

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**SCHEDULE B**  
**ZONING BYLAW**

Regional District of Central Kootenay  
Electoral Area 'G' Land use Bylaw No. 2452, 2017

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## 18.0 INTERPRETATION

In this Bylaw, unless the context otherwise requires:

**ABATTOIR** means a building or structure in which farm animals are slaughtered or butchered for the purposes of producing meat product(s);

**ACCESSORY** means a use or structure customarily incidental, subordinate or devoted to the principal use or structure and located on the same lot;

**ACCESSORY BUILDING OR STRUCTURE** means a detached building or structure located on the same lot as the principal building, the use of which is customarily incidental, subordinate or devoted to that of the principal building. Any building is deemed to be an accessory building unless it is attached to and shares a foundation with the principal building for at least the full length of one side of either building, representing not less than 10% of the total perimeter of the other building;

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

**ACTIVITIES DESIGNATED AS FARM USE** means those permitted uses as listed in Part 2 Section 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;

**AGRICULTURAL LAND COMMISSION (ALC)** means the governing body assigned to administer regulations and policies relating to the preservation and enhancement of designated *Agricultural Land Reserve (ALR)* land areas for the Province pursuant to the *Agricultural Land Commission Act*;

**AGRICULTURAL LAND RESERVE (ALR)** means agricultural land designated as an agricultural land reserve under the *Agricultural Land Commission Act*;

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

**ARTISAN CRAFTS PRODUCTION AND SALES** means the production or manufacturing of products by skilled craft workers, usually by hand, for retail sale;

**ASPHALT AND CONCRETE MANUFACTURING** means a plant used for the manufacturing of asphalt, black top or concrete;

**AUTO WRECKING** means the dismantling and storage of vehicles and their parts, usually in order to reclaim or resell the parts or for the collection of scrap metal;

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

**BREWERIES AND DISTILLERIES** means the use of land, buildings or structures for brewing or distilling of alcoholic beverages or alcoholic products with alcoholic content exceeding 1% by volume. This production must be licensed by the *Liquor Control and Licensing Act*. The public tasting and retail sale of alcoholic product is limited to that which is produced on site.

**BUILDING** means any structure used or intended for supporting or sheltering any use or occupancy, and includes a manufactured home, but does not include a recreational vehicle, tent or park model recreational unit;

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

**CABIN** means one (1) self-contained or non self-contained building or structure no larger than 90 square metres intended for the purposes of temporary or seasonal residential purposes or temporary lodging for tourists and visitors;

**CAMPGROUND** means a lot used or intended to be used for *temporary* accommodation of persons in recreational vehicles or tents, but excludes a manufactured home park (as defined by this Bylaw); campgrounds may offer central washrooms or full or partial hook ups, in addition to common amenity areas and facilities, such as: a sani-dump, showers, laundry facilities, playgrounds, picnic and day use areas, recreational trails, swimming pools, recreational facilities, boat launch, retail stores or other similar uses; where *temporary* means no more than 30 consecutive days not to exceed six (6) months in a calendar year;

**CAR WASH** means a structure with specialized equipment intended for the washing of vehicles;

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

**COMMUNITY CARE FACILITY** means any facility licensed by the provincial government as a community care facility or social care facility;

**COMMUNITY GARDEN** means the use of land for horticultural purposes that is collectively developed, cultivated, gardened, and maintained by a group of people using either individual plots or shared plots for the production of fruit, vegetables or ornamentals;

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

**COMMUNITY MARKET** means the use of land for the purposes of a group of stalls or booths intended to be used by farmers, artisans or other vendors to sell their products directly to customers on a permanent or temporary basis;

**COMMUNITY WASTEWATER SYSTEM** means a system for the collection, treatment and disposal of sanitary waste, which serves two (2) or more lots and is operated under the *Public Health Act* or the *Environmental Management Act*;

**COMMUNITY WATER SYSTEM** means a system of waterworks approved under the *Drinking Water Protection Act*, which operated under the jurisdiction of the Province;

**CONCESSION** means a snack kiosk, mobile food truck or snack bar where food and beverages are sold in conjunction with a community venue or event;



**DAY CARE FACILITY** means a building licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the *School Act* is provided for any portion of the day to seven (7) or more children under six (6) years of age not forming part of the operator's family. Care of less than seven (7) children under six (6) years of age is considered under home based business regulations;

**DECOMMISSION** means the decommissioning of a dwelling where required and verified by the RDCK building authority and includes removal of the following: all kitchen facilities; including cabinets, counter tops, sinks and associated plumbing; all kitchen appliances, including stoves, fan hoods, microwaves and hot plates; all 220 volt electrical connections for the kitchen; all laundry facilities and associated plumbing; and all bathroom fixtures including toilets, bathtub/shower facilities and associated plumbing;

**DWELLING, ACCESSORY** means a dwelling unit, either detached or attached, which is permitted as an accessory use in conjunction with a principal use. The accessory dwelling is a complete living unit and includes a private kitchen and bath. Common accessory dwellings include, but are not limited to: secondary suites, cottages, carriage houses and garage suites;

**DWELLING, MULTI-FAMILY** means a detached building, used exclusively for residential purposes, consisting of three (3) or more dwelling units, either with private individual access or common access intended to be used as a residence by three (3) or more families living independently of each other;

**DWELLING, ONE FAMILY** means a detached building used exclusively for residential purposes, consisting of one dwelling unit used or intended to be used as the residence of one (1) family;

**DWELLING, TWO FAMILY** means a detached building used exclusively for residential purposes, as a duplex or dwelling separated by a common wall or floor where one unit may be a secondary suite intended to be used as a residence by two (2) families living independently of each other;

**DWELLING UNIT** means a suite operated as a housekeeping unit, used or intended to be used by one or more persons and usually containing cooking, eating, living, sleeping and sanitary facilities; and includes: manufactured homes, mobile homes, tiny homes, shipping containers, suites and any other structures to be used as a *dwelling unit*;

**EATING AND DRINKING ESTABLISHMENT** means the use of land, buildings or structures where prepared foods and beverages are offered for sale to the public for consumption within the premises or off the lot, such as neighborhood pubs, licensed restaurants, lounges, cafes, delicatessens, tea rooms, dining rooms, drive in food services, refreshment stands and take out restaurants, and mobile catering food services;

**EDUCATIONAL FACILITIES** means building(s) including residences, structures and grounds associated with the operation of a school, college, university or training centre;

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

**FARM** means an area of land, which may include more than one lot, and its buildings used for farm products and which is classified as a “farm” under the *Assessment Act*;

**FARM BUILDINGS AND STRUCTURES** means a building or part thereof that does not contain a residential occupancy and that is associated with and located on land devoted to the practice of farming, and is used essentially for the housing of equipment or livestock, or the production, storage and processing of agricultural and horticultural produce or feeds;

**FARM ANIMALS** means horses, cattle, sheep, goats, swine, fur-bearing animals, poultry and rabbits;

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

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

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

**FARM PRODUCT** means a commodity that is produced from a farm operation;

**FOOD AND BEVERAGE PROCESSING** means the use of land, buildings or structures for the processing, warehousing, and distribution of food and beverage products, but excludes the processing of livestock, fish, poultry and other farm animals;

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

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

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

**HEALTH SERVICES** means the provision of physical and mental health services on an outpatient basis. Typical uses include, but are not limited to, medical and dental offices, chiropractic offices, health clinics and mental health counselling services;

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

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

**HOME BASED BUSINESS** means an occupation, business or professional practice which is accessory to the residential use of a property;

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

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

**INTERPRETIVE FACILITIES** means the use of land for the purposes of providing interpretation of a place of interest through a variety of media, such as displays and exhibitions of material;

**JUNK YARD** means the collection or accumulation of rubbish, garbage, bottles, broken glass or other discarded materials or unwholesome materials or ashes on real property, except:

1. where the owner of the real property holds a valid permit respecting those items under the *Waste Management Act*; or
2. the outside storage or accumulation on real property of any building material, whether new or used, where there is no apparent or real construction occurring on the real property for which the materials are required; or
3. the outside storage or accumulation on real property of any goods or merchandise which is offered or intended to be offered for sale, unless that real property is used solely for the wholesale or retail sale of those goods or merchandise;

**KENNEL** means the use of land, buildings or structures where four (4) or more dogs over the age of six (6) months of age are housed, maintained and occasionally bred for commercial, hobby or not-for-profit purposes;

**KITCHEN** means facilities intended to be used for the preparation or cooking of food, and includes any room or portion of a room containing cooking appliances including: stoves, ovens, microwaves, hot plates and other cooking appliances. Plumbing, wiring or provision for a stove or oven constitutes the existence of such appliances;

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

**LAUNDROMAT** means a commercial establishment with self service operated washing and drying machines;

**LIGHT MANUFACTURING** is intended to provide for processing, service, storage, wholesale, and distribution operations with all operations contained within an enclosed building with some limited outside operations and storage;

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

**LIQUOR STORE** means a retail store licensed under the *Liquor Control and Licensing Act* for the sale of beer, wine, or other alcoholic beverages;

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

**MANUFACTURED HOME** means a transportable, single or multiple section, one storey dwelling constructed to the *Canadian Standards Association* (CSA) Z240 MH construction standard, ready for completion of set up in accordance with the manufacturer's instructions;

**MANUFACTURED HOME PARK** means land used or occupied for the accommodation of three (3) or more manufactured homes and for imposing a charge or rental for the use of that space;

**MINIMUM SITE AREA** means the minimum area of a lot or part thereof sufficient to satisfy the provisions of each principal permitted use as set out in the applicable zone;

**MIXED USE DEVELOPMENT** means the use of a building or buildings on a lot involving more than one (1) permitted use as defined in the appropriate zone, subject to meeting the minimum lot size requirements as set out in the applicable zone;

**MUSEUM** means the use of land, buildings or structures in which objects of historical, scientific, artistic, or cultural interest are stored and exhibited;

**NATURE SANCTUARY** means a reserved area in which plants, birds, and other animals, are protected from hunting or disturbance;

**OFFICE** means a place where a particular kind of business is transacted or a service is supplied, such as:

1. a place in which the functions of a public officer are performed;
2. the directing headquarters of a business or organization; or
3. the place in which a professional person conducts business

**OUTDOOR RECREATIONAL ACTIVITIES** means development that provides facilities for use by the public at large for sports and active recreation conducted outdoors;

**PARK** means a facility specifically designed for passive or active recreation including playgrounds, playing fields, walkways, trails, band shells, green space, buffers, nature interpretation areas and similar land uses, facilities, buildings and structures consistent with the purpose of such park land;

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

**PLACE OF WORSHIP OR CONGREGATION** means land, buildings or structures used for religious worship, which is maintained and controlled by a religious body organized to sustain public worship;

**PORTABLE SAWMILL** means the use of land for the purposes of mobile equipment for the milling of lumber;

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

**RABBIT** means any member of the long eared, short tailed, burrowing animals of the family *Leporidae* normally raised for food, fur production, hobby or for the purposes of breeding;

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

**RECREATIONAL VEHICLE** means a vehicle, trailer, or constructed dwelling on a trailer, that is constructed or equipped to be used as temporary accommodation for recreational purposes; where *temporary* means no more than 30 consecutive days not to exceed six (6) months in a calendar year; not requiring a continuous connection to sanitary, water and electrical services; either designed to be towed behind a motor vehicle or self propelled, and includes such vehicles commonly known as travel trailers, fifth wheels, campers, motor homes, park models or other similar vehicles;

**RECYCLING DEPOT** means a facility designed for the purposes of collecting and temporarily storing recyclable materials;

**REPAIR SHOP** means a shop in which household items or other small motors or electronic devices may be repaired, but specifically excludes vehicle and equipment repair;

**RESOURCE BASED ACTIVITIES** means activities related to forest harvesting and management, natural resource extraction and processing;

**RESOURCE EXTRACTION** means the quarrying, sorting, screening, removal and off-lot sale of sand, gravel, earth or mineralized rock found on or under a lot and includes quarries, gravel pits, and stripping of top soil but does not include resource processing of any other materials on site;

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

**RETAIL STORE** means a place of business in which merchandise or goods are sold directly to the public;

**SECONDARY SUITE** means a dwelling unit having a total floor space of not more than 90 square metres in area or 40% of the habitable floor space of the building, located within a building of residential occupancy and containing only one other dwelling unit located in any part of a building which is a single real estate entity;

**SERVICE STATION** means the use of land, buildings or structures for the retail sale of motor fuels and lubricants and may include automobile diagnostic centres and the servicing or repair of motor vehicles;

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

**SHIPPING CONTAINER** means a non-combustible, portable unit designed and fabricated for the storage or intermodal transporting of goods, and includes cargo containers, but specifically excludes dumpsters and recycling receptacles intended for waste collection;

**SIGN** means a free standing or projecting structure designed to be used for the purposes of displaying information including the advertising for a business on-lot and includes a sign board;

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

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

**SMALL SCALE WOOD PRODUCT MANUFACTURING** means the processing and manufacturing of value added wood products; including but not limited to doors, mill work, cabinetry, veneers, furniture and specialty wood products;

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

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

**TOURIST ACCOMMODATION** means land, buildings or structures containing sleeping units each with an exterior or interior entrance and designed to provide temporary accommodation for the travelling public. Tourist accommodation may include cabins, hotels, motels and lodges;

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

**VACATION RENTAL** means the use of a self contained dwelling unit for the purposes of providing temporary accommodation for the travelling public in which a proprietor does not reside;

**VEHICLE** means any motor vehicle as defined under the *Motor Vehicle Act*;

**VEHICLE REPAIR SHOP** means a use which provides for the servicing and mechanical repair of automobiles, motorcycles, snowmobiles and similar vehicles or the sale, installation or servicing of related accessories and parts. Typical uses include, but are not limited to, transmission shops, muffler shops, body shops, and tire shops;

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

**WAREHOUSING** means a commercial building used for the storage of goods or materials;

**WASTE MANAGEMENT FACILITIES** means facilities used for the purposes of managing and disposition of waste, including the collection, recovery, transport, treatment and disposal of waste, refuse, compost and recycling;

**WOOD PRODUCT MANUFACTURING** means land, buildings or structures used for the purposes of a sawmill, planer mill, lumber remanufacturing, log storage yards, shake mills, particle board plants and hard board plants;

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

## 19.0 GENERAL REGULATIONS

### General Compliance and Prohibitions

1. No person shall use, occupy or permit any person to use or occupy land, a building or a structure in contravention of this Bylaw.
2. Nothing contained in this Bylaw shall relieve any person from the responsibility to seek and comply with other legislation applicable to that use, activity or other matters regulated under this Bylaw.
3. Use of land, buildings or structures permitted in each zone shall conform to all other applicable regulations under this Bylaw.
4. No building or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged:
  - a. except in conformity with this Bylaw; or
  - b. that would cause any existing building or structure on the same lot to violate the provisions of this Bylaw.
5. No subdivision may be approved:
  - a. except in conformity with this Bylaw; or
  - b. that would cause any existing building or structure to violate the provisions of this Bylaw.

### Permitted and Prohibited Uses

6. No land, building or structure may be used for a use not specifically listed under the heading 'Principal Uses' or 'Accessory Uses' in the zone in which the land, building or structure is located, and no building or structure may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged for any use other than specifically permitted in the applicable zone.
7. A use listed under 'Accessory Uses' is only permitted if a use under 'Principal Uses' is lawfully established and on-going.
8. A use is only permitted if lawfully established and on-going in accordance with:
  - a. any applicable conditions identified in each zone or the definitions; and
  - b. any further general regulations applicable to the use as identified in this Bylaw.
9. No lot may be used as a junkyard, auto wrecking yard or for the outdoor storage of more than two (2) wrecked vehicles on any R1 or R2 zoned lot or more than six (6) wrecked vehicles on any R3, R4 and AG zoned lot. Storage of wrecked vehicles on PR and ER zoned properties is prohibited.
10. The following uses shall be permitted in all zones, in accordance with any conditions noted in this section or otherwise in the applicable zone:



- a. parks, playgrounds, and trails;
  - b. fire halls; and
  - c. unattended public utility buildings and structures.
11. There shall be no minimum site area for parks, playgrounds and trails, fire halls, and unattended public utility buildings and structures.
  12. The minimum site area for a lot subdivided under Section 514 of the Local Government Act shall be the minimum lot area of the zone in which the lot is located unless otherwise stated.
  13. Lots that are shown on a plan duly filed in the Land Title Office prior to the adoption of this Bylaw and any previous applicable land use bylaw which have less than the minimum site area required, may be used for any permitted use in the zone where the lot is located provided that the method by which sewage is to be disposed of complies with local health authority requirements and provided that all other requirements applicable to the zone can be met.
  14. No newly created lot shall be bisected by a legally dedicated road.

#### **Density Regulations**

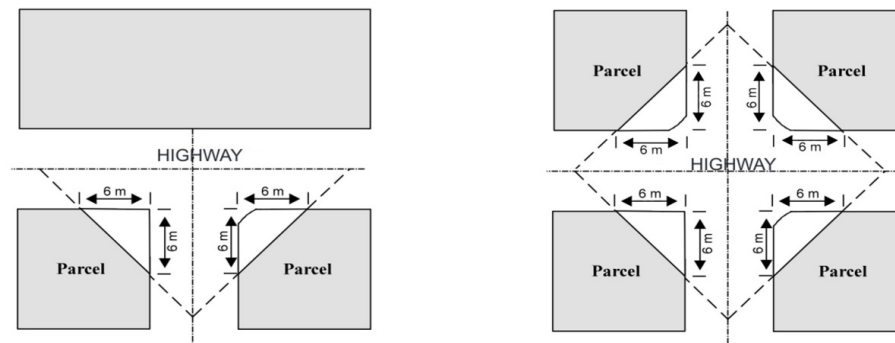
15. Where two or more contiguous lots registered prior to adoption of this Bylaw have less than the minimum site area required by this Bylaw, the lots may be consolidated into fewer lots than existed at the time of application as long as no new lot created is smaller than any previously existing lot.
16. Where it is not possible to create a lot that has the minimum site area required for a zone, the minimum site area requirement will be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:
  - a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
  - b. a lot that, at the time of adoption of this Bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
  - c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this Bylaw and any previous applicable land use bylaw.
17. The minimum site area for a lot created under Section 16 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.
18. Where a dwelling has been constructed across a legal property line prior to the adoption of this Bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in site area.

19. Where a zone includes provisions for maximum floor area or gross floor area of all buildings, including accessory buildings, on the lot divided by the total area of the lot must not exceed the ratio identified for the zone in which the lot is located.
20. Where a zone includes provisions for minimum site area for each 'Principal Use', no lot may be used for more than one principal use unless the lot contains the applicable minimum site area specified within the zone times the number of 'Principal Uses'.
21. Where a zone includes provisions for maximum site coverage, the lot coverage of all buildings and structures on the lot must not exceed the percentage specified for the zone in which the lot is located.
22. Where more than one of the above density provisions applies to any given lot, the most restrictive governs but all remain applicable.

#### **Setbacks and Siting**

23. Where a zone includes provisions for minimum setbacks, no building or structure may be placed, constructed, sunk into, erected, sited, altered or enlarged closer to the lot line than the distance specified for the zone in which the building or structure is located, and further:
  - a. setbacks may vary according to any combination of use, building, structure or location within a zone or adjacent zone; and
  - b. any portion of a building or structure located below finished grade is subject to all setbacks for the zone in which the building or structure is located.
24. Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
25. Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, and flagpoles up to ten (10) metres in height, may be sited on any portion of a lot.
26. Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as required elsewhere in this Bylaw may be reduced by not more than 0.6 metre providing such reduction shall apply only to the projecting feature.
27. Where steps, eaves, sunlight control projections, canopies, balconies, or porches project beyond the face of a building, the minimum distance to an abutting front lot line as permitted elsewhere in this Bylaw may be reduced by not more than 1.2 metres and the minimum distance to an abutting lot line or rear lot line as required elsewhere in this Bylaw may be reduced by not more than 0.6 metre provided such reduction shall apply only to the projecting feature.

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



**SIGHT TRIANGLE (Figure 1)**

#### **Landscape Screening**

29. Landscape screens not exceeding a height of one (1) metre may be sited on any portion of a lot; whereas fences not exceeding a height of two (2) metres may be sited only on the rear lot line or along exterior lot lines for properties zoned R1, R2, R3, R4, C1, C2 and CS. These height restrictions do not apply to fencing within property lines used for the purposes of restricting access to areas used for horticulture or keeping of farm animals provided all other provisions are met.
30. Any off-street parking area, exterior display area or loading area on a lot used for industrial purposes on lands designated as M1, M2, M3 and Q shall:
- be provided with screening in the form of a fence not less than 1.5 metre in height or by a hedge not less than 1.5 metre in height at the time of planting where adjacent to a lot in any residential zone; and
  - be separated from any directly abutting lot in any residential zone and from any adjoining highway other than a lane, by a fully and suitably landscaped and properly maintained strip not less than 1.5 metres in width.
31. Where any lot is used for industrial purposes, any part of such lot that is not used for buildings, exterior display areas, parking or loading facilities shall be maintained as a landscaped area or as undisturbed forest.

32. Where any off-street parking area for four (4) or more vehicles is located within 4.5 metres of a front or exterior side lot line, it shall be screened by an evergreen hedge not less than 1.5 metre in height at the time of planting. The minimum width of soil area for the hedge shall be 0.75 metres. The hedge shall be planted one (1) metre from curbs or wheel stops.
33. The design, installation and maintenance of any landscaping area or screen should be in conformity with the current specifications of the British Columbia Landscape Standard prepared by the B.C. Society of Landscape Architects and the B.C. Nursery Trades Association. These standards do not apply where endemic, native plantings are used for landscaping.

#### **Accessory Dwelling**

34. Subject to approval from the local health authority for sewage disposal and water supply, one (1) accessory dwelling per lot is permitted as an accessory use subject to the following:
  - a. the minimum site area for the accessory dwelling shall be the same as for a two-family dwelling, depending on the level of servicing, and can be either attached or detached from the principal dwelling;
  - b. the maximum gross floor area is limited to 90 square metres; and
  - c. the accessory dwelling shall not be a recreational vehicle or other vehicle.
35. One (1) additional off street parking space must be provided for an accessory dwelling.

#### **Building New Residence While Occupying Existing Residence**

36. In circumstances in which no further dwellings are permitted on a lot, an existing dwelling may be resided in during the construction of a new dwelling, provided that the following requirements are met:
  - a. within a six (6) month period following construction of the new dwelling and the issuance of an occupancy permit for the new dwelling being issued, the existing dwelling is removed or decommissioned; and
  - b. a covenant under Section 219 of the Land Title Act must be registered in the Land Title Office in favor of the Regional District of Central Kootenay stipulating that the initial dwelling will not be used for residential purposes and that any other use must be in accordance with this Bylaw.

#### **Home Based Businesses**

37. A home based business, where permitted, must comply with all of the following provisions:

- a. the activity shall be conducted in a dwelling unit or accessory building;
- b. the site area devoted to the home based business, inclusive of external storage of materials, equipment or finished products shall not exceed:
  - i. 100 square metres on any R1 and AG zoned lot; and
  - ii. 200 square metres on any R2, R3 and R4 zoned lot.
- c. no more than four (4) persons who are not a resident of the dwelling may be employed in the home based business;
- d. no change is made in the external appearance of the building which would indicate that a home based business is being conducted except for one un-illuminated sign not exceeding one (1) square metre in size;
- e. external storage of materials, equipment or finished products shall be screened from view from adjacent properties and road right-of-ways;
- f. no dwelling unit or accessory building used for a home based business involving automotive mechanical or body repairs, electronic repairs, wood working, or iron working may be located within 15 metres of a lot line; and
- g. the maximum number of vehicles permitted for repair on any lot at any one time shall be limited to two (2) for lots zoned R1; and six (6) for lots zoned R2, R3, R4 and AG.

#### **Accessory Tourist Accommodation**

38. Accessory Tourist Accommodation operations, where permitted, must comply with all of the following provisions:
- a. operations shall be confined to the principal dwelling or to an accessory dwelling;
  - b. the proprietor must reside in the principal dwelling;
  - c. no more than four (4) persons who are not a resident of the dwelling may be employed in the accessory tourist accommodation;
  - d. no change is made in the external appearance of the building(s), which indicates an accessory tourist accommodation operation is being conducted on the premises, except for one un-illuminated sign not exceeding one (1) square metre in size; and
  - e. no more than four (4) sleeping rooms with a maximum of ten (10) lodgers may be used for the accessory tourist accommodation.

#### **Accessory Camping Accommodation**

39. Accessory Camping Accommodation operations, where permitted, must comply with all of the following provisions:

- a. accessory camping accommodation shall be permitted on any lots zoned R2, R3 or R4;
- b. accessory camping accommodation on lands within an AG zone are restricted to lots with an agricultural tax assessment from the British Columbia Assessment Authority and where such operations are restricted to less than 5% of the total lot area, inclusive of buildings, landscaping and parking;
- c. accessory camping accommodation shall be limited to a maximum of six (6) campsites;
- d. accessory camping accommodation shall only be permitted on lots 1.0 hectares or larger;
- e. subject to the requirements of the local health authority, accessory camping accommodation shall be required to provide washroom facilities, and may offer full or partial hook-ups, laundry facilities, and other similar facilities; and
- f. accessory camping accommodation shall not include recreation centres, marinas, boat launches, retail stores and other similar facilities.

#### **Recreation Vehicles**

- 40. A recreational vehicle may be parked or stored on a property to a maximum of two (2) vehicles.
- 41. A recreational vehicle may be used as temporary living or sleeping quarters but can not be connected to services associated with the principal or an accessory dwelling.
- 42. A recreational vehicle may be used to provide temporary accommodation on a property during construction of a principal or accessory dwelling on a lot, provided that:
  - a. a building permit has been issued for the principal or accessory dwelling and the dwelling is under construction; and
  - b. the occupancy of the recreational vehicle shall not continue beyond commencement of occupancy of the permanent dwelling.

#### **Parking Space Requirements**

- 43. Off-street parking spaces for each building and use shall be provided in accordance with the following:
  - a. provincial standards for required parking spaces will apply when dealing with matters that are within its jurisdiction, such as highway access permits; and
  - b. local government standards will apply with respect to the location, design and construction of the parking spaces.
- 44. Off-street parking and loading spaces must be located on the same lot as the use they serve unless a suitably zoned lot is located within 100 metres of the lot.

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

#### **Off-Street Parking Space Standards**

46. Off-street parking spaces shall:
- a. be a minimum of 17 square metres and shall have at all times convenient vehicular access to a public thoroughfare;
  - b. each parking space shall have a length of not less than 5.8 metres and a width of not less than 2.6 metres; and
  - c. where a parking space is adjacent to a wall along its side, the width of the parking space shall be increased by 0.6 metres from the minimum required.
47. Where off-street parking is required by this Bylaw and where access for a person with disabilities is required, parking space(s) will be provided in accordance with the British Columbia Building Code.
48. No more than one (1) vehicle with a gross vehicle weight in excess of 4000 kg will be permitted on lots zoned R1, R2, C1, C2, CS, PR and ER with the exception of:
- a. vehicles that are required for construction, repair, servicing or maintenance of a premises which may be on the lot during daylight hours; or
  - b. farm vehicles.

#### **Off-Street Parking and Loading Facilities**

49. Off-street loading facilities shall be one (1) space for the first 1,200 m<sup>2</sup> of gross floor area or fraction thereof, plus an additional space for each additional 2,000 m<sup>2</sup> of gross floor area or fraction thereof.
50. Off-street loading facilities shall:
- a. be provided entirely within the lot of the development being served and shall be subject to all setback requirements specified elsewhere in this Bylaw;
  - b. shall be oriented away from residential developments;
  - c. shall be of adequate size and accessibility to accommodate the vehicles expected to load and unload;
  - d. each loading space shall have a minimum of three (3) metres in width, a minimum of nine (9) metres in length and maintain overhead clearance of four

(4) metres, unless larger dimensions are required, having regard to the type of vehicle loading and unloading;

- e. not project into any highway or laneway;
- f. have unobstructed vehicular access to a highway or laneway; and
- g. have a durable dust free surface.

51. Off-Street parking and loading space requirements will be calculated as follows:

Category	Type of Uses	Parking Spaces
<b>Residential</b>	Dwelling (one family)	2 spaces per dwelling unit
	Dwelling (two-family)	2 spaces per dwelling unit
	Dwelling (multi-family)	1.5 spaces per dwelling unit
	Dwelling (accessory)	1 space per dwelling unit
	Accessory Tourist Accommodation	1 space per guest room
	Accessory Camping Accommodation	1 space per campsite
	Home-based Business	2 spaces per home-based business
<b>Commercial</b>	All uses in a C1 and C2 zone (except as listed below)	4 spaces per 100 m <sup>2</sup> of GFA
	Campground	2 spaces per campsite
	Eating and Drinking Establishment, Breweries and Distilleries	1 space per 4 seats or 10 spaces per 100 m <sup>2</sup>
	Eating and Drinking Establishment (Drive-in only)	10 spaces
	Hotels/Motels/Lodges	1 space per guest room plus 1 space per 5 seats in any eating and drinking establishments associated with the facility
	Tourist Attraction	1 per 4 persons capacity
	Gasoline Station, Auto Repair Shop, Auto-body Shop, Car Wash	2 spaces per gasoline pump, 2 spaces per service bay and 2 spaces per 100 m <sup>2</sup> or GFA. Minimum of five (5) spaces.
<b>Industrial</b>	All uses in an M or Q zone, except as listed below	1.5 spaces per 100 m <sup>2</sup> of GFA, 1 space/employee plus one space for every commercially licensed vehicle for that address
	Truck Repair Shop, Bulk Fuel Depot, Gasoline Key Lock	1 space per 420 m <sup>2</sup> of operation area and off street loading



Category	Type of Uses	Parking Spaces
	Truck Terminal, Freight Station	2 spaces and off street loading
<b>Community Services</b>	All uses in a CS zone	1 space per 5 seats of capacity or 10 per 100 m <sup>2</sup> of floor area used for patrons, whichever is greater

### Keeping of Farm Animals

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

<u>Sheep</u>	<u>A.U.</u>	<u>Swine</u>	<u>A.U.</u>
ewe	.14	sow	.33
yearling ewe	.10	boar-young (18-90 kg)	.20
lamb ewe	.07	boar-mature	.33
ram	.14	gilt	.33
yearling ram	.10	bred gilt	.33
lamb ram	.07	weaner (less than 18 kg)	.10
nursing lamb	.05	feeder (18-91 kg)	.20
feeder lamb	.10	suckling pig	.01
breeding lamb	.10		
<u>Cattle</u>	<u>A.U.</u>	<u>Poultry</u>	<u>A.U.</u>
cow & calf	1.00	chickens	.015
2 yr. old	1.00	turkeys, raised	.0125
yearling	.67	turkeys, breeding stock	.02
calf	.25	geese	.02
bull	1.00	ducks	.015
<u>Horses</u>	<u>A.U.</u>	<u>Other</u>	<u>A.U.</u>
horse	1.00	goats	.14
colts 1-2 years	.50	rabbit	.025
colts, under 1 yr.	.25	mink	.025

53. Where the keeping of farm animals are permitted, the following provisions are required to be complied with:
- On lots less than 0.4 hectares (1.0 acres), the total number of farm animals and poultry shall not exceed 0.5 animal units. For example, where a lot is smaller than 0.4 hectares (1 acre) in area, a maximum of 33 chickens could be kept (0.5 A.U. divided by 0.015 A.U. per chicken = 33.33 chickens). No roosters will be permitted on lots less than 0.4 hectares (1.0 acres).
  - On lots greater than 0.4 hectares (1.0 acre), the total number of farm animals and poultry shall not exceed two animal units per hectare. For example, where a two hectare lot exists, 6 yearling cattle could be housed (.67 A.U. times 2 hectares times 2 A.U. per hectare = 5.97 yearlings).

- c. No building, structure or enclosure used for housing more than 0.5 animal units shall be located within 4.5 metres (15 feet) of a lot line.
- d. No drinking or feeding troughs or manure piles may be located within 4.5 metres (15 feet) of a lot line.

**Zone Boundaries**

- 54. The extent of each zone is shown on Schedule 'B.5' – Zoning Map, which is incorporated in and forms part of this Bylaw.
- 55. Where the zone boundary is designated as following a road allowance, creek or other body of water, the property line adjacent to a road allowance or the natural boundary of the creek or body of water shall be considered the zone boundary.

**20.0 TOWN-SITE RESIDENTIAL****R1**

<b>PERMITTED USES TABLE FOR R1 ZONE</b>	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Dwelling, Multi-Family Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Home-based Business Horticulture Keeping of Farm Animals

<b>DEVELOPMENT REGULATIONS TABLE FOR R1 ZONE</b>		
2	Minimum site area for each Principal Use: Community Water System and Community Wastewater System Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System Individual Water Source and On-site Wastewater Disposal	0.1 hectares 0.2 hectares 1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 6.0 metres
9	Minimum lot area for subdivision: Community Water System and Community Wastewater System Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System Individual Water Source and On-site Wastewater Disposal	0.1 hectares 0.2 hectares 1.0 hectares

**21.0 COUNTRY RESIDENTIAL****R2**

<b>PERMITTED USES TABLE FOR R2 ZONE</b>	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Accessory Uses Accessory Building or Structures Accessory Dwellings <i>with the exception of Hall Siding</i> Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals

<b>DEVELOPMENT REGULATIONS TABLE FOR R2 ZONE</b>		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
8	Maximum building height:	
	Principal buildings	10.0 metres
	Accessory buildings and structures	6.0 metres
9	Minimum lot area for subdivision	1.0 hectares

**22.0 RURAL RESIDENTIAL****R3**

<b>PERMITTED USES TABLE FOR R3 ZONE</b>	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Horticulture Portable Sawmill Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age) Small Scale Wood Product Manufacturing

<b>DEVELOPMENT REGULATIONS TABLE FOR R3 ZONE</b>		
2	Minimum lot area for each Principal Use	2.0 hectares
3	Minimum lot area for Accessory Kennel Operations	4.0 hectares
4	Minimum front setback	4.5 metres
5	Minimum exterior side setback	4.5 metres
6	Minimum interior side setback	2.5 metres
7	Minimum rear setback	2.5 metres
8	Maximum lot coverage	35 percent
9	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 6.0 metres
10	Minimum setback for kennel operations (enclosures)	30.0 metres from any property line
11	Minimum setback for portable sawmills	30.0 metres from any property line
12	Minimum setback for unenclosed small scale wood product manufacturing Minimum setback for enclosed small scale wood product manufacturing	30.0 metres from any property line 15.0 metres from any property line
13	Minimum lot area for subdivision	2.0 hectares
14	Minimum lot area for subdivision ( <i>site specific</i> ) for portion of <i>Subsidy Lot 43 DL 1242 KD Plan NEPX59 Exc. Plans 16532 and 18785 (PID 012-953-385)</i>	1.0 hectares

**23.0 REMOTE RESIDENTIAL****R4**

<b>PERMITTED USES TABLE FOR R4 ZONE</b>	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Horticulture Portable Sawmill Accessory Uses Accessory Building or Structures Accessory Dwellings Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Keeping of Farm Animals Kennels (maximum ten (10) dogs over 1 year of age) Small Scale Wood Product Manufacturing

<b>DEVELOPMENT REGULATIONS TABLE FOR R4 ZONE</b>		
2	Minimum lot area for each Principal Use	4.0 hectares
3	Minimum lot area for Accessory Kennel Operations	4.0 hectares
4	Minimum front setback	4.5 metres
5	Minimum exterior side setback	4.5 metres
6	Minimum interior side setback	2.5 metres
7	Minimum rear setback	2.5 metres
8	Maximum lot coverage	35 percent
9	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 6.0 metres
10	Minimum setback for kennel operations (enclosures)	30.0 metres from any property line
11	Minimum setback for portable sawmills	30.0 metres from any property line
12	Minimum setback for unenclosed small scale wood product manufacturing Minimum setback for enclosed small scale wood product manufacturing	30.0 metres from any property line 15.0 metres from any property line
13	Minimum lot area for subdivision	4.0 hectares

**24.0 MULTI UNIT RESIDENTIAL****R5**

PERMITTED USES TABLE FOR R5 ZONE		
1	Principal Uses Dwelling, Multi-Family Manufactured Home Park Accessory Uses Accessory Building or Structures Home-based Business Horticulture	
DEVELOPMENT REGULATIONS TABLE FOR R5 ZONE		
2	Minimum site area for Dwelling, Multi-Family: Community Water System and Community Wastewater System Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System Individual Water Source and On-site Wastewater Disposal Minimum site area for Manufactured Home Park	0.1 hectares  0.2 hectares  1.0 hectares  0.8 hectares
DEVELOPMENT REGULATIONS FOR DWELLING, MULTI-FAMILY		
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 6.0 metres
DEVELOPMENT REGULATIONS FOR MANUFACTURED HOME PARK		
9	Manufactured Home Parks shall comply with all applicable regulations in any applicable Manufactured Home Park Bylaw adopted by the RDCK Board	
10	Minimum lot area for subdivision: Community Water System and Community Wastewater System Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System Individual Water Source and On-site Wastewater Disposal	0.1 hectares  0.2 hectares  1.0 hectares

**25.0 GENERAL COMMERCIAL****C1**

<b>PERMITTED USES TABLE FOR C1 ZONE</b>	
1	Principal Uses Artisan Crafts Production and Sales Breweries and Distilleries Community Market Day Care Facility Eating and Drinking Establishment Farmer's Market Food and Beverage Processing Golf Course Group Care Facilities Laundromat Liquor Store Mixed Use Development Offices Personal Service Establishment Repair Shop Retail Store Service Station Veterinary Clinic Accessory Uses Accessory Building or Structures

<b>DEVELOPMENT REGULATIONS TABLE FOR C1 ZONE</b>		
2	Minimum lot area for each Principal Use: Community Water System and Community Wastewater System Community Water System and On-site Wastewater Disposal and/or Individual Water Source and On-lot Wastewater Disposal Individual Water Source and On-site Wastewater Disposal	0.1 hectares 0.4 hectares 1.0 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 6.0 metres



9	Minimum lot area for subdivision:	
	Community Water System and Community Wastewater System	0.1 hectares
	Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System	0.2 hectares
	Individual Water Source and On-site Wastewater Disposal	1.0 hectares

## 26.0 TOURIST COMMERCIAL

**C2**

PERMITTED USES TABLE FOR C2 ZONE	
1	<p>Principal Uses</p> <ul style="list-style-type: none"> <li>Artisan Craft Production and Sales</li> <li>Breweries and Distilleries</li> <li>Campground</li> <li>Commercial Back Country Recreation</li> <li>Dwellings, Multi-Family</li> <li>Eating and Drinking Establishment</li> <li>Golf Course</li> <li>Tourist Accommodation</li> <li>Interpretive Facilities</li> <li>Mixed Use Development</li> <li>Museum</li> <li>Outdoor Recreational Activities</li> <li>Resort</li> <li>Vacation Rental</li> </ul> <p>Accessory Uses to 'Tourist Accommodation' and 'Campgrounds'</p> <ul style="list-style-type: none"> <li>Retail Store</li> <li>Laundromat</li> <li>Liquor Store</li> <li>Personal Service Establishment</li> </ul> <p>Accessory Uses</p> <ul style="list-style-type: none"> <li>Accessory Building or Structures</li> <li>Accessory Dwelling</li> </ul>

<b>DEVELOPMENT REGULATIONS TABLE FOR C2 ZONE</b>		
<b>2</b>	Minimum lot area for each Principal Use:	
	Community Water System and Community Wastewater System	
	Tourist Accommodation, Resort	
	First sleeping room	0.2 hectares
	Each additional sleeping room	200 square metres
	Other permitted uses	0.2 hectares
	Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System	
	Tourist Accommodation, Resort	
	First sleeping room	0.4 hectares
	Each additional sleeping room	400 square metres
	Other permitted uses	0.4 hectares
	On-site Water Source and On-site Wastewater	

	Disposal	
	Tourist Accommodation, Resort	
	First sleeping room	1.0 hectares
	Each additional sleeping room	600 square metres
	Other permitted uses	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	Maximum building height:	
	Principal buildings	10.0 metres
	Accessory buildings and structures	6.0 metres
9	Minimum lot area for subdivision:	
	Community Water System and Community Wastewater System	0.1 hectares
	Community Water System and On-site Wastewater Disposal	0.2 hectares
	Individual Water Source and Community Wastewater System	0.2 hectares
	Individual Water Source and On-site Wastewater Disposal	1.0 hectares

**27.0 LIGHT INDUSTRIAL****M1**

<b>PERMITTED USES TABLE FOR M1 ZONE</b>	
1	Principal Uses Breweries and Distilleries Car Wash Food and Beverage Processing Licensed Medical Marihuana Production Facility Licensed Medical Marihuana Research and Development Facility Light Manufacturing Recycling Depot Repair Shop Service Station Small Scale Wood Product Manufacturing Storage Yard Vehicle and Equipment Repair Shop Warehousing Accessory Uses Accessory Building or Structures Accessory Dwelling

<b>DEVELOPMENT REGULATIONS TABLE FOR M1 ZONE</b>		
2	Minimum lot area for each Principal Use	1.0 hectare
3	Minimum front setback	15.0 metres
4	Minimum exterior side setback	15.0 metres
5	Minimum interior side setback	4.5 metres
6	Minimum rear setback	4.5 metres
7	Minimum rear or interior lot line setback that abuts an agricultural or residential zone	25.0 metres
8	Maximum lot coverage	50 percent
9	Maximum building height:	
	Principal buildings	15.0 metres
	Accessory buildings and structures	6.0 metres
10	Minimum lot area for subdivision	1.0 hectare

**28.0 MEDIUM INDUSTRIAL****M2**

<b>PERMITTED USES TABLE FOR M2 ZONE</b>	
1	Principal Uses All uses permitted in the Light Industrial (M1) zone Wood Product Manufacturing Accessory Uses Accessory Building or Structures Accessory Dwelling

<b>DEVELOPMENT REGULATIONS TABLE FOR M2 ZONE</b>		
2	Minimum lot area for each Principal Use	2.0 hectare
3	Minimum front setback	15.0 metres
4	Minimum exterior side setback	15.0 metres
5	Minimum interior side setback	4.5 metres
6	Minimum rear setback	4.5 metres
7	Minimum rear or interior lot line setback that abuts an agricultural or residential zone	25.0 metres
8	Maximum lot coverage for building and structures Maximum lot coverage for outside storage of materials	50 percent 75 percent
9	Maximum building height: Principal buildings Accessory buildings and structures	15.0 metres 6.0 metres
10	Minimum lot area for subdivision	2.0 hectare

**29.0 HEAVY INDUSTRIAL****M3**

<b>PERMITTED USES TABLE FOR M3 ZONE</b>	
1	Principal Uses All uses permitted in the M1 and M2 zones Asphalt and Concrete Manufacturing Auto Wrecking Junk Yard Waste Management Facilities Accessory Uses Accessory Building or Structures Accessory Dwelling

<b>DEVELOPMENT REGULATIONS TABLE FOR M3 ZONE</b>		
2	Minimum lot area for each Principal Use	2.0 hectares
3	Minimum front setback	15.0 metres
4	Minimum exterior side setback	15.0 metres
5	Minimum interior side setback	4.5 metres
6	Minimum rear setback	4.5 metres
7	Minimum rear or interior lot line setback that abuts an agricultural or residential zone	25.0 metres
8	Minimum setback from all property lines for equipment and/or machinery that grades, washes, or crushes primary mineral resources, concrete batch plants or asphalt processing	75.0 metres
9	Maximum lot coverage for building and structures	50 percent
	Maximum lot coverage for outside storage of materials	75 percent
10	Maximum building height:	
	Principal buildings	15.0 metres
	Accessory buildings and structures	6.0 metres
11	Minimum lot area for subdivision	2.0 hectares

**30.0 COMMUNITY SERVICE****CS**

<b>PERMITTED USES TABLE FOR CS ZONE</b>	
1	Principal Uses
	Community Care Facility
	Community Garden
	Community Hall
	Community Market
	Day Care Facility
	Educational Facilities
	Farmer's Market
	Group Care Facilities
	Health Services
	Offices
	Place of Worship or Congregation
	Accessory Uses
	Accessory Building or Structures

<b>DEVELOPMENT REGULATIONS TABLE FOR CS ZONE</b>		
2	Minimum lot area for each Principal Use:	
	Community Water System and Community Wastewater System	0.1 hectares
	Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System	0.2 hectares
	Individual Water Source and On-site Wastewater Disposal	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	Maximum building height:	
	Principal buildings	10.0 metres
	Accessory buildings and structures	6.0 metres
9	Minimum lot area for subdivision	
	Community Water System and Community Wastewater System	0.1 hectares
	Community Water System and On-site Wastewater Disposal and/or Individual Water Source and Community Wastewater System	0.2 hectares
	Individual Water Source and On-site Wastewater	1.0 hectares

**31.0 AGRICULTURE****AG**

<b>PERMITTED USES TABLE FOR AG ZONE</b>	
1	<p>Principal Uses</p> <p>Agriculture, Farm Buildings and Structures</p> <p>Abattoir</p> <p>Dwelling, One Family</p> <p>Dwelling, Two Family</p> <p>Farm Use (as defined in the Agricultural Land Commission Act and Part 2 Section 2 of the Agricultural Land Reserve Use, Subdivision and Procedures Regulation)</p> <p>Accessory Uses</p> <p>Accessory Building or Structures</p> <p>Accessory Dwellings (as defined in the <i>Agricultural Land Commission Act</i> and the <i>Agricultural Land Reserve Use, Subdivision and Procedures Regulation</i>)</p> <p>Accessory Manufactured Home (<i>for the use of an immediate family member</i>)</p> <p>Accessory Secondary Suites</p> <p>Accessory Tourist Accommodation</p> <p>Accessory Camping Accommodation</p> <p>Home Based Business</p> <p>Secondary Dwellings (<i>subject to a lot being at least 50 hectares</i>)</p> <p>Non-Farm Uses (as defined in the <i>Agricultural Land Commission Act</i> and the <i>Agricultural Land Reserve Use, Subdivision and Procedures Regulation</i>)</p>

<b>DEVELOPMENT REGULATIONS TABLE FOR AG ZONE</b>		
2	Minimum lot area for each Non-Farm Use	4 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent 60 percent if area is covered in greenhouses only
8	Maximum building height: Principal buildings Accessory buildings and structures	15.0 metres 6.0 metres
9	Minimum setback for kennel operations (enclosures)	30.0 metres from any property line
10	Minimum setback for portable saw mills	30.0 metres from any property line
11	Minimum lot area for subdivision	4 hectares



**32.0 PARKS AND RECREATION****PR**

<b>PERMITTED USES TABLE FOR PR ZONE</b>	
1	Principal Uses
	Campground
	Community Garden
	Community Market
	Community Wharves and Boat Launches
	Farmer's Market
	Nature Sanctuary
	Accessory Uses
	Concessions
	Interpretative Facilities
	Washroom Facilities

<b>DEVELOPMENT REGULATIONS TABLE FOR PR ZONE</b>		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
9	Minimum lot area for subdivision	1.0 hectares

**33.0 PUBLIC UTILITY****U**

<b>PERMITTED USES TABLE FOR U ZONE</b>	
1	Principal Uses Community Water System Community Wastewater System Unattended Public Utilities Attended Public Utilities Accessory Uses Accessory Building or Structures

<b>DEVELOPMENT REGULATIONS TABLE FOR U ZONE</b>		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
9	Minimum lot area for subdivision	1.0 hectares

**34.0 QUARRY****Q**

<b>PERMITTED USES TABLE FOR Q ZONE</b>	
1	Principal Uses
	Asphalt and Concrete Manufacturing
	Resource Based Activities
	Resource Processing
	Storage Yard
	Accessory Uses
	Accessory Building or Structures
	Accessory Dwelling

<b>DEVELOPMENT REGULATIONS TABLE FOR Q ZONE</b>		
2	Minimum lot area for each Principal Use	5.0 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Minimum setback from all property lines for resource processing	100.0 metres
8	Minimum lot area for subdivision	5.0 hectares

**35.0 ENVIRONMENTAL RESERVE****ER**

<b>PERMITTED USES TABLE FOR ER ZONE</b>	
1	Principal Uses Nature Sanctuary Accessory Uses Interpretative Facilities Washroom Facilities

<b>DEVELOPMENT REGULATIONS TABLE FOR ER ZONE</b>		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Minimum lot area for subdivision	1.0 hectares

**36.0 RESOURCE AREA****RA**

<b>PERMITTED USES TABLE FOR RA ZONE</b>	
1	Principal Uses Agriculture Commercial Back Country Recreation Nature Sanctuary Resource Based Activities Resource Processing Accessory Uses Interpretative Facilities Washroom Facilities

<b>DEVELOPMENT REGULATIONS TABLE FOR RA ZONE</b>		
2	Minimum lot area for each Principal Use	15.0 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Minimum lot area for subdivision	15.0 hectares

**37.0 FOREST RESERVE****FR**

<b>PERMITTED USES TABLE FOR FR ZONE</b>	
1	Principal Uses Agriculture Commercial Back Country Recreation Nature Sanctuary Resource Based Activities Resource Processing Accessory Uses Interpretative Facilities Washroom Facilities

<b>DEVELOPMENT REGULATIONS TABLE FOR FR ZONE</b>		
2	Minimum lot area for each Principal Use	15.0 hectares
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Minimum lot area for subdivision	15.0 hectares



REGIONAL DISTRICT  
OF CENTRAL KOOTENAY

LEGEND

- Mapsheet Index
- Area G Boundary
- Roads
- Lot Lines
- Proposed Zoned Area

Map Projection:  
UTM Zone 11

Map Datum:  
NAD83

Date:  
2/22/2018

1:100,000

5 km

DATA SOURCES

The following sources of data are updated as changes occur:

Cadastral Lot - Surveyed lots/parcels of land;  
Sources: Crown Land Registry Services and RDCK

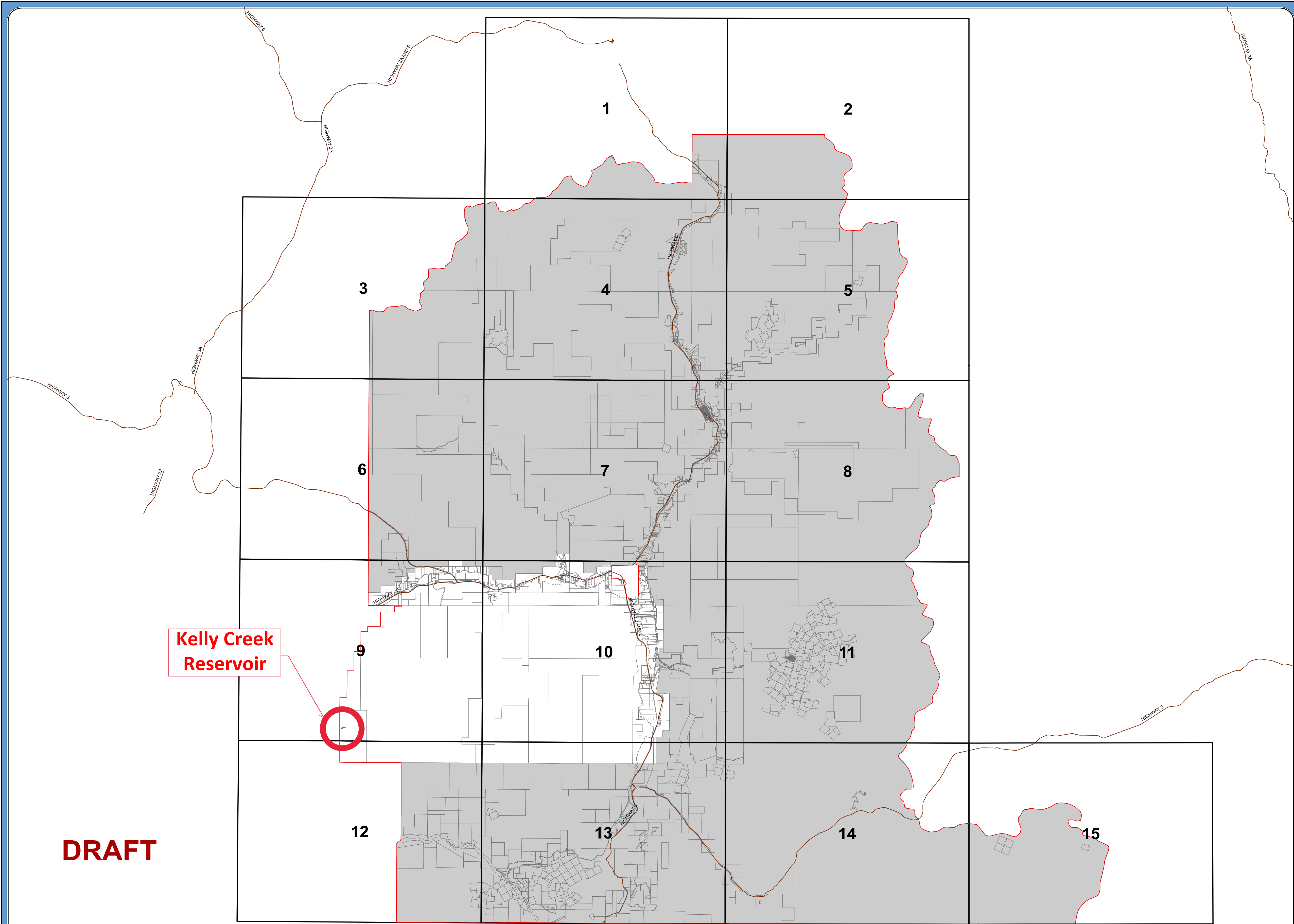
TRIM Data - Planimetry, Unsurveyed Roads, and Contours; Source: Ministry of Water, Land and Air Protection

Zoning - Rural Land Use, Land Use and Zoning Bylaws, where bylaws are in place; Source: RDCK

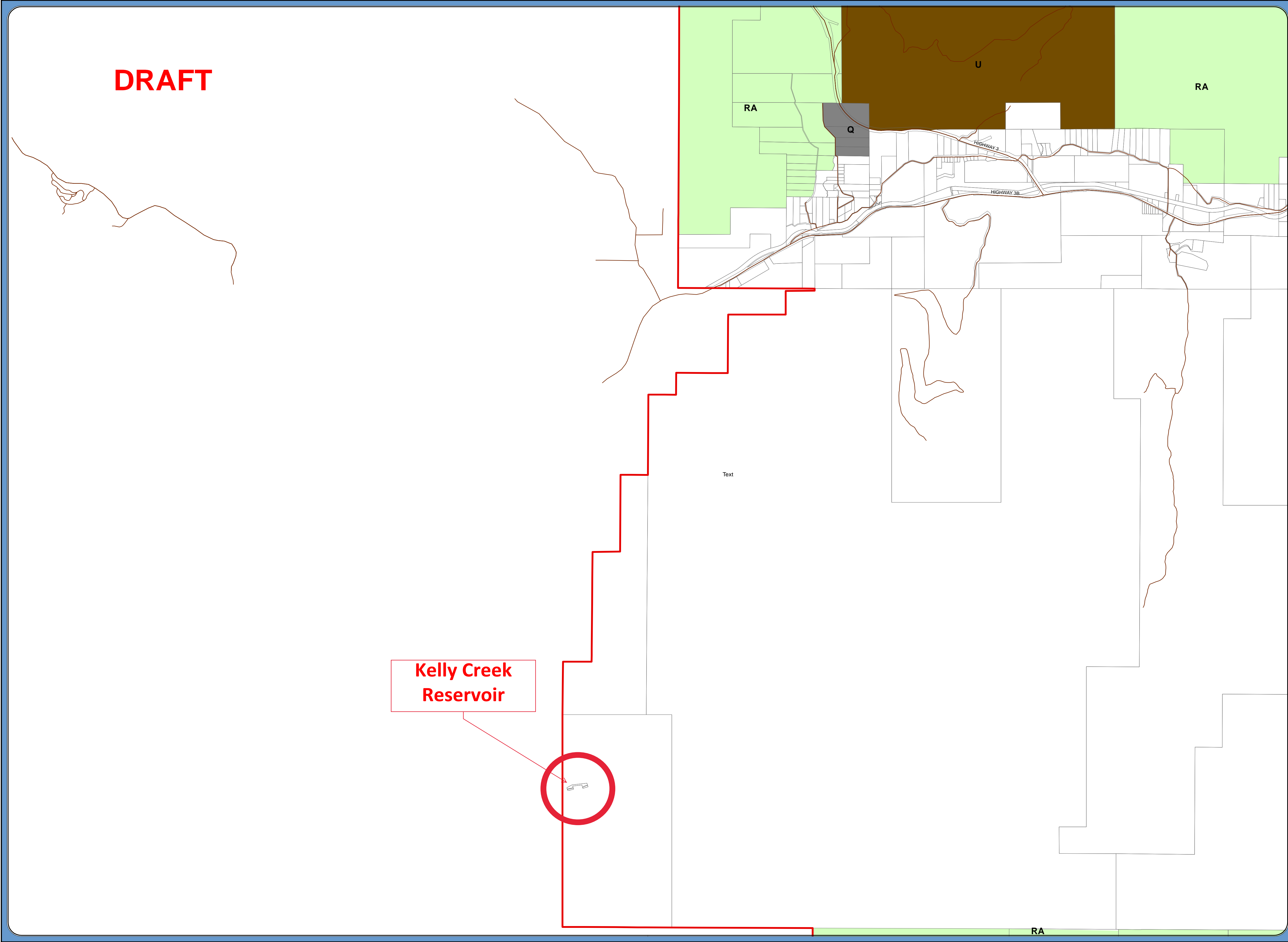
Roads - Road centerline compiled 2003; Source: RDCK

Regional District of Central Kootenay  
Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4  
Phone: (250) 352-6665  
Toll-Free 1-800-268-7325 (BC)  
Fax: (250) 352-9300 Internet: [www.rdck.bc.ca](http://www.rdck.bc.ca)

ZONING  
INDEX MAP



DRAFT



DRAFT



REGIONAL DISTRICT OF CENTRAL KOOTENAY

LEGEND

- Area G Boundary
- Roads
- Lot Lines

ZONING

- R1 - Townsite Residential
- R2 - Country Residential
- R3 - Rural Residential
- R4- Remote Residential
- C1 - General Commercial
- C2 - Tourist Commercial
- M1 - Light Industrial
- M2 - Medium Industrial
- M3 - Heavy Industrial
- AG - Agriculture
- CS - Community Services
- ER - Environmental Reserve
- PR - Parks and Recreation
- FR - Forest Reserve
- Q - Quarry
- RA - Resource Area
- U - Utility

Map Projection:  
UTM Zone 11

Map Datum:  
NAD83

Date:  
2/1/2018

1:24,430

1 Km

DATA SOURCES

The following sources of data are updated as changes occur:

Cadastral Lot - Surveyed lots/parcels of land; Sources: Crown Land Registry Services and RDCK

District Lot: Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCK

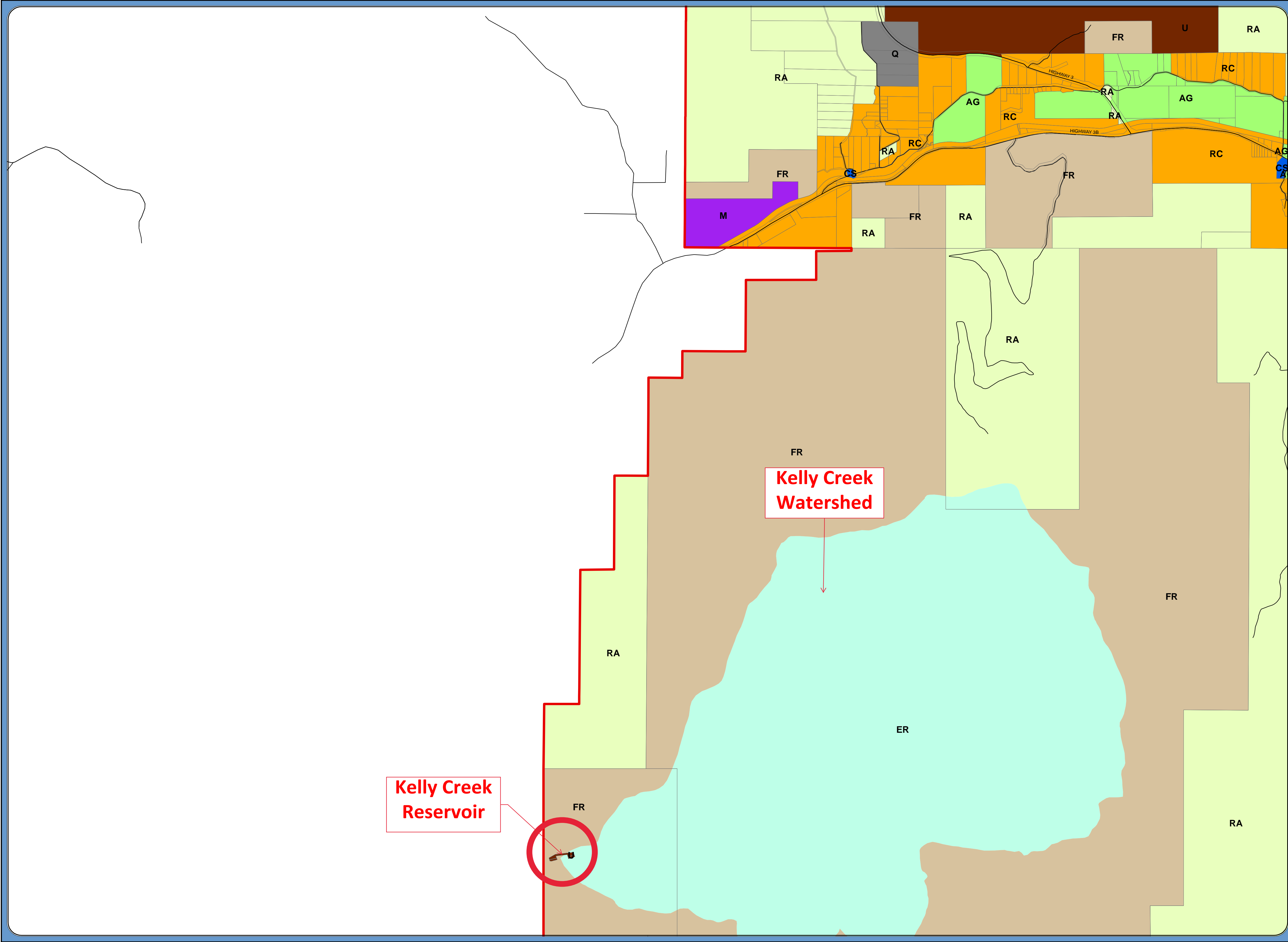
TRIM Data - Planimetry, Unsurveyed Roads, and Contours; Source: Ministry of Water, Land and Air Protection

Roads - Road centerline compiled 2003; Source: RDCK

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SCHEDULE B.1 ZONING MAP 9 OF 15





REGIONAL DISTRICT  
OF CENTRAL KOOTENAY

LEGEND

- Area G Boundary
- Roads
- Lot Lines
- OCP Designations**
  - RS-Suburban Residential
  - RC-Country Residential
  - RR-Rural Residential
  - GC-Commercial
  - TC-Tourist Commercial
  - M-Industrial
  - AG-Agricultural
  - CS-Community Services
  - ER-Environmental Reserve
  - FR-Forest Reserve
  - PR-Parks and Recreation
  - RA-Resource Area
  - U-Utilities
  - Q-Quarry

DATA SOURCES

The following sources of data are updated as changes occur:

Cadastral Lot - Surveyed lots/parcels of land;  
Sources: Crown Land Registry Services and RDCK

District Lot - Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCK

TRIM Data - Planimetry, Unsurveyed Roads, and Contours; Source: Ministry of Water, Land and Air Protection

Roads - Road centerline compiled 2003;  
Source: RDCK

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Fax: (250) 352-9300 Internet: www.rdck.bc.ca



Map Projection:  
UTM Zone 11

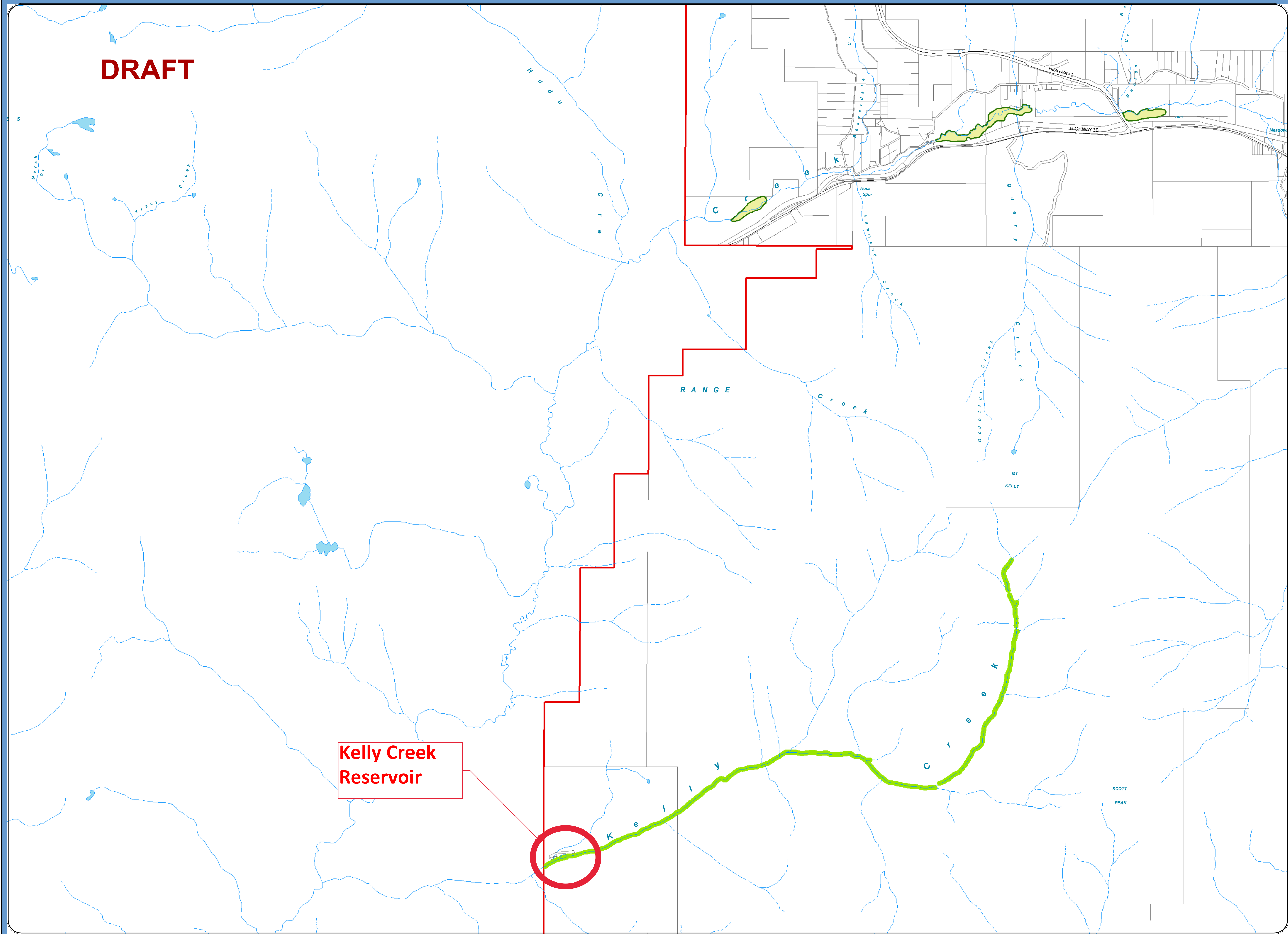
Map Datum:  
NAD83

Date:  
2/1/2018

1 Km

SCHEDULE A.1  
OFFICIAL COMMUNITY  
PLAN DESIGNATIONS

MAP 9 of 15



**REGIONAL DISTRICT  
OF CENTRAL KOOTENAY**

**LEGEND**

- Domestic Water Intakes
- Streams
- Lakes
- Wetlands
- WDPA 30m Buffer
- WDPA 15m Buffer
- Area G Boundary
- Roads
- Lot Lines



Map Projection:  
UTM Zone 11

Map Datum:  
NAD83

Date:  
3/6/2018

1:20,000

1 Km

**DATA SOURCES**

The following sources of data are updated as changes occur:

Cadastral Lot - Surveyed lots/parcels of land;  
Sources: Crown Land Registry Services and RDCK

District Lot; Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCK

TRIM Data - Planimetry, Unsurveyed Roads, and Contours; Source: Ministry of Water, Land and Air Protection

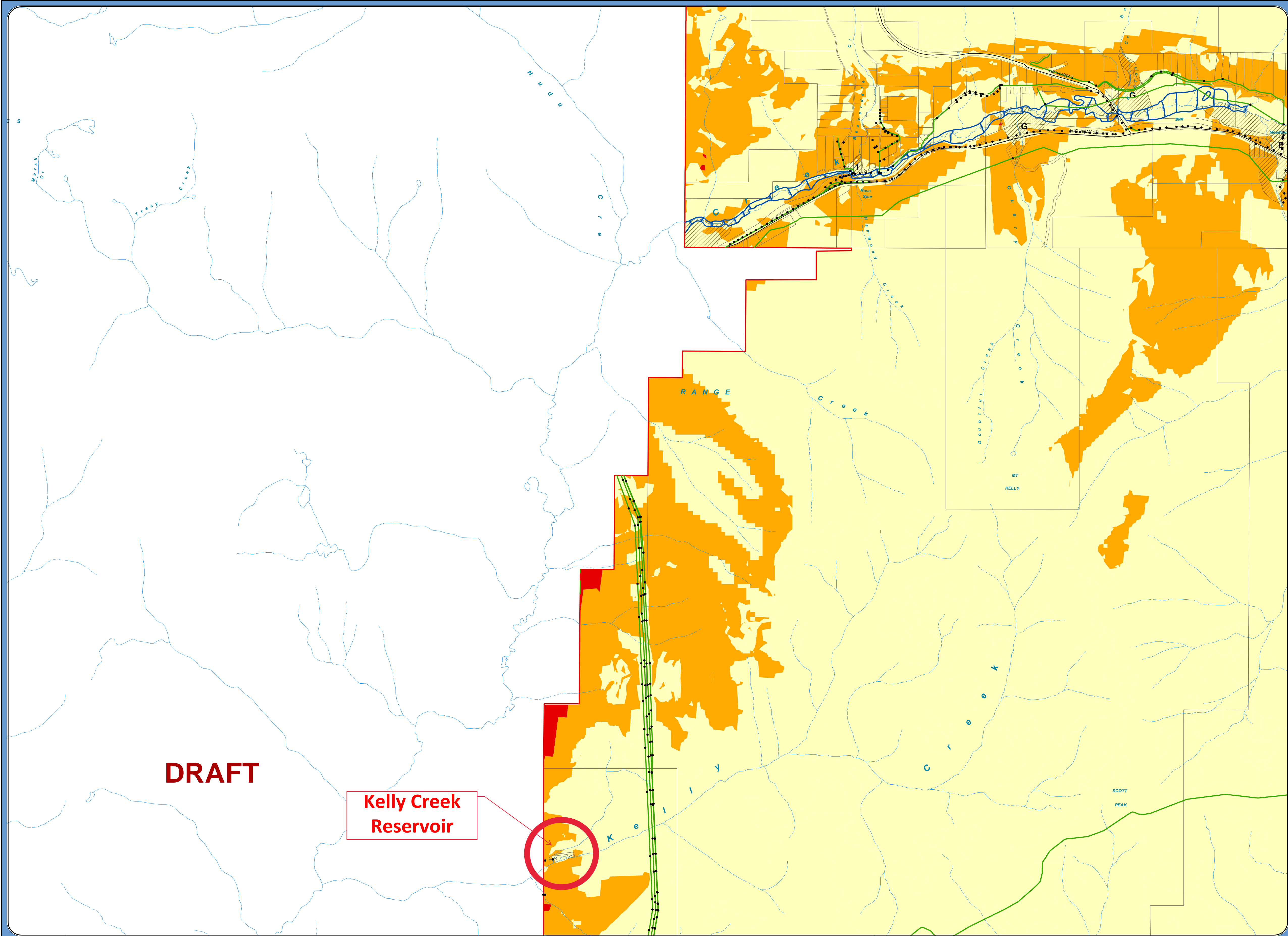
Roads - Road centerline compiled 2003;  
Source: RDCK

Regional District of Central Kootenay  
Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4  
Phone: (250) 352-6665  
Toll-Free 1-800-268-7325 (BC)  
Fax: (250) 352-9300 Internet: [www.rdcck.bc.ca](http://www.rdcck.bc.ca)

**SCHEDULE A.4  
WATERCOURSE DEVELOPMENT  
PERMIT AREA**

Map Page 9 of 15





**REGIONAL DISTRICT  
OF CENTRAL KOOTENAY**

**LEGEND**

- Critical Infrastructure Points
  - Ymir Water System Structures
  - Critical Infrastructure Lines
  - Ymir Water Main Line
  - Streams
  - Area G Boundary
  - Highways
  - Floodplain
  - ▨ NSFEA
  - Lot Lines
  - Salmo Sewage Treatment Plant
- Wildfire Risk Rating**
- High
  - Moderate
  - Low

Map Projection:  
UTM Zone 11

Map Datum:  
NAD83

Date:  
2/2/2018  
1:20,000

1 Km

**DATA SOURCES**

The following sources of data are updated as changes occur:

Cadastral Lot - Surveyed lots/parcels of land:  
Sources: Crown Land Registry Services and RDCK

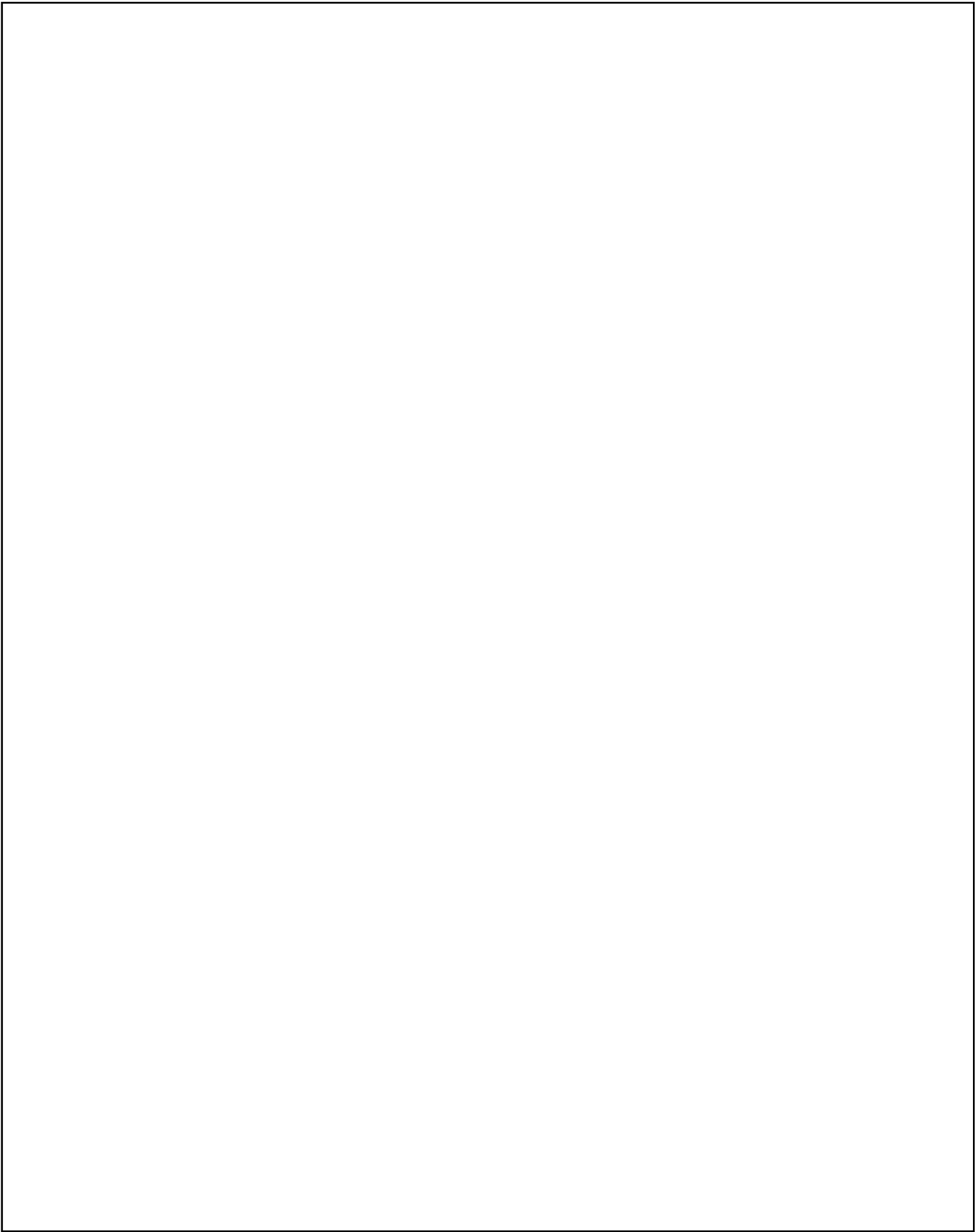
District Lot: Source: Crown Land Registry Services, Integrated Cadastral Initiative (ICI) and RDCK

TRIM Data - Planimetry, Unsurveyed Roads, and Contours: Source: Ministry of Water, Land and Air Protection

Roads - Road centerline compiled 2003:  
Source: RDCK

Regional District of Central Kootenay  
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Fax: (250) 352-9300 Internet: www.rdck.bc.ca

**SCHEDULE A.2  
HAZARDS  
MAP 15 of 15**





## ELECTORAL SERVICES (EAS) COMMITTEE STAFF REPORT

<b>Date:</b>	March 07, 2018	<b>File #:</b>	E-2704-06737.500
<b>To:</b>	Chair Worley and members of the EAS Committee		
<b>From:</b>	Ken Gobeil, Planner		
<b>RE:</b>	MoTI Subdivision Referral - Uphill		

### ISSUE INTRODUCTION

The RDKB has received a subdivision referral from the Ministry of Transportation and Infrastructure (MoTI) for a subdivision north of Rock Creek, Electoral Area 'E' / West Boundary (see Site Location Map; Subject Property Map; Applicant Submission).

### HISTORY / BACKGROUND INFORMATION

Property Information	
<b>Owner(s):</b>	Evelyn and Allan Uphill
<b>Location:</b>	2704 Nicholson Creek Road
<b>Electoral Area:</b>	Electoral Area 'E' / West Boundary
<b>Legal Description(s):</b>	Plan KAP1186 DL 2704, SDYD
<b>Area:</b>	36.4 hectares (90 acres)
<b>Current Use(s):</b>	Agriculture and Single family dwelling
Land Use Bylaws	
<b>OCP</b>	NA
<b>Zoning Bylaw</b>	NA
Other	
<b>ALR:</b>	Partial
<b>Waterfront / Floodplain</b>	Nicholson Creek

The subject property is north of Rock Creek along Nicholson Creek Road. A forest service road runs through the south end of the property. A portion of the subject property is within the Agricultural Land Reserve (ALR). There is an existing residence within the ALR portion of the property.

## PROPOSAL

The applicant proposes to subdivide approximately 10 hectares from the non-ALR portion of the property. (see Applicants' Submission).

## IMPLICATIONS

There are no land use bylaws within this portion of Electoral Area 'E'/West Boundary and, as such, no policies or documents can be referenced regarding the proposed parcel size. By subdividing the parcel into a 10 hectare parcel, the new parcel and remainder will be well over the 1 hectare minimum recommended by the Interior Health Authority for new parcels created by subdivision that are not connected to a community water system. Parkland dedication is not required for this subdivision.

Since the property is within the ALR, subdivisions, and interior parcel line adjustments must also meet the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*. Section 10 of the Regulation authorizes an approving officer (MoTI) to approve a plan if the proposed plan can achieve the following:

- a) consolidates 2 or more parcels into a single parcel by elimination of common lot lines;*
- b) resolves a building encroachment on a property line and creates no additional parcels;*
- c) involves not more than 4 parcels, each of which is a minimum of 1 ha, and results in all of the following:*
  - (i) no increase in the number of parcels;*
  - (ii) boundary adjustments that, in the opinion of the approving officer, will allow for the enhancement of the owner's overall farm or for the better utilization of farm buildings for farm purposes;*
  - (iii) no parcel in the reserve of less than 1 hectare;*
- d) establishes a legal boundary along the boundary of an agricultural land reserve.*

This proposed subdivision uses the ALR boundary, therefore section 10(d) of the Regulation will permit the subdivision without application to the Agricultural Land Commission (ALC).

Nicholson Creek and other tributaries flow through the subject property. Any new development near these waterways will need to comply with the RDKB Floodplain Bylaw.

## ADVISORY PLANNING COMMISSION (APC)

The Electoral Area 'E'/West Boundary APC discussed the subdivision on during their March 5, 2018. During the meeting, the APC supported the application due to the following:

- *The application appeared to be in line with existing legislation and ALR parameters and would have little to no negative impact on either the subject property or adjacent properties.*
- *Nicholson Creek is a very small creek for the segment located in the subject property and is contained in a well-defined channel hence no flood plain or flooding issues involved.*
- *The northern and very narrow NE portion of the lot provides a reasonable potential access route to Nicholson Creek road and also potential access for a power and/or phone line should these services ever become available to this property.*
- *An existing alternate Crown access road which extends into the southern portion of the area to be subdivided also provides public access to the property.*

## **PLANNING AND DEVELOPMENT COMMENTS**

Points raised by the APC to justify their decision for support are not applicable.

- While the APC does not foresee any flooding issues, the floodplain bylaw applies to and future construction and not subdivision.
- Road access is determined by the MoTI, and utility access by the specific utility provider, not the RDKB. If Electoral Area 'E'/West Boundary were to have land use bylaws and a subdivision servicing bylaw these concerns could be reviewed and considered by staff.

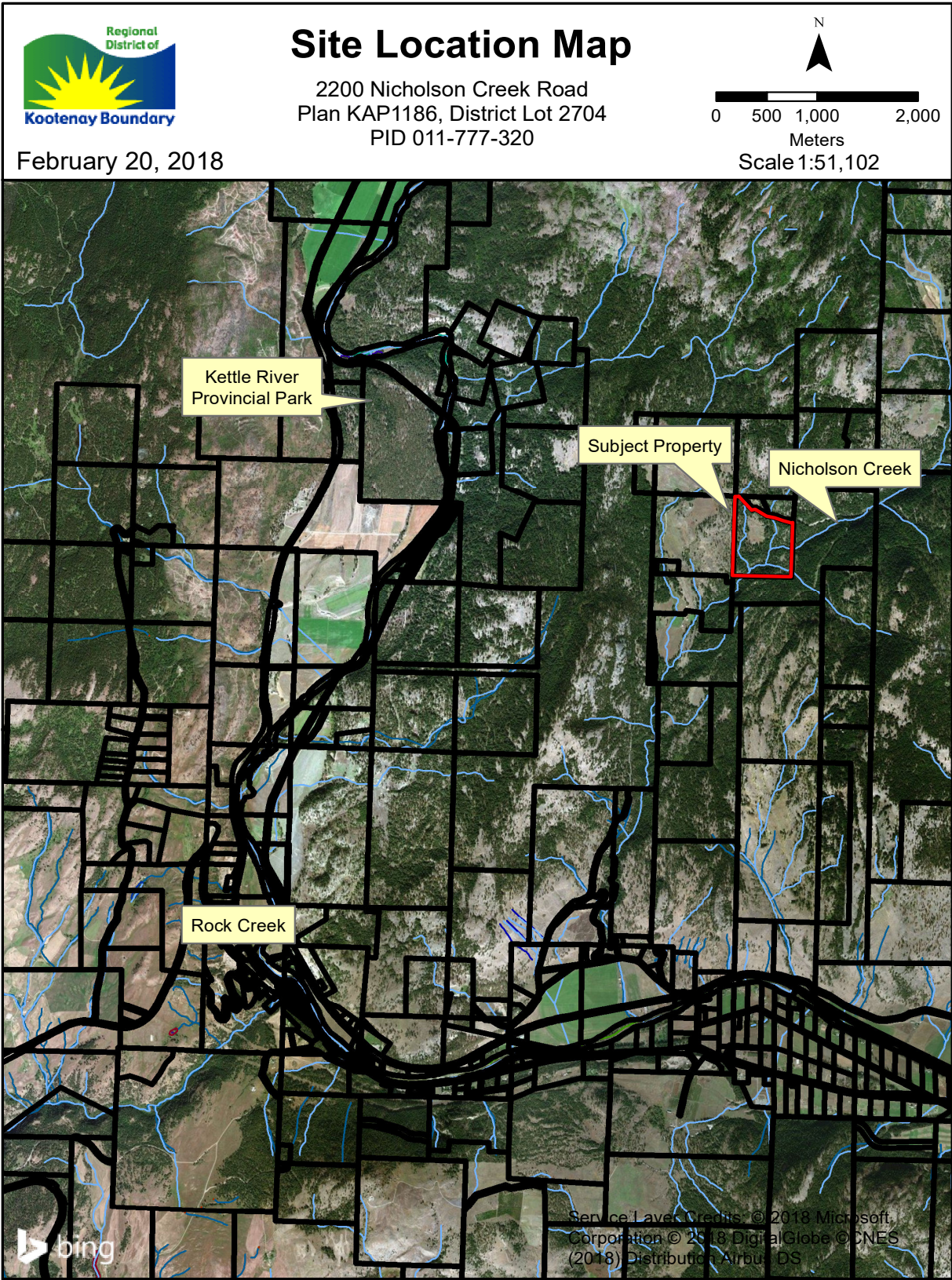
## **RECOMMENDATION**

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel described as Plan KAP1186 DL 2704, SDYD, Electoral Area 'E'/West Boundary, be received.

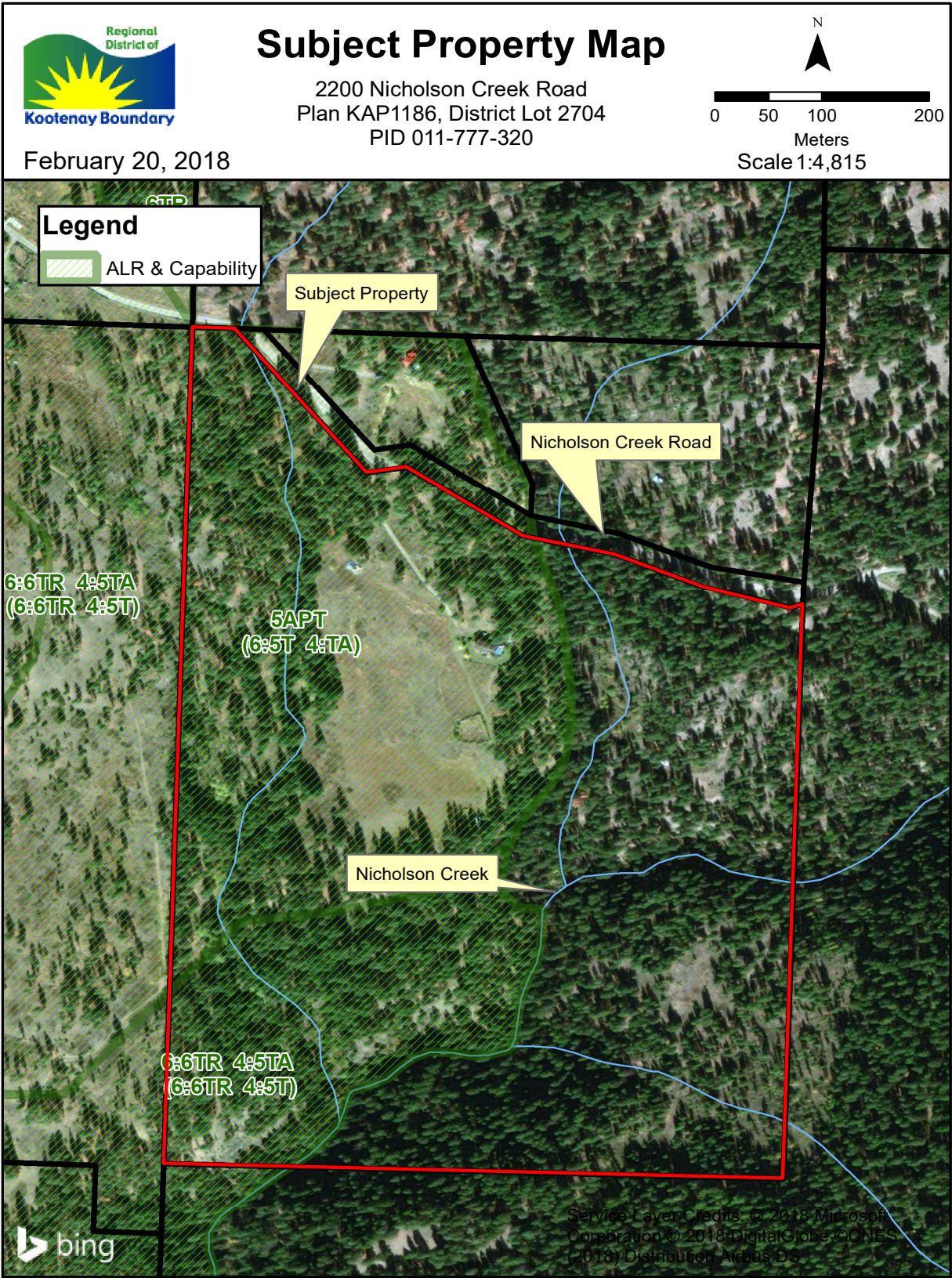
## **ATTACHMENTS**

*Site Location Map*  
*Subject Property Map*  
*Applicant Submission*

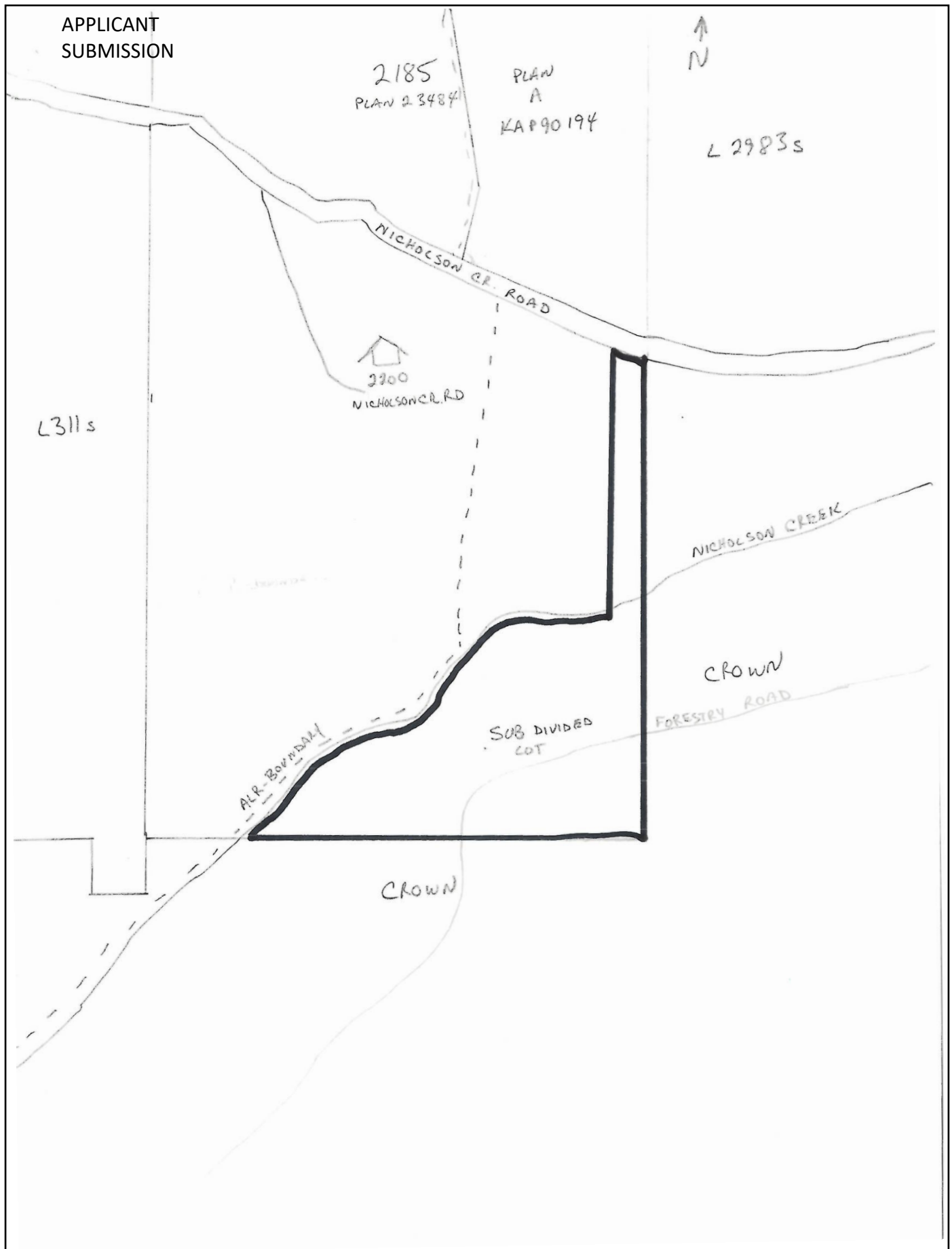








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APPLICANT  
SUBMISSION



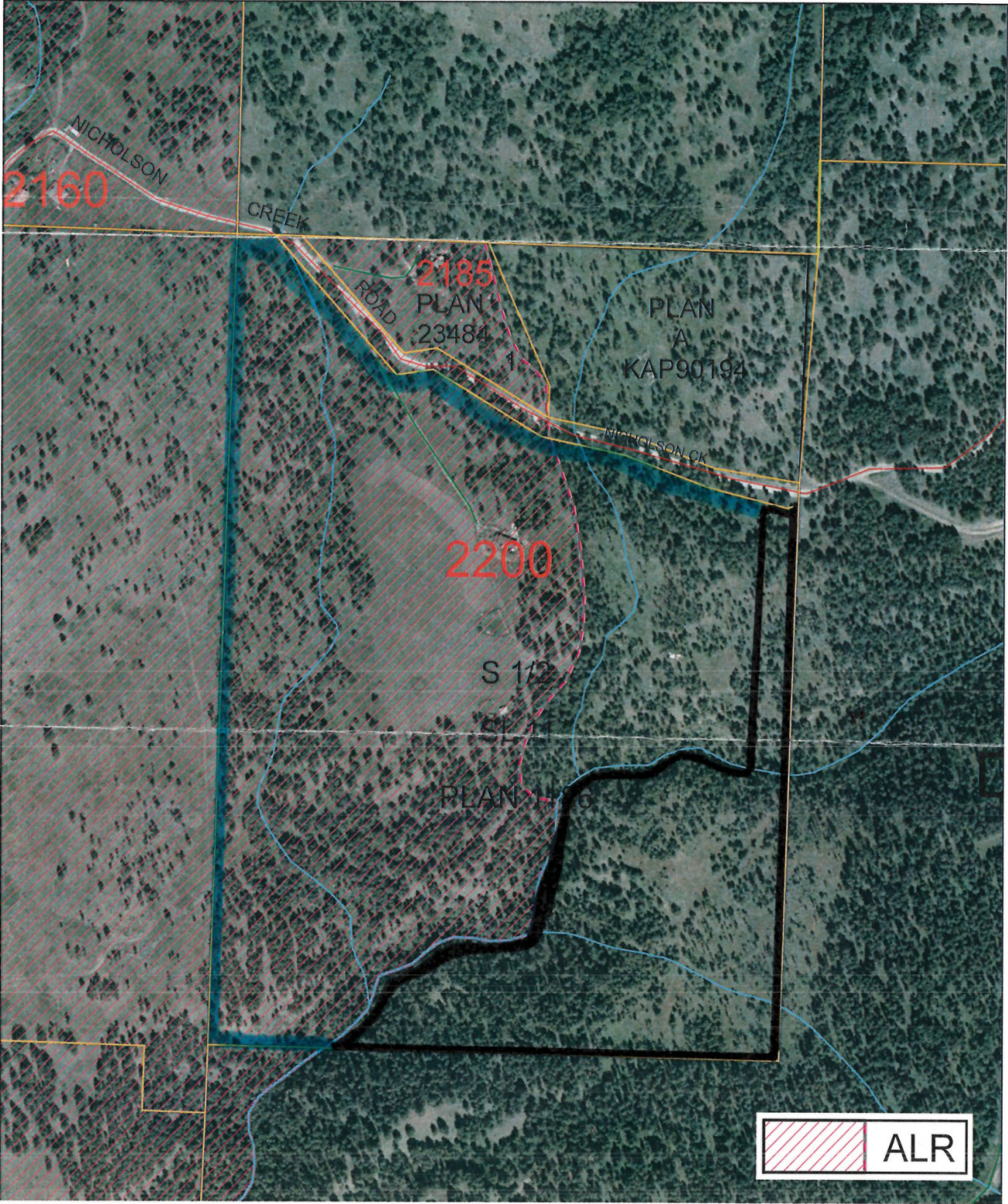
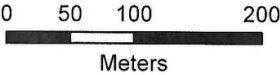
2200 NICHOLSON CREEK ROAD  
PLAN KAP1186, SUBLOT 11, DISTRICT LOT 2704,  
SIMIKAMEEN DIV. OF YALE LAND DISTRICT,  
PORTION S 1/2, EXCEPT PLAN 23484

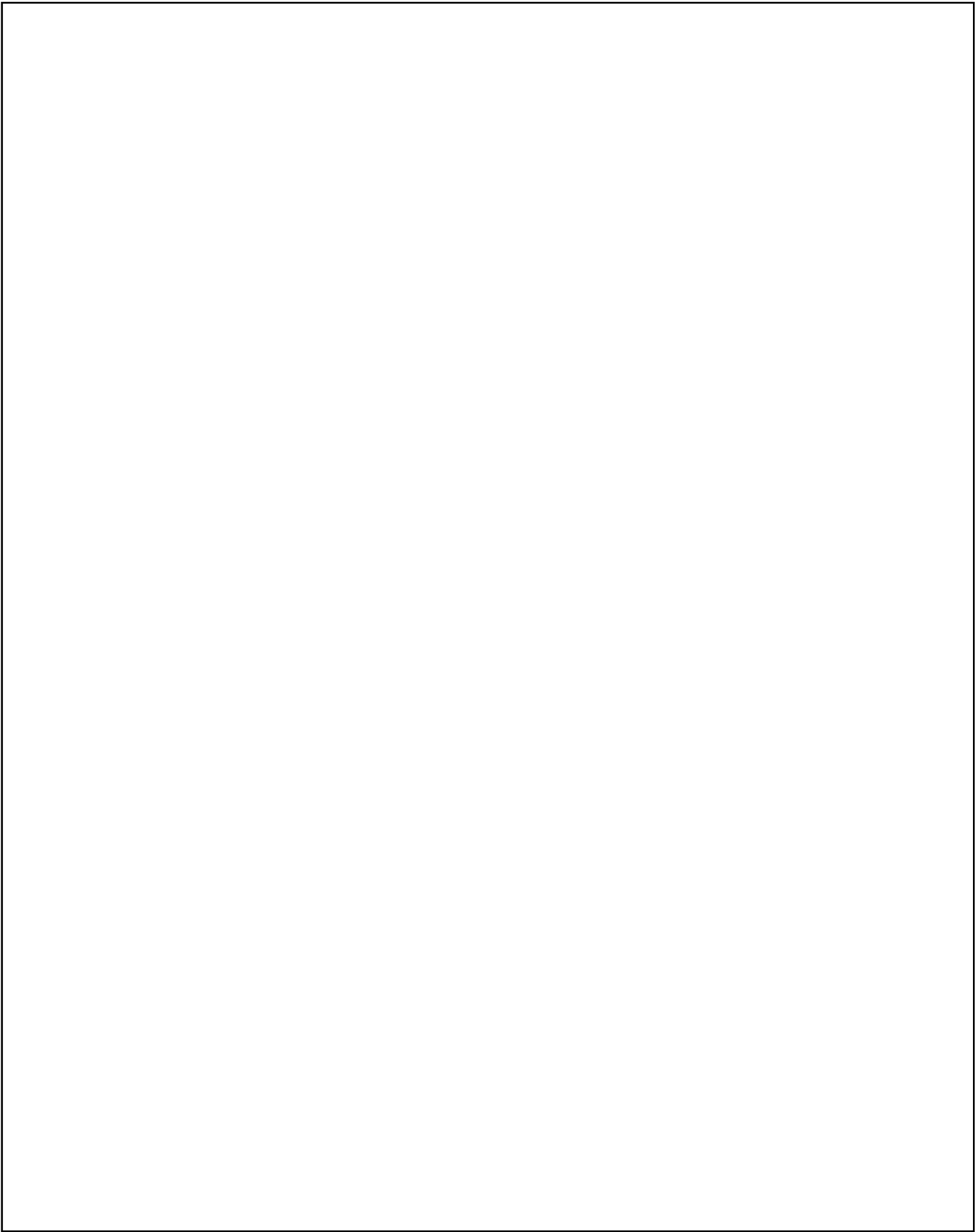
# ALR Boundary Map

PID: 011-777-320

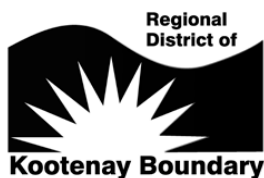
JAN 30/18

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## ELECTORAL AREA SERVICES (EAS) COMMITTEE STAFF REPORT

<b>Date:</b>	March 8, 2018	<b>File #:</b>	BW-4222-07500.950
<b>To:</b>	Chair Worley and Members of EAS Committee		
<b>From:</b>	Ken Gobeil, Planner		
<b>RE:</b>	Development Variance Permit Application – Rosen and Varhanik		

### ISSUE INTRODUCTION

The RDKB has received a Development Variance Permit application for a single family residence on Feathertop Way in Big White. (*see Site Location Map; Subject Property Map; Applicant Submission*).

### HISTORY / BACKGROUND INFORMATION

Property Information	
<b>Owner(s):</b>	Judy Rosen and Lance Varhanik
<b>Location:</b>	595 Feathertop Way, Big White
<b>Electoral Area:</b>	Electoral Area 'E' / West Boundary
<b>Legal Description(s):</b>	Lot 70 Plan KAS3134 District Lot 4222, SDYD
<b>Area:</b>	336 square meters (0.083 acres)
<b>Current Use(s):</b>	Single Family Dwelling
Land Use Bylaws	
<b>OCP</b>	Official Community Plan Bylaw No. 1125
<b>OCP Designation</b>	Medium Density Residential
<b>DP Area(s)</b>	Commercial and Multiple Family
	Alpine Environmentally Sensitive Landscape Reclamation
<b>Zoning Bylaw</b>	Zoning Bylaw No. 1166
<b>Zone</b>	Chalet Residential 3 (R3)

Page 1 of 3

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The subject property, is near the middle of Feathertop Way on the northern side of the subdivision. It is an undeveloped parcel with no vegetation as it was cleared when the subdivision was created.

An application for an Alpine Environmentally Sensitive Landscape Reclamation Development Permit, for a new residence was reviewed by the APC, and EAS committees in February 2018. During the review of that Development Permit application, it was noted that a Development Variance would be required for the proposed residence.

## PROPOSAL

The applicant is requesting a Development Variance Permit to construct a single family dwelling on 595 Feathertop Way at Big White. The proposed residence encroaches into the required site yard setback in 2 places: a closet, and enclosed concrete outdoor walkway that is attached to the foundation. The siting exception rules of the Zoning Bylaw do not apply since neither structure is included in the list of exceptions. The requested variance is:

- To decrease the Interior Side Yard Setback required for a building or structure from 3 metres to 1.5 metres, a 1.5 metre variance.

This setback is found in Section 403A(6)(e) 'Setbacks' of the Big White Zoning Bylaw

## IMPLICATIONS

The single family dwelling proposed is a permitted use in the R3 zone. Other than the requested variance the proposed plans presented are compliant with the floor area ratio, site coverage, building height and parking requirements.

In considering applications for Development Variance Permits, the RDKB generally considers whether the proposed variance will:

- a) Resolve a hardship;
- b) Improve the development;
- c) Cause negative impacts to the neighbouring properties.

The applicant has addressed each one of these points (*see Applicants' Submission*).

The supporting statements are summarized and paraphrased below.

- a) The hardship noted is the inferior designs for their proposed residence if the applicants were to follow the setback requirements of the Zoning Bylaw.
- b) The improvements include the overall improvements of the property by having a residence and landscaped yard.
- c) The applicant claims that there will be no negative impact on nearby property owners.

Surrounding landowners will be notified of the proposed Development Variance Permit Application and given the opportunity to provide comments or express concerns.

## REFERRALS

The Development Permit Application was referred to the Big White Fire Department, who advised that fire smart principles should be considered when performing landscaping and site preparation work.

## ADVISORY PLANNING COMMISSION (APC)

The Big White APC discussed the variance application during their March 6, 2018 meeting. The APC did not support the application with the following points noted in the meeting minutes:

- *The architect does not appear to have worked with the lot size.*
- *The variance does not appear to be resolving a hardship.*
- *Diagram provided was not terribly clear.*
- *1.5 meters into the setback could cause the neighbouring property issues building in future*

The APC did note landscaping proposed within the road right of way and noted they do not support landscaping outside of the property boundary, or within road allowance.

## PLANNING AND DEVELOPMENT COMMENTS

The placement of trees was reviewed as part of the Development Permit that was submitted and reviewed in February 2018. The Planning Department is aware of the trees proposed in the road allowance, and is working with the applicant to resolve the issue. As of the date this report was written, no Development Permit has been issued for this property.

## RECOMMENDATION

That the Development Variance Permit application submitted by Judy Rosen and Lance Varhanik, to allow for a 1.5 metre interior side yard variance - a decrease from 3 metres to 1.5 metres - on the property legally described as Lot 70 Plan KAS3134 District Lot 4222, SDYD, Big White, Electoral Area 'E'/West Boundary, be presented to the Board of Directors with a recommendation to deny.

## ATTACHMENTS

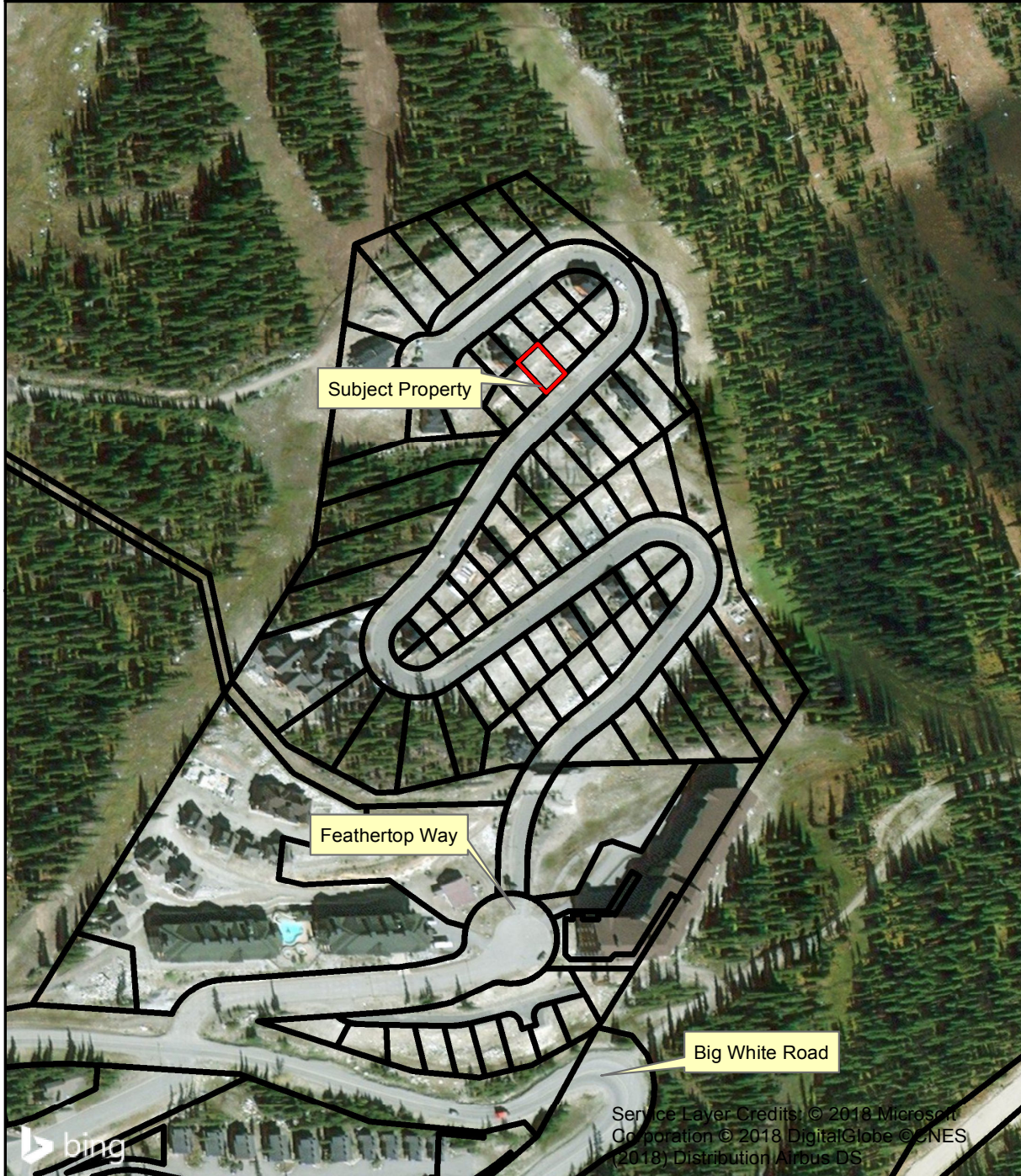
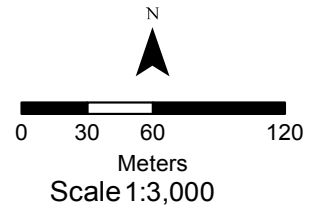
*Site Location Map*  
*Subject Property Map*  
*Applicant Submission*



## Site Location Map

595 Feathertop Way, Big White  
Electoral Area 'E' / West Boundary  
Lot 70, Plan KAS3134, DL 4222, SDYD

January 23, 2018



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## APPLICANT SUBMISSION

January 24, 2018

Request for Variance,

We are requesting a variance to the West siting exception set back.

We would like permission to reduce the setback by 1'8", from 9'10" to 8'2" for a foundation under a closet.

We would also like to reduce the set back by 4'10", from 9'10" to 5'0" in order for a retaining wall to be attached to the foundation.

These changes in no way defeat the intent of the bylaw, vary the permitted uses, and adversely directly affect the adjacent property or the natural environment, or in any way add to an inappropriate development of the site.

By removing the concrete foundation from beneath the closet, and the retaining wall from the foundation, this will create an undue hardship and cause an inferior design, by adding extra costs and difficulty to the building process that is not necessary with the acceptance of a variance.

The retaining wall at the rear is needed to allow for exit and access to the house in the event of a fire or emergency. By separating the retaining wall from the foundation, this will leave a void for water and silts to filter through causing staining, mess, unwanted maintenance, and possible damage. It will also result in weaker shoring of the earth.

Canter levering the closet will also be an inferior design, than to having a foundation beneath it. This would protect the envelope and structure from water, snow, and it would be more thermally effective. This would also add to the energy efficiencies, due to heat loss of the canter levered section. Canter levering the closet will also add extra costs to the building process with trusses on slab, heating and maintenance adding to the greenhouse reduction planning strategy that is in place.

There will be no negative visual impact on neighbouring properties, roadway, or ski easement from the retaining wall or closet foundation, as they will be screened with natural Landscaping. At the front roadway, the view will be screened by 1 Fir tree and 2 Pine trees. At the rear the view will be screened with 1 Fir tree and 1 Spruce tree. The height of the retaining wall will be kept to a minimum and the top will be at grade and stepped back with landscape rock to soften the edge of the concrete for aesthetics. This will be visibly pleasing to the adjacent property, having a positive impact. The rock edge and split wood railing will complement the house on lot 78 as they have the same features, keeping with a unified neighbourhood look. The rock edge, split wood railing, and trees will provide natural landscape screening of the retaining wall, to the adjacent joining property, lot 69 and enhance its appearance by being virtually unnoticeable.

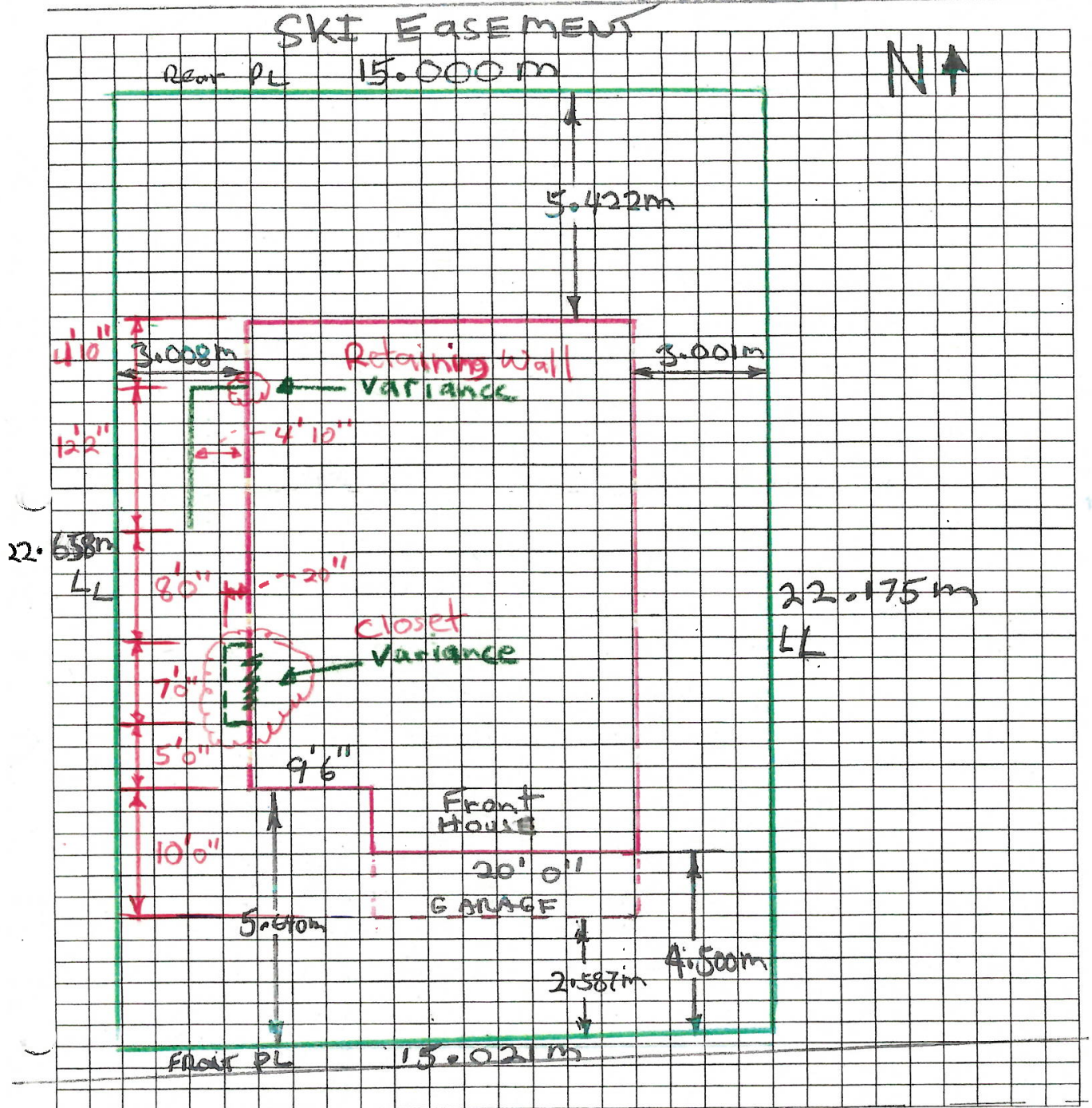
Thank you for considering our application to the board of variance,

Lance and Judy  
595 Feathertop Way, Lot 70  
Big White, BC

## APPLICANT SUBMISSION

## BUILDING SITE PLAN

1. Draw proposed location of home or building on space provided below, and show distances to all PROPERTY LINES. Also, show north arrow.
2. Show location of street access and names of streets.
3. Show location and distances of any water courses.



595 Feather Top WAY



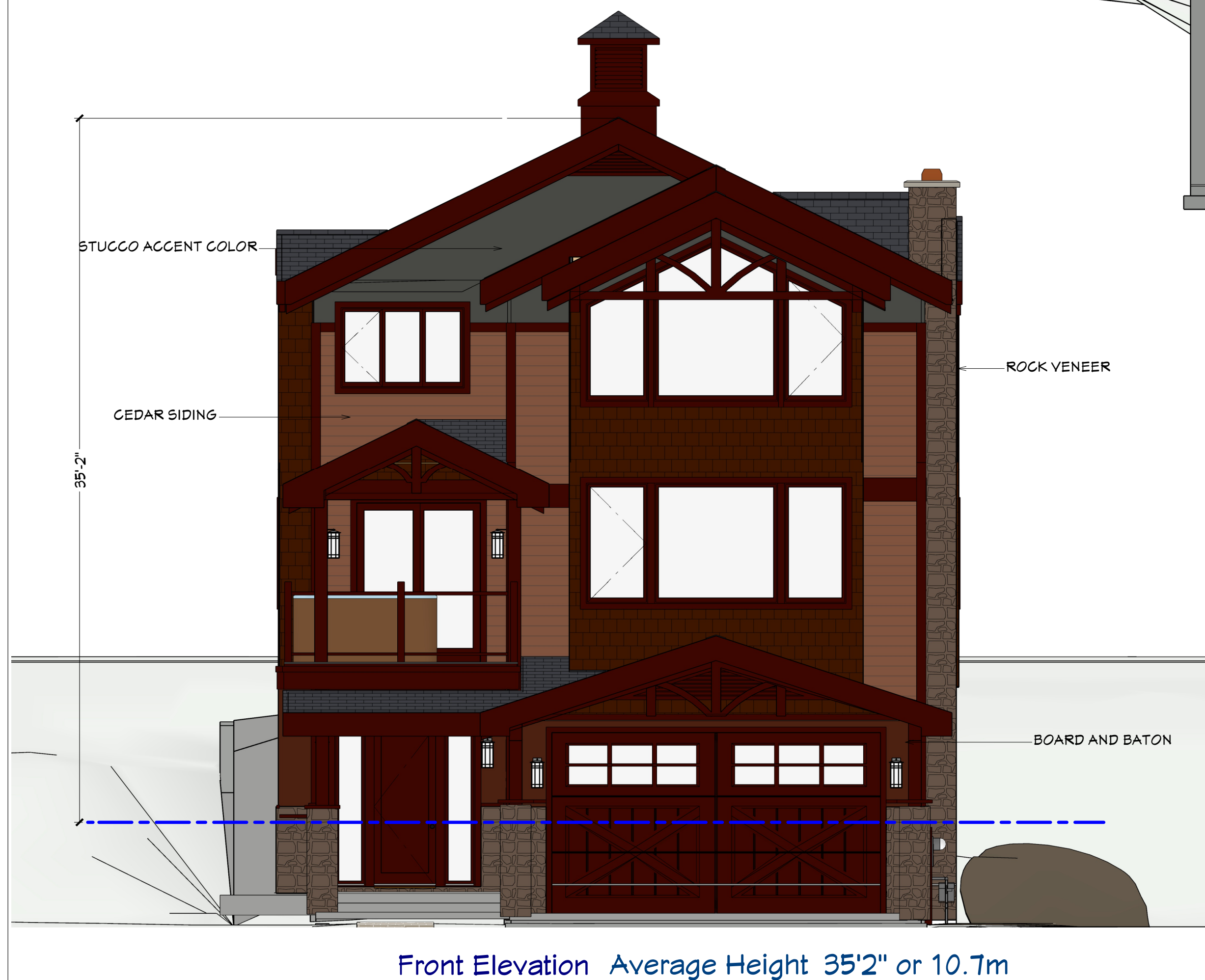




Applicant Submission

Average Height Calculation = 9.9m + 10.7m + 8.4m + 9.75m / 4 = 9.68m

Total Average Height: 9.68m



Front Elevation Average Height 35'2" or 10.7m



Left Elevation Average Height 32'7" or 9.9m



Rear Elevation Average Height 27'7" or 8.4m

REVISION TABLE	
NUMBER	DATE
A	05/11/2016
B	01/23/2018
C	01/24/2018

PROJECT: FEATHERTOP WAY  
LOCATION: WENINGER Construction & Design Ltd.  
Unit# 102B-200  
Douglas Road North, Kelowna, BC V1X 3K5  
Tel: (250) 765-6618 Fax: (250) 765-6078

WINTER'S DREAM CHALET  
LOT 70 FEATHERTOP  
ELEVATIONS



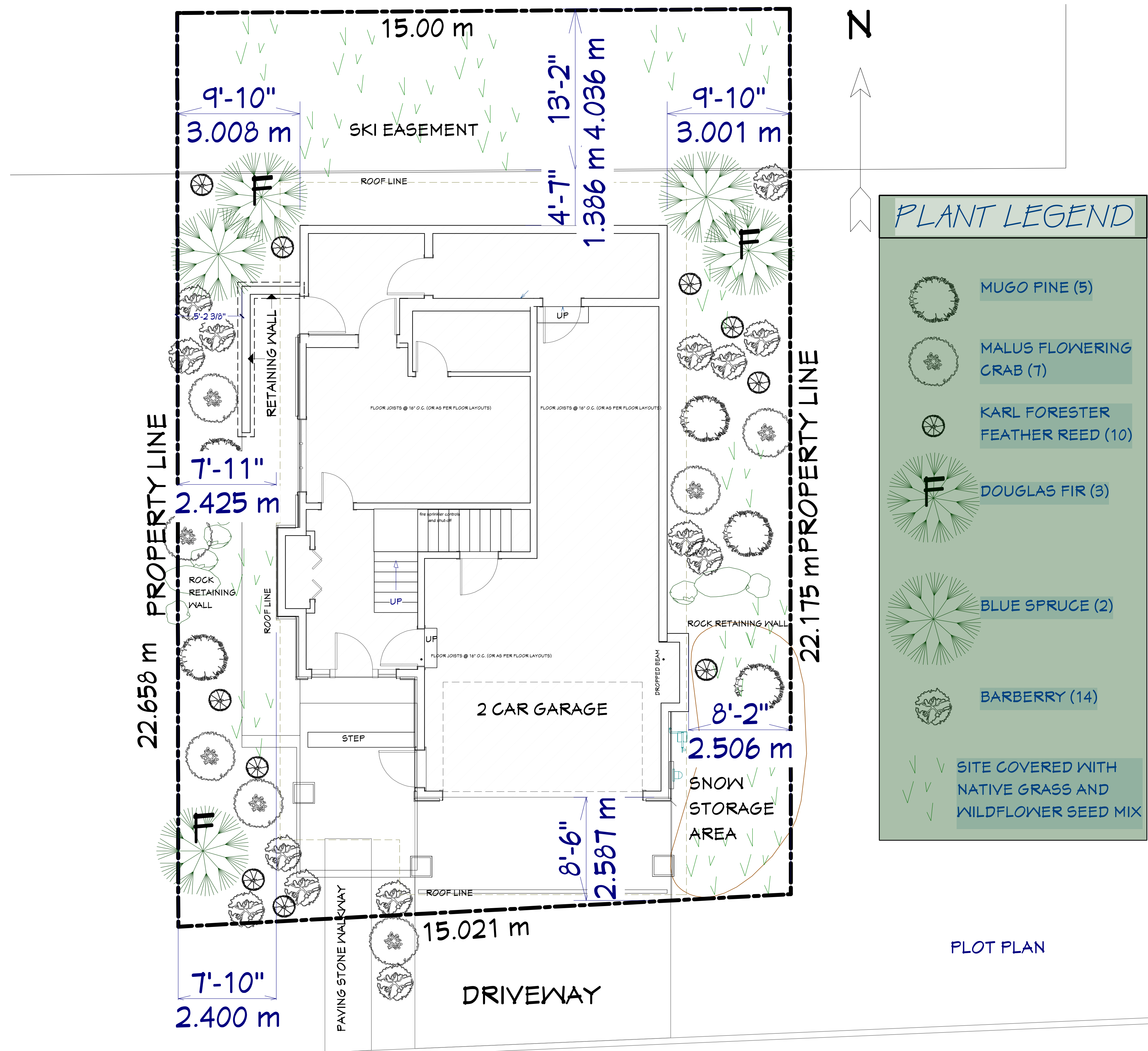
DATE:  
1/24/2018

SCALE:  
1/4" = 1' 0"

SHEET:  
4



Applicant Submission



Lot Size: 337.98 meters squared  
Building Footprint: 122.63 meters squared  
Site Coverage: 36.28%

Floor Area Ratio Calculation:  
1st Floor: 612.5 sq ft above ground  
2nd Floor: 1080 sq ft above ground  
3rd Floor: 942 sq ft above ground  
Total: 2634.5 sq ft  
Lot Size: 3638 sq ft  
FAR: .72

NUMBER	DATE	REVISION	DESCRIPTION
A	05/11/2016	MX	FOR CONSTRUCTION
B	01/23/2018	MX	REV. FOR D.P.
C	01/24/2018	SN	REV. 2 FOR D.P.

PROJECT: FEATHERTOP WAY  
LOCATION: LOT 70 FEATHERTOP  
DRAWN BY: Marlin Meninger  
Weninger Construction & Design Ltd.  
Unit# 102B-200  
Douglas Road North, Kelowna, BC V1X 3K5  
Tel: (250) 765-6618 Fax: (250) 765-6078

WINTER'S DREAM CHALET  
LOT 70 FEATHERTOP  
PLOT & LANDSCAPE PLAN



DATE:  
1/24/2018

SCALE:  
1/4" = 1'-0"

SHEET:  
10

PLOT PLAN



## ELECTORAL AREA SERVICES (EAS) COMMITTEE STAFF REPORT

<b>Date:</b>	March 8, 2018	<b>File #:</b>	BW-4253-Temp. Black Forest
<b>To:</b>	Chair Worley and members of the Electoral Area Services Committee		
<b>From:</b>	Ken Gobeil, Planner		
<b>RE:</b>	Bylaw Amendment Application – Big White		

### ISSUE INTRODUCTION

The RDKB has received an application for a bylaw amendment to lands within the Black Forest area of Big White, Electoral Area 'E' / West Boundary (see Site Location Map; Subject Property Map; Applicant Submission).

### HISTORY / BACKGROUND INFORMATION

Property Information	
<b>Owner(s):</b>	Crown
<b>Applicant:</b>	Christine Bilodeau (Brent Harley and Associates Inc.) on behalf of Big White Resort Ltd.
<b>Location:</b>	Un-surveyed Crown Land south east of Big White Road and Black Forest Way
<b>Electoral Area:</b>	Electoral Area 'E' / West Boundary
<b>Legal Description(s):</b>	Proposed Parcel in the vicinity of DL 4253 (Un- surveyed crown land)
<b>Area:</b>	0.445 hectares
<b>Current Use(s):</b>	Vacant
Land Use Bylaws	
<b>Official Community Plan Bylaw No. 1125</b>	Black Forest Future Growth Area
<b>Zoning Bylaw No. 1166</b>	Recreational Resource 1
Other	
<b>Waterfront / Floodplain</b>	Unnamed Creeks

Page 1 of 5

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Rezone\EAS\2018-03-08\_rezone\_EAS.docx

The subject property is located on the south east side of the intersection between Big White Road and Black Forest Way. Black Forest Way, and properties along this road have been identified as future growth areas in Big White since the mid-1990s.

In 2008, a Secondary Plan and Bylaw amendment were submitted for 9 development pods along Black Forest Way for future development. The Secondary Plan identified Chalet Residential 3 as the preferred zone because of the housing need identified at the time.

In 2017, the RDKB approved a bylaw amendment for one of these pods (District Lot 4255) to allow for a staff housing facility. The bylaw amendment was approved, because of the immediate need for staff housing despite not being identified in the 2008 Secondary Plan.

The 2017 bylaw amendment included a rezone, from Chalet Residential 3 to a new Employee Housing Residential 6A, which included amended parking regulations (covered parking not required). A development permit has been issued and construction has started on one of the four proposed buildings.

## **PROPOSAL**

The intent of this application is to allow construction of a hostel. A hostel is defined as a form of commercial accommodation where beds are rented out individually to travellers and no single rented room or bed has its own sanitary or cooking facilities.

This will require amendments to the Official Community Plan and Zoning Bylaw. Because this area is within the Black Forest Future Growth Area, a Secondary Plan is required, and has been submitted as part of the application.

The applicant proposes to rezone a 0.445 hectare area to Employee Housing Residential 6A. In conjunction, the applicant proposes to add hostel to the list of permitted uses (see Applicants' Submission).

The following Official Community Plan amendments are also requested:

- A land use designation change of the area is requested to redesignate from Resource Recreational to Medium Density Residential.
- The Commercial and Multiple Family Development Permit Area, and the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Areas are proposed to be expanded to include this area.

The Secondary Plan attached to the bylaw amendment proposal indicates that an additional 18 units (88 total beds) would be created.

## **IMPLICATIONS**

Lands that are within the Black Forest Future Growth Area require a Secondary Plan to establish land uses and regulate future growth of lands. Secondary Plans are required to:

Page 2 of 5

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Rezoning\EAS\2018-03-08\_rezone\_EAS.docx



- a) provide direction for subdivision, development and land use;
- b) conform to the Big White Official Community Plan; and
- c) describe the density of population; the proposed sequence of development; and the location of existing and proposed roads and utilities.

Further requirements of Secondary Plans are described in section 3.3.2 of the Official Community Plan.

The Secondary Plan and supporting documents that were submitted in 2008 have been amended to update the report with new information and supporting clauses for hostels and staff housing that reflect the current needs of Big White (see, Black Forest Secondary Plan 2018). Due to the size and location of the subject area, it is appropriate to include it within the 2008 Secondary Plan. Since the 2008 Secondary Plan was reviewed and endorsed, many of the requirements of a Secondary Plan have already been considered.

The 2017 bylaw amendment was specifically for staff housing. By including a hostel as a permitted use in this zone, it will create an opportunity for commercial vacation accommodation developments to have uncovered parking. This is a reduced parking standard that was granted specifically for resort staff housing. This proposed amendment will potentially provide an opportunity for the existing staff housing development to be re-purposed as hostel, which is not the intent of the bylaw amendment in 2017.

Access to the subject property would be via Black Forest Way. Being adjacent to Big White Road, there will be minimal upgrades required, and it will be easy to tie into existing ski routes. The ski bridge over Big White Road is immediately south of the proposed property. Ski routes will be protected by registering a covenant on the titles of newly created properties. Being adjacent to Big White Road will also require minimal upgrades to existing utility lines. No new public transportation routes or pedestrian transportation were identified.

The slope analysis that was provided as part of the Secondary Plan indicates that most of the subject area has a slope less than 20%, which would be acceptable for high-density developments such as hostels and staff housing dormitories as proposed in the bylaw amendment. Geotechnical reports may be required prior to construction as part of the building permit process.

The supporting documents regarding infrastructure and drainage were not updated in the revised secondary plan. As a result, the subject area is not identified, and the additional residential units are not considered in the infrastructure and drainage assessments. The applicant has been advised that the Secondary Plan and all supporting information and attachments must include the subject area.

Creating a new spot zone that permits hostels with no reduction in parking standards, or adding hostel to an existing zone with no reduced parking standards may be

Page 3 of 5

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Rezone\EAS\2018-03-08\_rezone\_EAS.docx

alternative options that will allow for a hostel development on the proposed property (see Draft Zone).

Concept plans provided show a proposed development that does not meet the definition of a hostel in the Zoning Bylaw. To date there has been no building permit or development permit application submitted. Applications for development will be reviewed for bylaw compliance when they are submitted.

### **ADVISORY PLANNING COMMISSION (APC)**

The bylaw amendment application was discussed in length by the Big White APC during their March 6, 2018 meeting. The application was supported by the following rationale:

- *Additional low cost employee housing is required but not always occupied and adding a hostel to permitted uses allow for cost recovery*
- *Hostel users might take over from employee use if rents rise.*
- *BWSR needs employee housing and is committed to building and supplying housing for staff.*

The APC also had discussion regarding concerns of covered parking spaces to recreational areas in single family dwellings. The Zoning Bylaw does not require covered parking for single family dwellings or duplexes.

### **PLANNING AND DEVELOPMENT COMMENTS**

The Planning and Development Department has spoken with the applicant about the outdated and inconsistent schedules to the Secondary Plan. The applicant has stated that they will provide updated drainage and water infrastructure plans to accompany the revised secondary plan in the near future. No specific date was given.

The rationale used for the APC's support of the bylaw amendments seem to be contradictory regarding the need for covered parking. The rationale statements support profitability of commercial housing opportunities rather than allowing concessions to staff housing for covered parking.

The original intent of this zone was for staff housing only. A hostel is a commercial accommodation similar to a hotel; a business designed to make money. Staff housing is not a business or commercial enterprise. It is specifically for housing resort staff, not guests visiting the resort.

Relaxed covered parking conditions for guests could be taking advantage of a special concession that was granted under the condition that the development be used for staff housing. Allowing these parking requirements for guest accommodations would not have been supported in 2017. It will also detract from the overall experience at Big White for guests staying at the hostel, and could increase complaints regarding parking and vehicle access. The Big White APC notes concerns with covered parking and its

Page 4 of 5

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Rezone\EAS\2018-03-08\_rezone\_EAS.docx

shortage later in the minutes of the same meeting. It appears inconsistent to support a bylaw amendment to allow development of uncovered parking and identify an existing covered parking shortage while documenting the need for better parking.

This proposed bylaw amendment removes any incentive for staff housing in this zone. Reserving staff housing as a single permitted use is necessary to solve the housing shortage in Big White.

The Planning Department suggests that a new zone be created, specifically for hostels, that will ensure that staff housing is preserved, and covered parking requirements are not reduced for tourists visiting the resort. It is also recommended that the application for bylaw amendment not proceed until:

- The Secondary Plan, and all attachments are up to date
  - Including consistent lands; and
  - numbers of anticipated inhabitants.
- Clarity is provided regarding how the proposed development fits the definition of a hostel.

## **RECOMMENDATION**

That the application submitted by Brent Harley and Associates Inc. on behalf of Big White Resort Ltd. to amend the Big White Official Community Plan Bylaw No. 1125 and the Big White Zoning Bylaw No. 1166 to allow for a Hostel on unsurveyed Crown Land south east of Big White Road and Black Forest Way, be deferred until additional information is provided by the applicant.

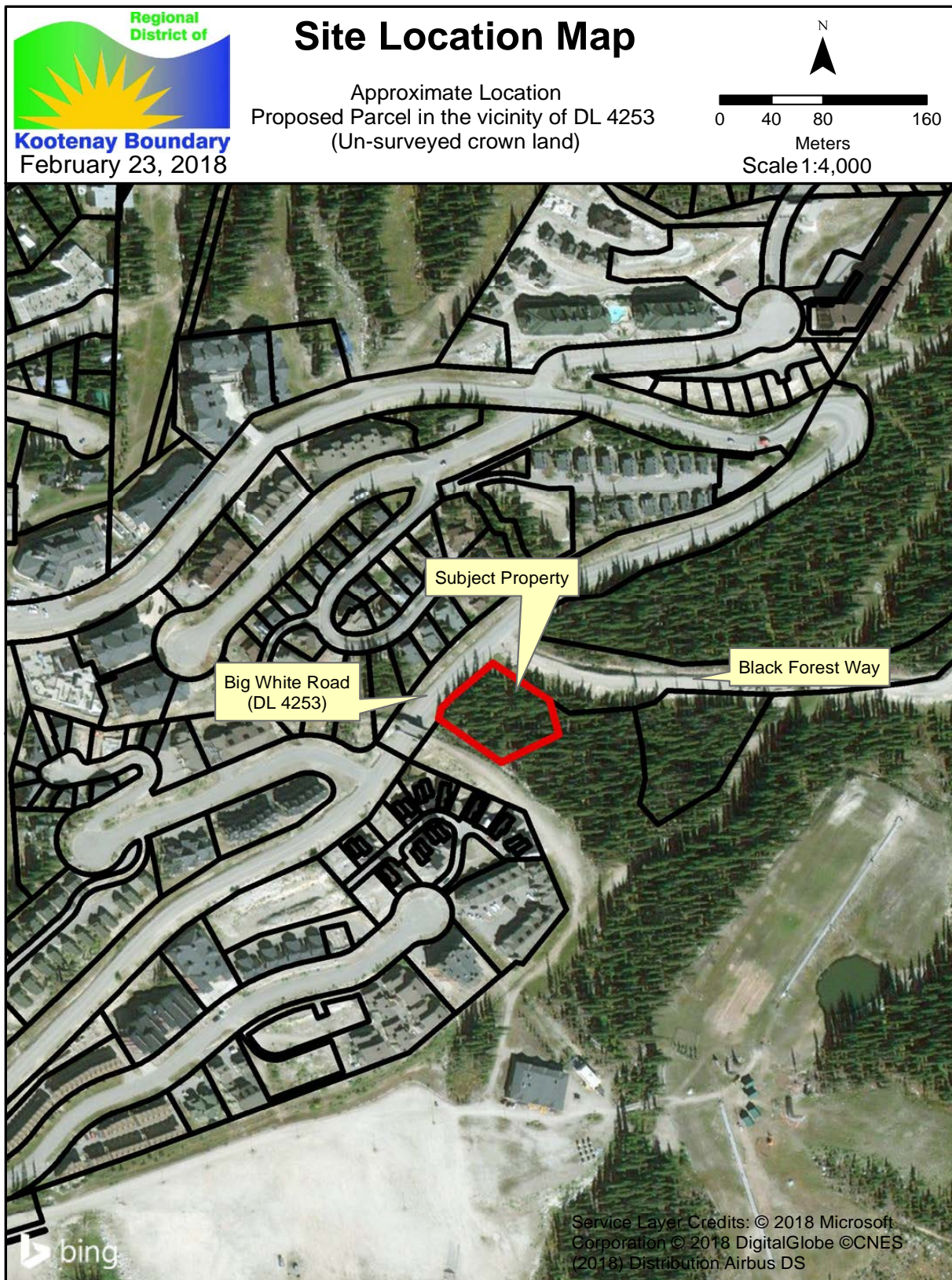
## **ATTACHMENTS**

*Site Location Map*

*Applicant Submission*

*Black Forest Secondary Plan (2018)*

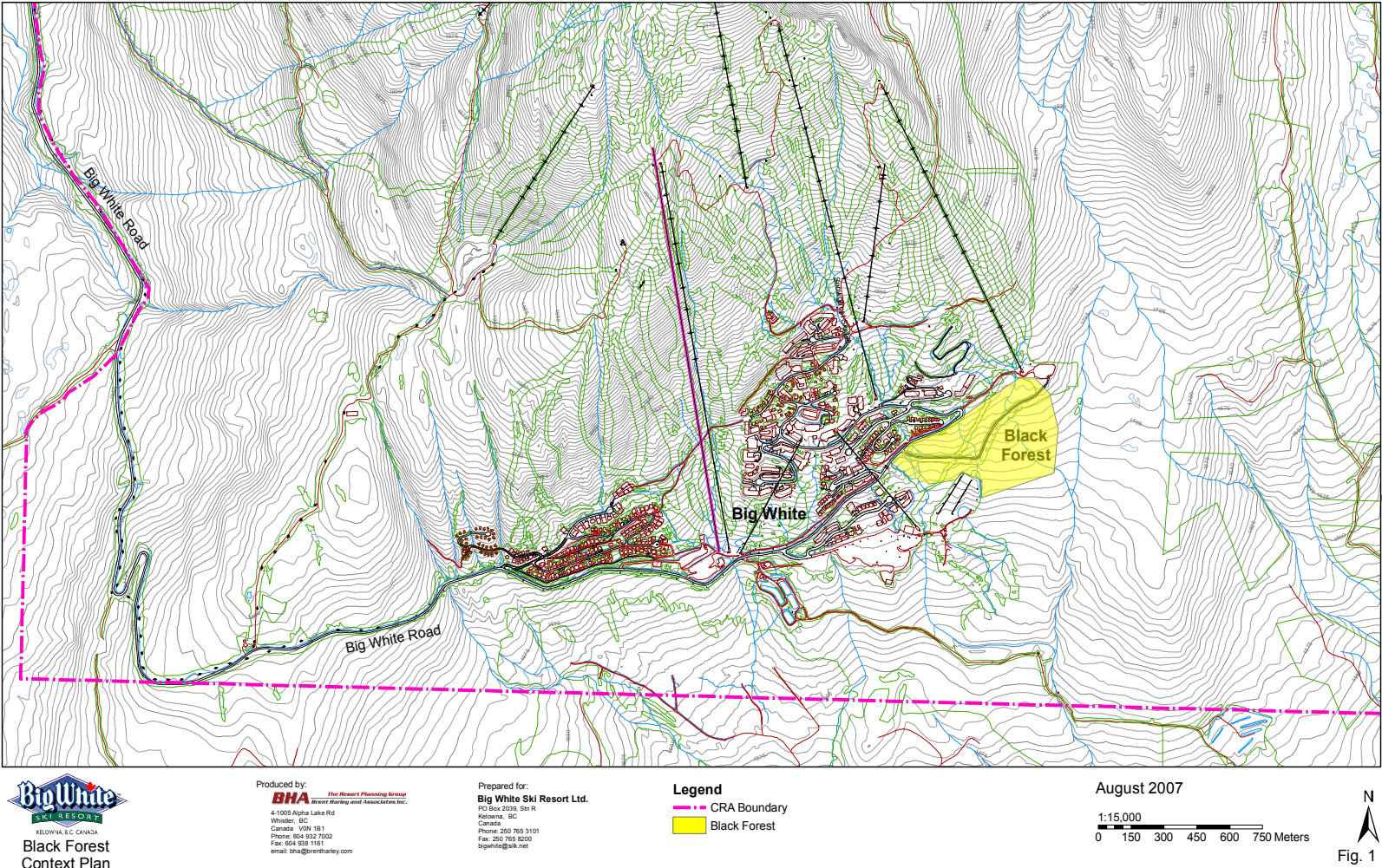
*Draft Zone: R6B Hostel Zone*



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Figure 1. Black Forest at Big White Context Map



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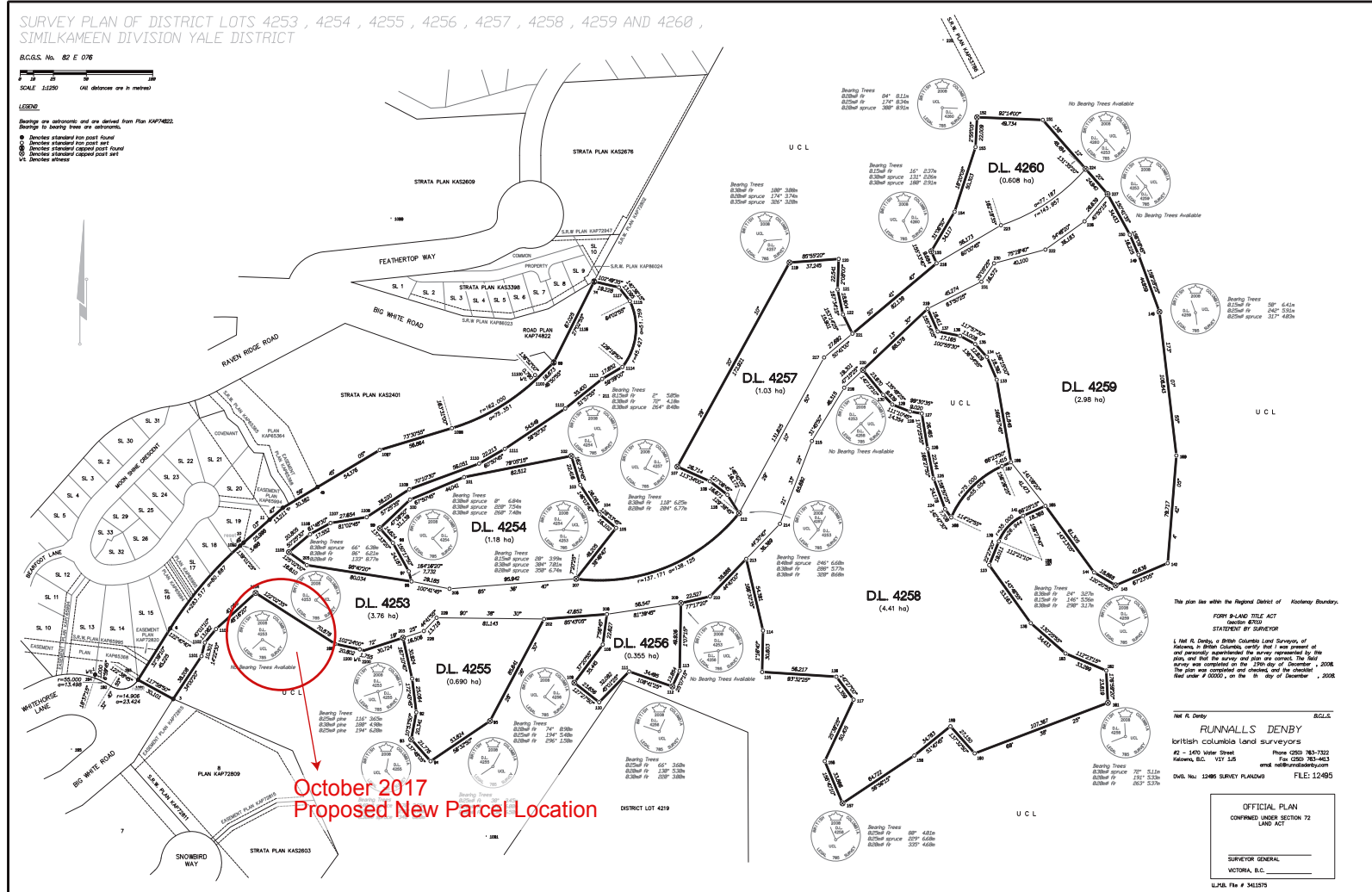


Figure 3. Black Forest at Big White - Surveyed Parcels

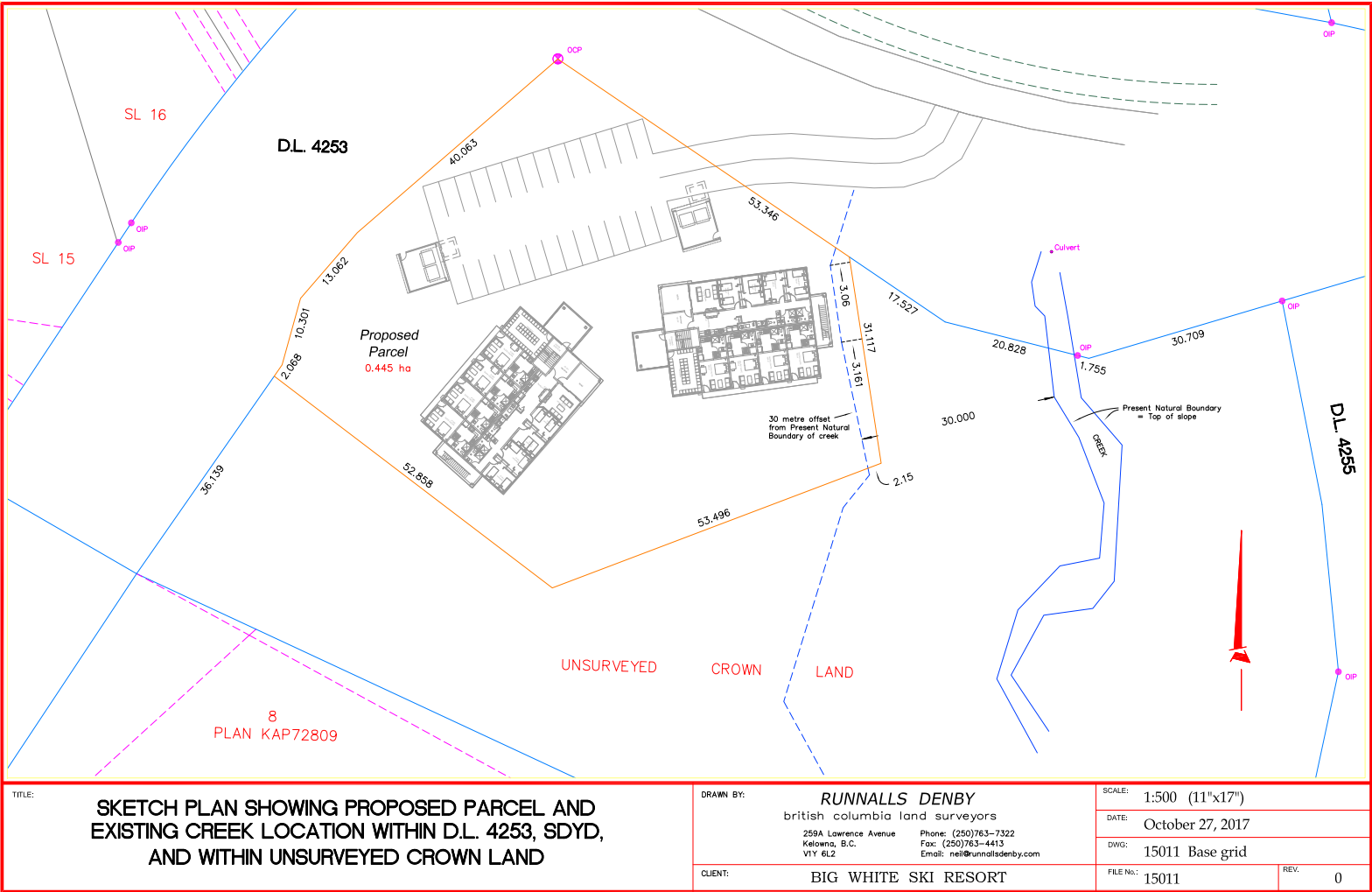
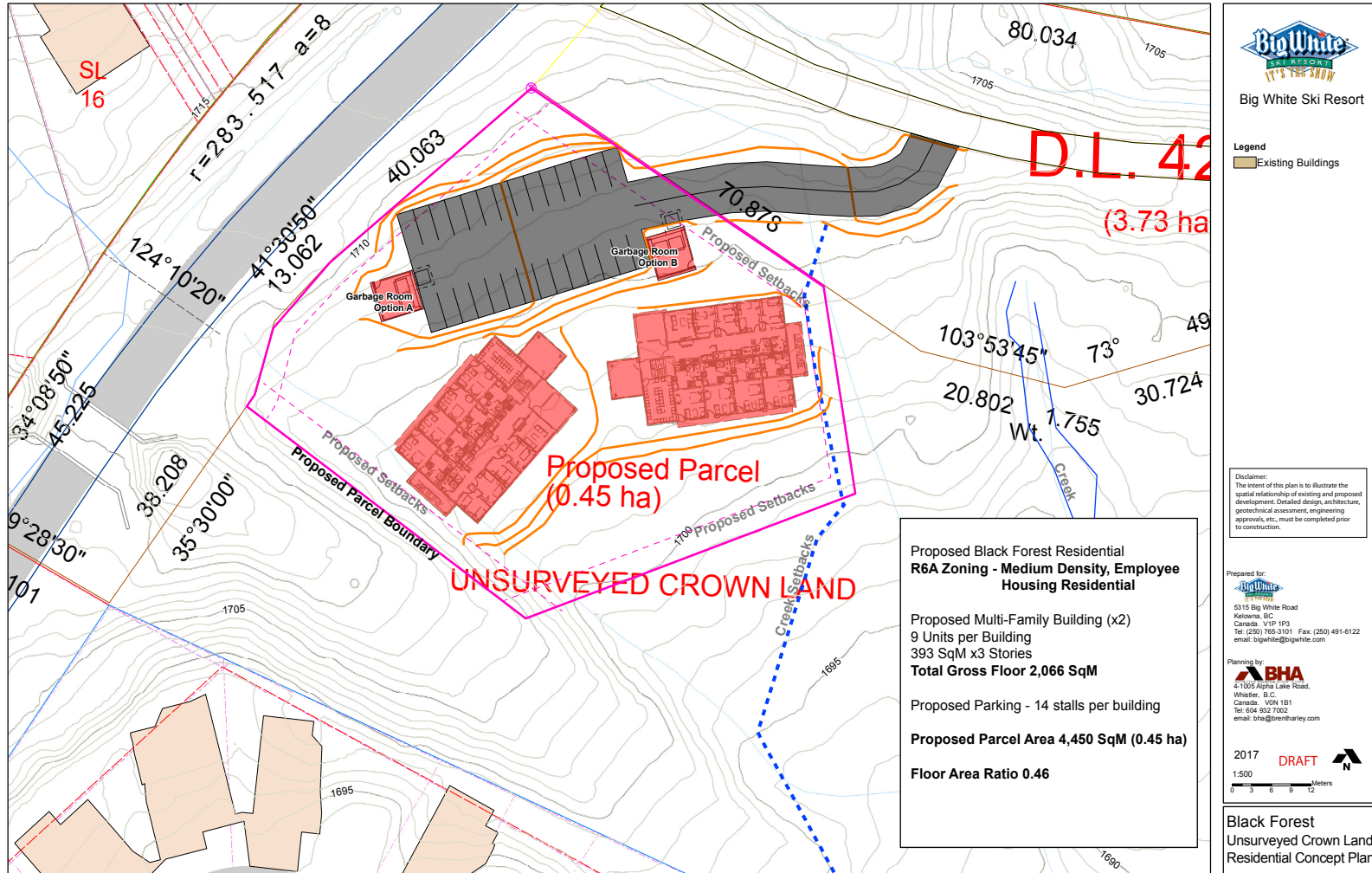




Figure 4. Proposed Parcel - Preliminary Plan





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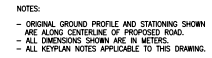
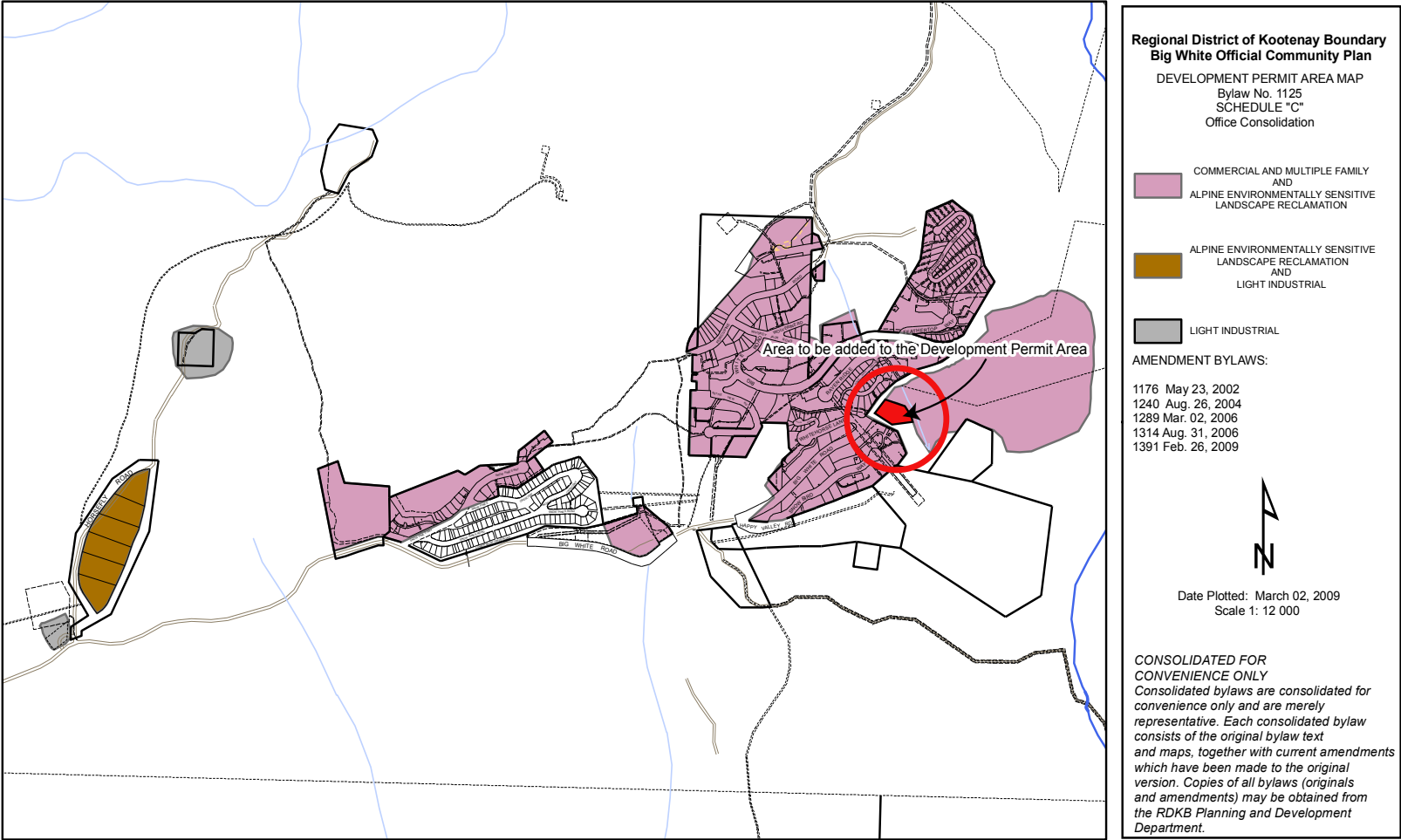


Figure 6. Development Permit Area Map - Area to be added



# **Black Forest at Big White SECONDARY PLAN**

**February 2018**

**Prepared for:**



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February 2018

Mr. Ken Gobeil  
Regional District of Kootenay Boundary  
202 - 843 Rossland Ave.  
Trail, B.C.  
V1R 4S8

**RE: The Black Forest Secondary Plan**

Dear Ken:

Please accept the attached Black Forest Secondary Plan as an application for Official Community Plan (OCP) amendment and rezoning.

It is our opinion that the rezoning of these lands is consistent with the community goals identified in the Big White OCP, such that:

- Big White's compact settlement pattern will be maintained;
- Encourage various residential alternatives and affordable housing for employees;
- The ski terrain and topography are respected;
- A range of housing opportunities at Big White be encouraged;
- Residential land is available at Big White to address the various market demands.

And by the following OCP Policy:

**Policy 3.11.10**

"The Regional District encourages affordable rental housing and such as hostels and employee housing outside the village core by way of rezoning."

Further, the proposed OCP amendment and rezoning will provide Big White with additional residential accommodation tied to the ski trail and lift network and some much needed employee housing.

Please feel free to give us a call should you have any questions.

Respectfully submitted,

Brent Harley, B.E.S., B.L.A., M.B.A, M.C.S.L.A  
President  
Brent Harley and Associates Inc. (BHA)

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## 1. Introduction

### 1.1 Purpose of the Secondary Plan

On behalf of Big White Ski Resort Ltd, Brent Harley and Associates Inc. (BHA) has prepared the following Secondary Plan for Black Forest at Big White. The Secondary Plan provides direction for the Zoning and Official Community Plan amendments for the Black Forest area. This report provides background on Big White's development goals within the context of the potential to develop the Black Forest area as an extension of the resort community. This is followed by an overview of the land's development potential and a description of the proposed development program. The development program illustrates the development concept and proposed zoning designation as well as discussing the potential impacts and benefits of the expansion.

### 1.2 Secondary Plan Goals and Objectives

As defined by Big White, the primary goal of this Secondary Plan is to:

*Guide the rezoning and redevelopment of the Black Forest Area in a fashion that will further the Vision of Big White as a high-quality, destination mountain resort.*

In support of this, the Secondary Plan specifically provides:

- The conceptual development and phasing plans for the identified future growth area;
- The proposed density for the entire Black Forest Area, including the land use areas for residential, recreational and servicing;
- Development direction for the rezoning of the Black Forest Area; and
- The basis for an Official Community Plan amendment to permit the expansion into an identified future growth area.

## 2. Background

### 2.1 Development Goals and Objectives

The fundamental and ongoing development goal of Big White is to establish itself as a high-quality, destination mountain resort. As a part of the Resort's evolution and commitment to that goal, the development strategy for the Black Forest is to establish this area as an integral component of a safe, functional, and attractive alpine community. The intent is to further diversify Big White into a four-season community with varied residential products and recreational amenities. In accordance with the policies of the Big White Official Community Plan the proposed development program has considered:

- Cost-effective development that respects ski terrain and topography;
- Additional residential development that supports the established Village Centre commercial area;
- Include various residential alternatives and affordable housing for employees;
- Coordinating land development and servicing needs with the existing infrastructure and residential expansion;



- Promotion and fulfillment of natural environmental values;
- Respecting the existing ski trail network and expanding on it;
- Supporting alternatives to automobile traffic where feasible, including mechanized people movers, ski trails, bicycle and walking paths; and
- Providing safe and efficient movement of vehicles, while meeting on-site, resort wide, day skier guest parking requirements;
- Providing appropriate and supportive commercial developments in proximity to the day use parking and Black Forest Express.

## 2.2 Location and Existing Conditions

The Black Forest area is located south and east of the Black Forest Express and Parking lot and on the south (downhill) side of the most eastern portion of Big White Road (see Figure 2-1). The land is gently sloping with grades between 10 and 20 percent. Consequently, the Black Forest is one of the most developable areas at Big White.

Currently, there is limited development in the Black Forest area. An existing ski trail crosses the site, and a skier overpass across the parking access road allows skiers to easily egress from the base of the Black Forest Express back to the Happy Valley Lift with no conflict from automobile traffic. The main vehicular access to the site is from Big White Road on an existing gravel road that accesses the Black Forest Parking Lot. There are three watercourses that run through the site. The site is vegetated with balsam, lodgepole pine, Engelmann spruce, and sub-alpine fir (See Section 3.4 Environmental Resources).

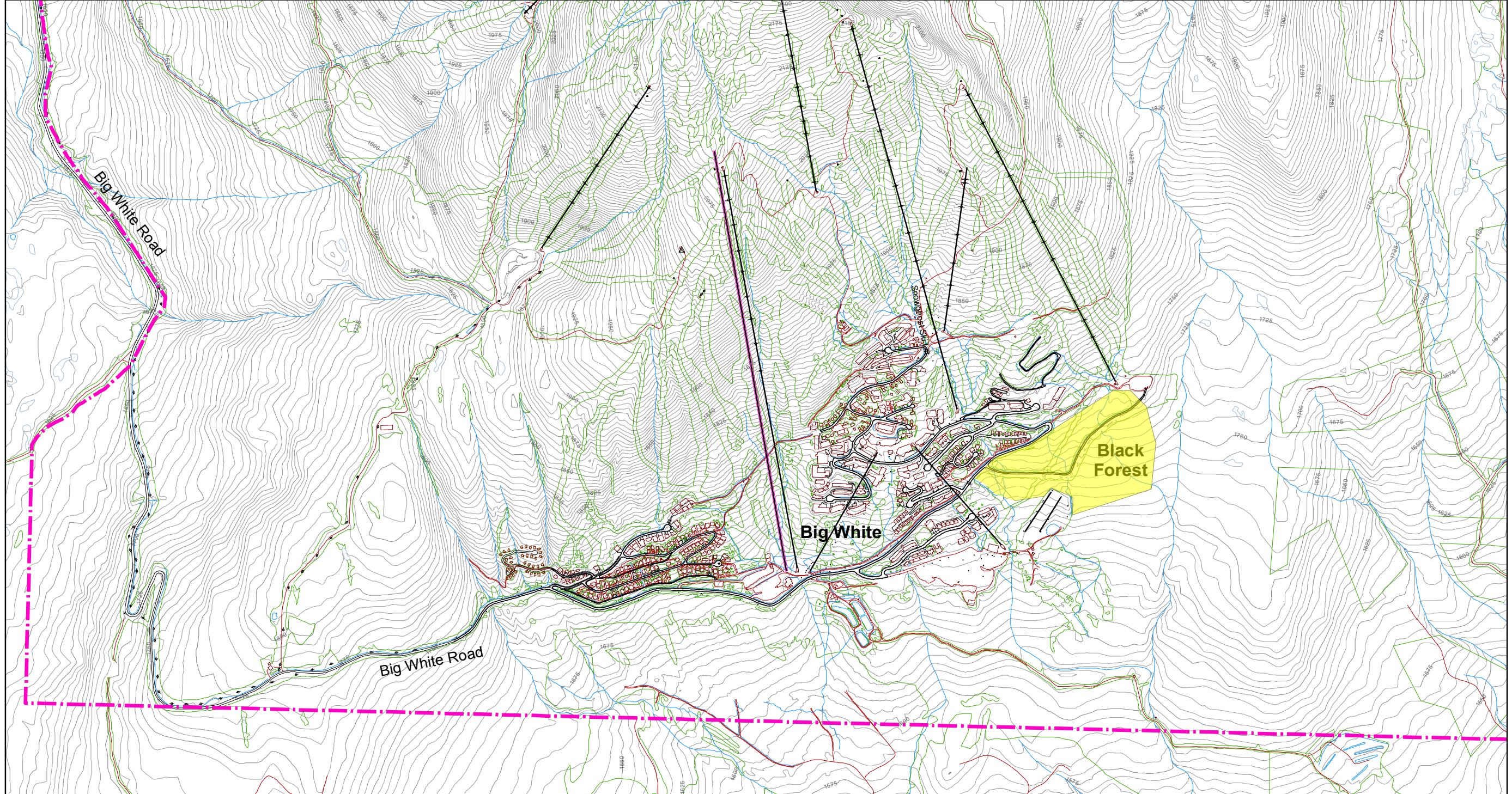
The entire Black Forest area is contained and contemplated within the approved 1999 Master Plan for Big White. A Crown Grant offer to purchase these lands by way of Crown Grant and the CASP policy, has been received and accepted. The Crown has expressed support for the project and a letter authorizing the secondary planning process on their behalf has been included in Appendix B.

## 2.3 Existing Ownership, Rights and Zoning

The following are key development considerations that must be taken into account in the future growth of the Black Forest Area lands:

- The Black Forest Area is identified in the Official Community Plan as a Future Growth Area;
- The area lies entirely on Crown Lands;
- A Crown Grant Offer to purchase these lands from the Crown has been received and accepted;
- The entire Black Forest lands are currently zoned as a Recreational Resource; and,
- The Black Forest lands are contained and contemplated within the approved 1999 Master Plan for Big White.





**Big White**  
SKI RESORT  
KELOWNA, B.C. CANADA  
**Black Forest  
Context Plan**

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**Legend**  
- - - CRA Boundary  
Black Forest

**Figure 2-1**

January 2018  
1:15,000  
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### 3. Development Potential

#### 3.1 Introduction

To determine the development potential for the Black Forest area, the lands were analyzed according to their:

- Relationship to the ski trail and lift network;
- Relationship to existing developments;
- Slope gradients;
- Servicing requirements;
- Visual impacts; and
- Environmental resources.

The inventory and analysis findings assist in the creation of development concepts that are visually desirable, economically balanced, and environmentally sensitive to the site. They also enable the generation of plans that are well integrated with the existing and proposed facilities, considering the issues of well-coordinated access; resort guest requirements/expectations, and; vehicular, pedestrian, and skier patterns throughout the resort. This analysis has considered slope, parking, staging focus, environmental features, visitor and resident experience together with the development program realities and opportunities.

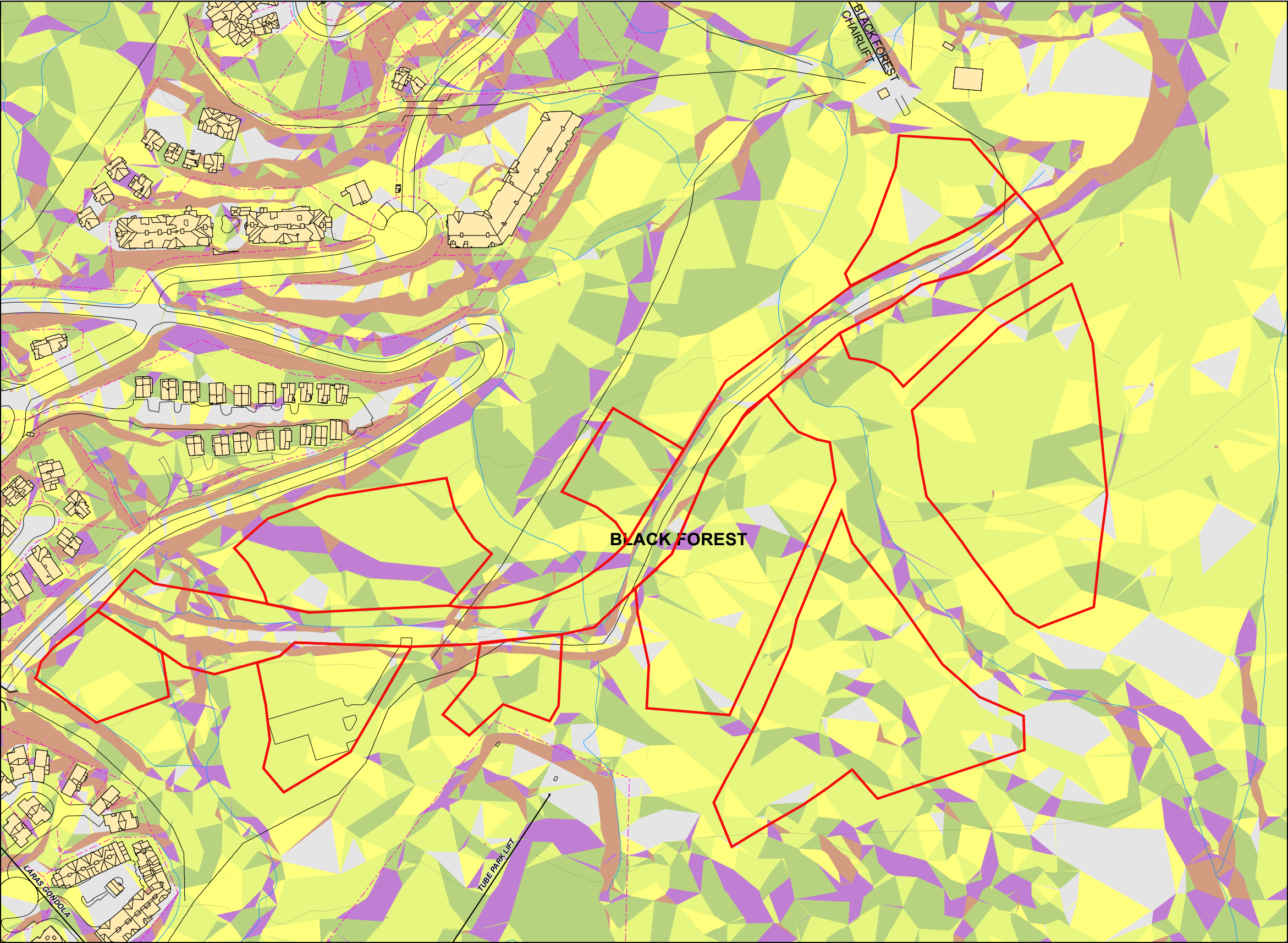
#### 3.2 Slope Analysis

The Slope Analysis (Figure 3-1) is designed to identify the range of slope gradients suitable for potential land use developments. The topographic information has been colour coded into slope gradient categories as follows:

*Table 3-1. Black Forest Slope Analysis Criteria*

Colour	Slope	Description
White	0- 5%	Ideal for base area village, and residential development. Capable of accommodating all types of base area development
Yellow	0 - 10%	Capable of accommodating all types of base area development with limited grading. Typically identifying parking potential as well as lands that may be wet and environmentally sensitive to development.
Light Green	10 - 20%	Lands that will require some grading to accommodate development. Upper limits to base area/village development.
Mid Green	20 - 30%	Upper limits to multifamily development with grading.
Blue	30 - 40%	Upper limits to conventional single-family development.
Pink	40%+	Generally too steep for development. However, dependent on reasonable access and geotechnical considerations, some development possible.

As is readily apparent in the slope analysis, there is a significant amount of developable land in the Black Forest Area. The area is dominated by 10-20% slopes and interspersed with flat (0-5%) and steeper (30-40%) sections.



Big White Ski Resort  
Black Forest

2018

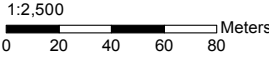
Legend

- Existing CRA Boundary
- Existing Ski Lifts
- Existing Ski Runs
- 20m Contour
- Slope (degrees)**
  - Suitable for All Construction Types
  - Acceptable for High Density
  - Maximum for High Density
  - Acceptable for Low Density
  - Maximum for Low Density
  - Not Suitable

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Black Forest  
Base Slope Analysis

Figure 3-1



### 3.3 Parking and Circulation Evaluation

The Black Forest conceptual plans considered the parking and circulation issues of vehicles and guests by factoring in the existing circulation patterns, land use, and facilities. The following are key facts pertaining to an evaluation of parking capacities and circulation issues at Big White.

- The proposed development of the Black Forest area will include market and employee housing;
- Market properties will be primarily designed for recreation-oriented families and couples, and will allow ski to/ski from trail access;
- In addition to the existing ski trail, two more ski trails are planned to cross through the Black Forest area;
- These three ski trails will provide ski to/ski from access to the entire development; and
- The day use parking area at the Black Forest lift base is unaffected by this secondary plan, ensuring adequate day use parking will remain available.

### 3.4 Environmental Values

The site sits within the Okanagan Highlands variant of the Engelmann Spruce-Subalpine Fir Biogeoclimatic zone. Trapping Creek drains the entire southern portion of Big White Mountain while three of its tributaries flow through the development area. The integrity of the visible well-treed sites within the Trapping Creek drainage areas will be respected in the overall development concept as well as the site-specific development programs. Riparian buffers have been established with the intent to protect watercourses from the potential impacts of development.

In 1997 GeoAlpine Environmental Consulting Ltd. undertook an environmental review of the Big White Ski Resort, including the Black Forest area. The review found the following characteristics:

- Tree cover includes mainly Engelmann Spruce and Subalpine Fir, at a mean age of 60-95 years;
- The site is gently sloping and undulating; and
- A wildlife corridor passes by the development area on the eastern side along the Trapping Creek drainage.

### 3.5 Visitor and Resident Experience

The expansion of the resort community into the Black Forest Area will enable Big White to provide employee housing and a diversified accommodation base with recreational amenities. The Black Forest Area further enhances the destination and resort community experience, as it will:

- Offer a spectacular setting for the new accommodation uses without compromising or competing with existing resort developments;
- Contribute recreational amenities to enhance the resort experience;
- Create affordable and desirable employee housing;



- Combine a mix of accommodation types with direct access and egress to the ski trail and lift network;
- Provide additional beds that will further support the economic sustainability of the ski product and existing Village Centre commercial area;
- Limit any increase in automobile trips through the resort, because of the direct year-round trail access from the development;
- Provide staging commercial amenities (café, washrooms, tickets etc.) to day use guests utilizing the Black Forest parking; and
- The expansion area has been planned to utilize an already existing gravel road that both maximizes the circulation opportunities of the site and improves the access to the day use parking lot adjacent to the Black Forest Express.

## 4. Proposed Development

### 4.1 Potential Land Use

Big White Resort wishes to expand into the Black Forest Future Growth Area considering the area's development potential, OCP policies, and the goals and objectives of Big White. Should the OCP amendment and rezoning be approved, it will be the developer's responsibility to work with Big White and the Regional District to create a development plan that adheres to the zoning regulations, the design guidelines and the Resort's goals and objectives.

As proposed, residential land use is predominant throughout Black Forest. Some appropriately sized commercial development is contemplated for the parcels in the immediate vicinity of the Black Forest lift. Open space along riparian corridors, and recreation amenities in the form of ski trails will also be located throughout the plan area.

### 4.2 Development Concept

The primary objective of the Black Forest Secondary Plan is to facilitate the establishment of additional resort residential accommodations to meet Big White's need for employee housing and supply the market demand. Development will take place while maintaining and protecting appropriate environmental, access and visual qualities so important to the visitor experience and success of the resort. The development consists of single family, 'cabin colony' dwellings, multifamily dwellings in the form higher density condominiums, and employee apartments and dorm rooms. These residential offerings are complemented by a ski to /ski from access and egress within a comfortable walking distance to the alpine skiing, and proximity to the village core. In addition, some commercial development will be located in the vicinity of the Black Forest Express.

The Development Concept (see Figure 4-1) proposes an integrated subdivision consisting of approximately 77 single family lots, 24 medium density multi-family units, 109 medium density single and multi-family units, 100 units of higher density multi-family residential, and 66 units of employee housing. All market parcels will be developed as strata subdivisions. The proposed accommodation totals 1,892 bed units.

The main road off Big White Road will remain as a public road, as will the main spur road which will lead to lands beyond.



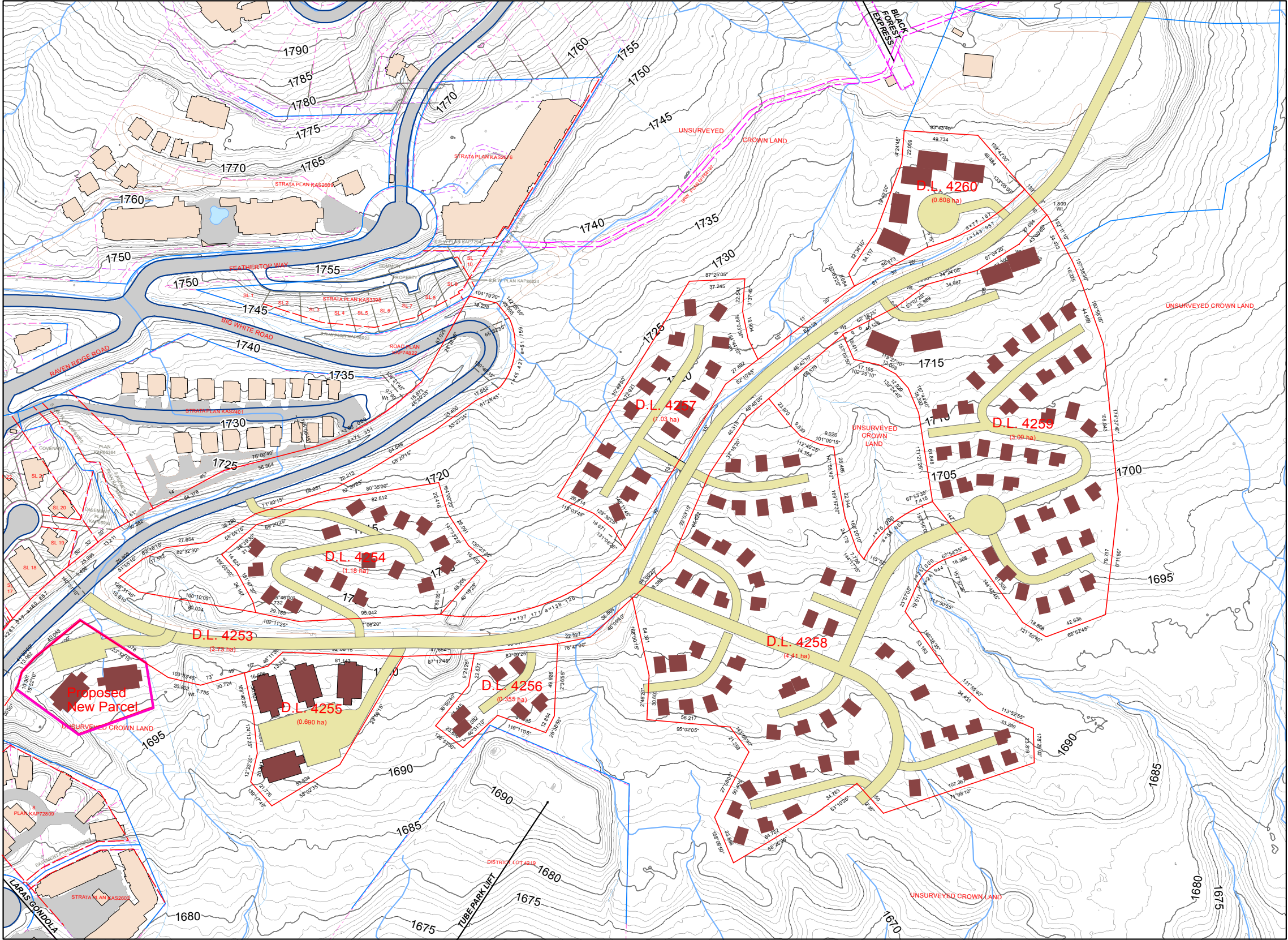
Table 4-1. Development Concept

Parcel #	Area (ha)	Zoning	Unit Type	# of Units	# of Bed Units
DL 4260	0.608	VC6	High Density Multi-family	100	300
DL 4259	3.0	R4 & R3	Medium Density Multi-family and Single-family	109	514
DL 4258	4.41	R3	Single Family	54	324
DL 4256	0.355	R3	Single Family	6	36
DL 4255	0.69	R3	Medium Density Multi-family	24	176
DL 4254	1.18	R6A	Employee Housing Residential	48	352
DL 4257	1.03	R3	Single Family	17	102
DL 4253 Block A	2.43	Unzoned	Road	0	0
DL 4253 REM	1.33	Unzoned	Road	0	0
Unassigned	0.45	R6A*	Employee Housing Residential	18	88
<b>TOTAL</b>	<b>15.453</b>			<b>376</b>	<b>1,892</b>

\*Application to amend R6A for Unassigned Land in process

The concept plan also includes dedicated ski access/egress lines that support the objectives of the future growth areas in the OCP. An existing ski trail will be protected through the development and secured by covenant (as shown on the Figure 4-1). Two additional ski trails are incorporated into the layout and will also be protected by covenant. In total, these trails will provide direct access to and egress from the mountain and village via the return ski trails to the Happy Valley and proposed beginner lifts in the area, resulting in a ski to / ski from experience for all residents and guests of the Black Forest at buildout.





Big White Ski Resort

- Legend**
- Existing Buildings
  - Existing Parcel
  - Proposed Building
  - Proposed Road/Driveway
  - Proposed Parcel

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2018  
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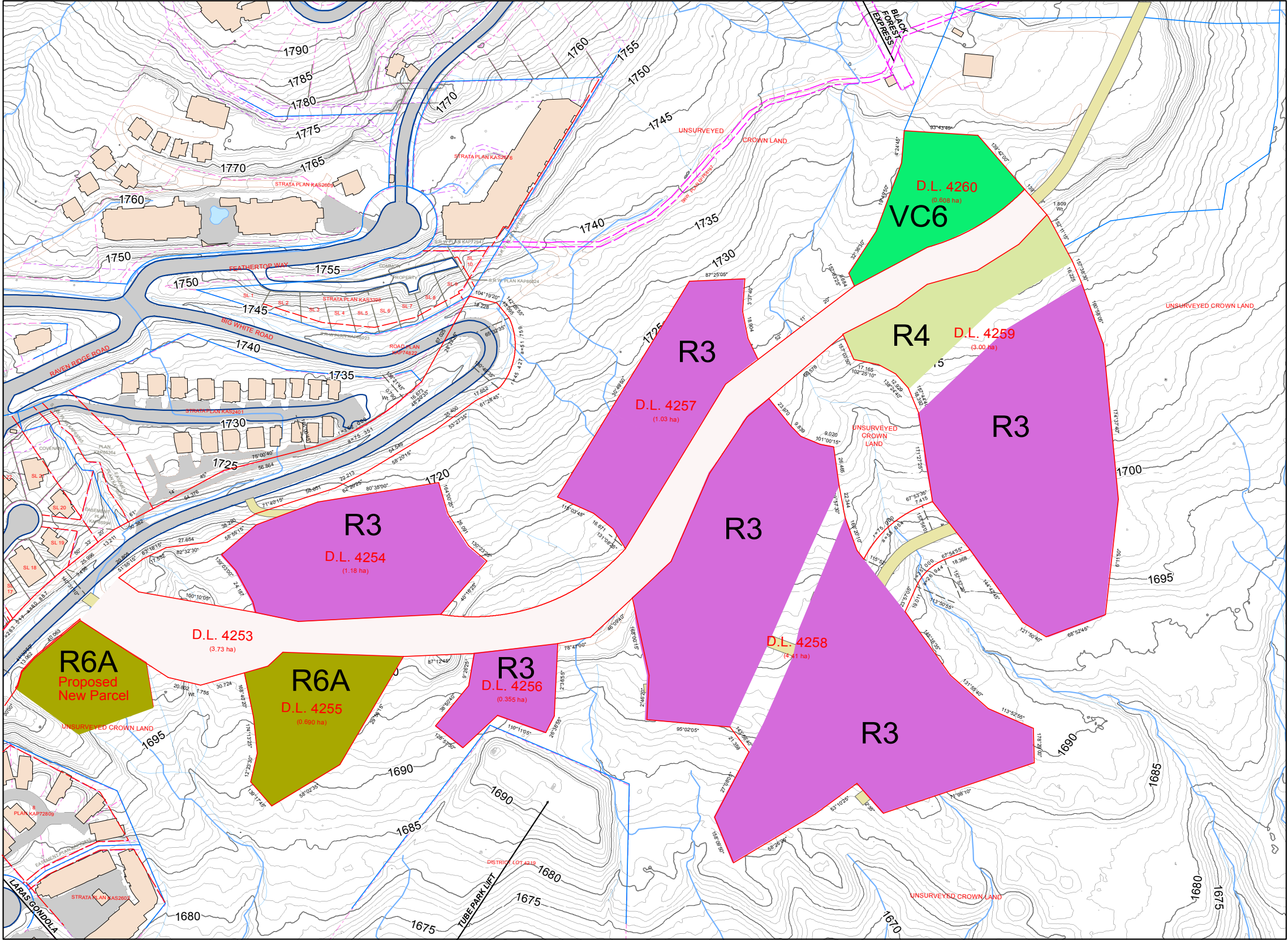
Black Forest  
Development  
Concept  
Figure 4-1



#### 4.3 Proposed Zoning

To fulfill the Development Concept, it is proposed that the single-family parcels be zoned as Chalet Residential 3 Zone (R3), the higher density, multi-family parcels be zoned as Village Commercial (VC6), and employee housing parcels be zoned as Employee Housing Residential (R6A). The development in the R3, VC6, and R6A zones will be in accordance with the Big White Zoning Bylaw No. 1166, 2002.





Big White Ski Resort

Legend

- Chalet Residential R3
- Medium Density Residential R4
- Village Core VC6
- Employee Housing Residential R6A
- Road

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Tel: 604 932 7002  
email: bha@brentharley.com

2018

1:2,500  
0 10 20 30 40 Meters



Black Forest  
Proposed Zoning  
Parcels  
Figure 4-2





#### 4.4 Development Impact

The following discusses the impact of the proposed low, medium, and high density residential uses on the resort.

##### 4.4.1 Adjacent Land Uses

The Black Forest area currently encompasses vacant land, located south of Big White Road and the Black Forest Express and Day Lot Parking area. The development is surrounded by vacant Crown Land on the eastern and southern sides. The tube park facility is adjacent to the development area on the western side. Vegetation buffers between the tube park, as well as the day use parking lot will be promoted through the development permit process.

##### 4.4.2 Access, Circulation and Linkages

There is one primary access point to the Black Forest area via Big White Road located at the northwestern corner of the development. The road (which exists as a gravel access road currently) traverses the parcel west to northeast to the Black Forest day skier parking lot. This road will be a public road providing legal and vehicular access to the development and lands beyond. One other secondary road winds east from the center of the development and south, ending in a hammerhead at the southeast corner of the development. This road will likely be a public road. All tertiary roads will likely be developed as bare land strata roads or private driveways.

The development positively impacts the circulation through Big White by upgrading and paving an existing gravel road that accesses the Black Forest Express and Day Use parking lot. Access to lands beyond will be preserved at the southern portion of the development area.

The development will facilitate the ongoing trail connections for ski to/ski from access. High density uses have been placed in areas with the greatest access to the staging lifts as well as the ski to/ski from and lift network.

##### 4.4.3 Visual Impact Analysis

The location of Black Forest should have limited visual impact on adjacent properties. The downhill sloping site, building and road setbacks, riparian setbacks and maximum building height will significantly reduce the visual impacts to existing and future development in the vicinity of Black Forest.

##### 4.4.4 Resort Parking

The subdivision will provide the appropriate parking in accordance with the Regional District's requirements.

##### 4.4.5 Terrain

The site has a gently sloping terrain with no known hazardous geological features. Any development will respect the environmental integrity of the site. The development plans will be



prepared in accordance with Regional District requirements. A qualified professional engineer will study any site-specific concerns.

#### 4.4.6 Community Image

The proposed development will be subject to the Development Permit process (where designated), ensuring a quality development that is sensitive to the character of Big White as well as the natural environment. It is anticipated that the development will work with the site's natural features to further build upon the Resort's image.

### 4.5 Objectives and Guidelines for Development Permits

It is proposed that the Black Forest Area be given the land use designations of Medium Density Residential and Village Core.

The Big White OCP requires that a Development Permit be submitted for all hotel, multiple family and commercial buildings. It is proposed that the Black Forest area be included in the Commercial and Multiple Family Development Permit Area as well as the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area.

The Black Forest area will be subject to the Big White Residential Design Guidelines. The Big White Residential Design Guidelines are intended to assist the developer, architect, and other consultants to understand the quality and image of design expected by Big White Ski Resort. The Guidelines define the range of acceptable site design, landscaping, grading, building design, snow management, and environmental protection considerations within the residential areas at the Resort. Administered by Big White Ski Resort, the Guidelines are utilized for review of all new residential building construction and future renovations.

### 4.6 Site Servicing

In the summer of 2006, Big White expanded the Powder Basin Reservoir increasing capacity to 207,000m<sup>3</sup> at a cost of \$3.9 million. Big White has also received a conditional water license (#118739) on May 20, 2008. With this, the water utility has been designed to service approximately 18,500 bed units as compared to the projected 11,873 bed units.

Big White's sewage treatment plant is currently operating under a permit which allows a daily discharge of 1,350 cubic metres per day. This equates to about 12,400 beds. Big White has applied for a permit to allow a daily discharge of 2,000 cubic metres per day with peaks of 4,000 metres per day. This will accommodate the needs of approximately 18,370 beds. Planning for further expansion will continue as development gradually occurs. A new sewer plant is planned to be developed to the south east of the CRA. It will support the resort development and needs but also accommodate the latest water treatment requirements.

Big White currently has 9,881 bed units in place or committed. The proposed Black Forest development will add approximately 1,892 bed units, bringing the existing or committed total to 11,873. With the proposed increase in the treatment capacity, Big White has sufficient water supply and sewage treatment capacity to accommodate the Black Forest expansion.



#### 4.7 Stormwater and Drainage

Stormwater will be managed by encouraging and mimicking natural processes. Maximizing non-porous and natural ground cover and retaining / reclaiming vegetation where possible will ensure the highest amount of stormwater is infiltrated at the source. Run off will be managed with ditches along roadways to allow maximum infiltration and filtering.

Snow storage areas will be incorporated into roadway design to ensure access is maintained in times of high snowfall. Storage areas will also be associated with roadside ditches that will filter and maximize infiltration of melting snow. Three watercourses running from north to south drain the lands naturally (see Utilities and Servicing Appendix C).



## 5. Conclusions

The development of the Black Forest area is consistent with the community goals identified in the Big White OCP. The following attributes of the Concept Plan strongly support the proposed development of the Black Forest area for residential and commercial uses with community and recreational amenities:

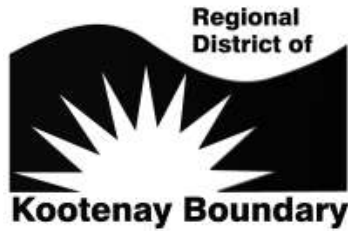
- The Black Forest Lands have a series of significant development attributes:
  - The site is gently sloping and easy to develop;
  - The site has no apparent geotechnical hazards;
  - The sewage treatment and water capacity at the resort can accommodate the development.
- The proposed development will provide a mixture of residential products that will diversify the existing real estate offerings at the resort and expand the ski to/ski from network.
- The subdivision design provides an upgrade to the existing access road of the Black Forest Day skier parking lot which will facilitate improvements to circulation in the resort;
- The development program complements existing environmental features.



## Appendix A: Development Permit Guidelines

Development Permit Area: Alpine Environmentally Sensitive Landscape Reclamation  
Development Permit Area

Development Permit Area: Commercial and Multiple Family Development Permit Area



**BIG WHITE**  
**OFFICIAL COMMUNITY PLAN**  
**Bylaw No. 1125**

Regional District of Kootenay Boundary  
202-843 Rossland Avenue  
Trail, BC V1R 4S8  
Telephone: 250.368.9148  
Toll Free in BC: 800.355.7352  
Fax: 250.368.3990

*Adopted by*  
The Regional District of Kootenay Boundary Board of Directors  
June 28, 2001

## 4 DEVELOPMENT PERMIT AREAS

The Development Permit Areas comprising this section contain guidelines for building construction and landscape reclamation. Development proposals for new construction, additions to existing buildings or reconstructions shall require a Development Permit. The Regional District having regard to the guidelines contained within this section will review development proposals. Conditions or restrictions may be imposed on a development. The regulations contained in the implementing Bylaw may be varied in accordance with the guidelines. These mandatory Development Permit Areas are identified on Schedule „C“, which forms part of this plan.

The Regional District may require, by Resolution of the Board, the deposit of a Security in the form of an Irrevocable Letter of Credit or other such security as may be approved by the Board, to be held until the requirements of a permit related to safety or landscape reclamation under this section have been executed, to the Board's satisfaction. Once the requirements are satisfied in full, the security provided under this subsection shall be returned to the permittee.

Should a permittee fail to fulfill the requirements of a Development Permit, the Regional District may undertake and complete the works required by the Development Permit at the cost of the permittee, and may apply the security as payment towards the cost of the work, with any excess to be refunded to the permittee.

### 4.1 Commercial and Multiple Family Development Permit Area

#### Area

Identified as Area No. 1 on Schedule „C“ Development Permit Area Map.

#### Category

Designated pursuant to

- Section 919.1(1f) establishment of objective for the form and character of commercial, industrial or multi-family residential development; and
- Section 919.1(1h) establishment of objectives to promote energy conservation.

#### Justification

The success and enjoyment of Big White is highly dependent upon an attractive and functional built environment. Attractive buildings suited to Big White's alpine context may enhance property values and help ensure a pleasant aesthetic experience for visitors. Large accumulations of snow, steep slopes and other high alpine building challenges must be considered in the design of buildings to ensure optimal safety and practicality. The siting and design of buildings directly influence the quality of the built environment.

#### Application

Development Permits for this development permit area will only be required for the construction of new multiple family residential developments and commercial buildings, and for additions which exceed 100 m<sup>2</sup> in finished floor area.

Subdivision, site preparation work, and road construction shall be exempt from this section.

A Development Permit issued under this section shall not relax a parking regulation or increase a maximum floor area ratio restriction.

Development Permit applications under this section must address each of the guidelines in writing. A site plan should be accompanied by other relevant visual materials such as building plans as part of an application. An application should clearly convey where proposed buildings will be situated and their relationship to other buildings, services and amenities in the vicinity.

The Development Permit process may vary certain regulations contained in the implementing bylaw. The following factors may be taken into consideration in reviewing a variance request:

**Note: This Bylaw is amended periodically.**

**Contact the Planning Department to ensure this is a current copy.**



***Big White Official Community Plan-Bylaw No. 1125, 2001***

The proposed variance is consistent with the guidelines of this section;

The proposed variance is shown to enhance the proposal;

The proposed variance does not increase the Floor Area Ratio (FAR) beyond the allowable limit established by the implementing bylaw;

Bylaw  
No.1277

Height of setback variances exceeding 1 metre will not be approved through the development permit process. Proposals to vary height or setback requirements by greater than 1 metre may be considered as part of a **Development Variance Permit** application.

The proposed variance is necessary due to an unavoidable physical constraint;

The proposed variance does not adversely impact an adjacent property.

***This section cannot vary a parking regulation in the implementing bylaw.***

**GUIDELINES****(1) Buildings shall have practical access and loading areas taking the following factors into consideration:**

- Practical access and egress must be provided for passenger vehicles;
- Appropriate fire-truck and other emergency vehicle access must be ensured. The Big White Fire department may be asked to comment on applications;
- Multi-family buildings with ten or more units and commercial buildings are required to accommodate and to allow for servicing of waste disposal and recycling bins. Applicants are asked to incorporate these standards for waste disposal and recycling:

One waste bin and three recycling containers are suggested for every ten self-contained residential units, or twenty hotel rooms, up to a maximum of four waste bins per building. For exclusively commercial uses, the waste disposal and recycling requirements will be determined at the time of application. The Regional District's Waste Management Coordinator may be asked to comment on applications;

- Proposed hotels must show a sufficient loading area for buses and enhanced ingress and egress to accommodate buses. Applicants are encouraged to consult with the Ministry of Transportation and Highways before applying for a development permit;
- Details of outdoor parking and manoeuvring areas must be provided including gradient analysis and the proposed means for ensuring adequate traction, if required.

Bylaw No.  
1182

**(2) A drainage management plan \*prepared by a professional engineer\* shall be provided. The plan must address how surface water will be directed through the site and where it will be directed off the site. Drainage across land must be controlled in a manner, which does not increase discharge off the land, or alter the drainage pattern in a manner which negatively impacts other land.**

Bylaw  
No.  
1353

**(3) A snow management plan shall be provided taking the following factors into consideration:**

- Roof design must establish effective snow management;
- The plan must describe snow management measures to maintain safe vehicle and pedestrian access to buildings;
- All pedestrian and vehicle access points must be protected from snow shedding and ice accumulation;
- Ski ways and pedestrian pathways shall also be away from potential roof avalanche areas;
- The plan must also identify snow storage areas on the property and/or clearly describe how and where excess snow is to be removed;

***Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.***

***Big White Official Community Plan-Bylaw No. 1125, 2001***Bylaw  
No.  
1353

- A Professional Architect or Engineer must assure the Regional District in writing that people and property are protected in a reasonable manner from the risk of snow shedding.

**(4) Proposed buildings should be designed to withstand the harsh alpine climate at Big White while incorporating the following features:****1.0 General Building Form**

*Building facades should appear as a composition of several segments or masses rather than a large, homogeneous entity. Buildings should not dominate the landscape or overpower the pedestrian scale.*

- Building facades and roof lines should be articulated to break up the massing of developments;
- Use of porches, courtyards and entry features that define ground levels of buildings, provide visual interest and define human scale are encouraged;
- Balconies should be simply designed; the use of long vertical or horizontal bands of balcony space is discouraged;
- Balconies should be covered and/or protected from snow and ice buildup.
- Encourage building design features that take advantage of solar energy for heating in winter.

Bylaw  
No. 1508**2.0 Roof Form**

*Roofs should be simple and designed to provide effective snow management. The intent is protection of pedestrians and property.*

- Roofs having a sloped appearance should be utilized and the mass of a single large roof should be broken into a collection of roofs and/or masses;
- Where feasible, it is encouraged that the principle ridge line be oriented to the street or major public open space;
- Roof overhangs should be provided;
- Adequate roof ventilation is key to the „cold roof“ concept. Convective ventilation consisting of continuous vents at the eaves and exhaust vents at gable ends or the ridge line is preferred;
- Use of ornaments such as finials, scroll work on ridges and/or decorative turrets are discouraged;
- Roof top access stairs, elevator shafts and mechanical equipment should be designed to be contained within the roof and/or screened from important sight lines.

Bylaw  
No.  
1353**3.0 \*Exterior Finish**

- Materials that reinforce the rustic and rural context of Big White will be used. Materials should be selected based on their durability, weathering potential, compatibility with the surrounding landscape and historic use within a traditional mountain resort;
- Big White's extreme freeze/thaw cycle and frequent large accumulations of snow must be considered in the selection of materials;
- Proposed buildings must be consistent with the mountain setting with appropriate designs and cladding such as stone, wood, acrylic stucco and treated/textured concrete;
- Stained or painted wood siding is strongly recommended;
- Use of heavy natural log or timber beams and posts are encouraged;

***Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.***

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***Big White Official Community Plan-Bylaw No. 1125, 2001***

- Use of corner boards, brackets, knee braces, exposed steel fasteners and substantial trim boards is encouraged;
- Use of stone covering the lower portions of buildings is encouraged;
- A limit of three materials per building is recommended in order to reduce visual disorder;
- Materials at the ground floor level should be chosen for their durability and detailed in a manner which respects the pedestrian scale;
- Large windows, which maximize the percentage of glass allowable for every elevation of the building, are encouraged;
- Door openings should be protected from the wind, and overhanging or drifting snow.

**(5) Skier access to and from buildings shall be maintained wherever possible.**

**(6) Development on slopes exceeding 30% shall require a Geotechnical Engineer's report.**

- The report must assure the Regional District that slope stability will be maintained;
- Recommendations of the report may be incorporated as conditions of the development permit;

**(7) House Numbers shall be displayed and clearly visible at all times.**

**(8) The guidelines of the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area shall apply to this development permit area.**

#### ***4.2 Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area***

##### **Area**

Identified as Area No. 2 on Schedule „C“ Development Permit Area Map.

##### **Category**

Designated pursuant to

- Section 919.1(1a) protection of the natural environment, its ecosystems and biological diversity; and
- Section 919.1(1i) establishment of objectives to promote water conservation.

##### **Justification**

Big White ski resort is situated at a high elevation of between 1700 and 1900 m above sea level. The natural vegetation at this elevation is extremely sensitive and easily disrupted by construction and other human activities. The failure to reclaim disturbed areas will leave the landscape in a barren state. This could result in erosion, localized flooding, general unsightliness and scarring of the natural landscape. Reclamation of areas disturbed by construction or other human activity will help minimize the impact of new development on this sensitive ecosystem.

##### **Application**

All development in the area designated as Alpine Environmentally Sensitive Landscape Reclamation shall be subject to this section.

Site preparation work and road construction shall be exempt from this section.

***Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.***

***Big White Official Community Plan-Bylaw No. 1125, 2001***

Building repairs and other construction activities limited to buildings and not involving the land shall be exempt from this section.

Subdivisions of land shall be exempt from this section.

An application under this section shall be filed prior to the issuance of a Building Permit. The details of the landscape reclamation plan may be submitted at any time during construction but before a Certificate of Final Occupancy is issued. The Board of Directors must approve the Landscape Reclamation Plan before it may be implemented. In the event the landscaping cannot be completed in the same year of construction, the Regional District may accept a security in the form of an Irrevocable Letter of Credit to not obstruct the issuance of a Certificate of Final Occupancy. The Regional District expects the Landscape Reclamation Plan to be implemented no later than one year after a Certificate of Final Occupancy has been issued.

**GUIDELINES**

- (1) All disturbed areas must be reclaimed. A landscape reclamation report shall describe the manner in which disturbed areas will be reclaimed. The retention of natural vegetation is strongly encouraged wherever possible. Landscape reclamation may include the replanting of natural vegetation. Areas with hard surfacing such as an asphalt driveway or sidewalk are to be shown on the plan.
- (2) The Regional District may take into consideration standards established by the British Columbia Society of Landscape Architects (BCSLA) and the British Columbia Nursery Trades Association (BCNTA).
- (3) Construction debris shall be removed.
- (4) The landscape reclamation plan should consider the threat of wildfire. The plan could indicate the fire-resistance of vegetation and/or suggest other measures to mitigate the threat of wildfire.
- (5) The landscape reclamation plan should consider snow clearing and storage to ensure vegetation is not destroyed by these activities.
- (6) Landscaping and screening elements, if proposed, should provide visual privacy and separation to neighbouring properties and enhance the appearance of proposed buildings as viewed from public roads, the Village Core, and adjacent residential properties.
- (7) Existing vegetation shall be preserved wherever possible and all surface parking, garbage and recycling areas should be screened from view. The vegetation planted should be able to withstand the harsh alpine climate and be co-ordinated with adjacent landscaping.
- (8) Encourage the use of vegetation that does not require irrigation with the exception of watering at planting to establish root development.

Bylaw  
No. 1508

**4.3 Light Industrial Development Permit Area****Area**

Identified as Area No. 3 on Schedule „C“ Development Permit Area Map.

**Category**

Designated pursuant to

- o Section 919.1(1f) establishment of objective for the form and character of commercial, industrial or multi-family residential development; and
- o Section 919.1(1i) establishment of objectives to promote water conservation.

**Justification**

The appearance of the physical and natural environment is important to the continuing success of Big White. High quality visual standards must therefore be maintained for lands dedicated to industrial use.

**Note: This Bylaw is amended periodically.**

**Contact the Planning Department to ensure this is a current copy.**

**Big White Official Community Plan-Bylaw No. 1125, 2001****Application**

A Development Permit will only be required for the construction of new buildings or for an addition 200 m<sup>2</sup> in gross floor area.

Subdivision of land is specifically exempted.

A Development Permit issued under this section shall not relax a parking regulation contained in the implementing bylaw.

**GUIDELINES**

- (1) A buffer strip comprised of mature trees at least 30m in width shall be maintained around lands designated for industrial exterior storage or a warehousing use.
- (2) Buildings and development within an area designated for an industrial use should be as unobtrusive as possible taking into consideration views from ski slopes including existing and future residential uses.
- (3) Reclamation and landscaping may be required where necessary to reduce or mitigate surface disturbance.
- (4) The guidelines of the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Area shall apply to this development permit area.
- (5) Encourage the use of vegetation that does not require irrigation with the exception of watering at planting to establish root development.

Bylaw  
No. 1508

***Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.***

## **5 IMPLEMENTATION OF THE PLAN**

### **5.1 Introduction**

Following the adoption of this Plan by Bylaw, there are various ways to ensure that the Plan's goals and objectives are achieved. The Plan's implementation shall be the ongoing responsibility of the Regional District, whose actions must conform to the Plan. The co-operation of the Provincial Government, private groups and the public will also be needed. Following are some key mechanisms that will be necessary for implementation.

### **5.2 General**

1. Some of the policies in this Plan involve a coordination of efforts among the Regional District, the Province and private organizations. The Regional District shall encourage the support of these third parties.
2. The Regional District shall ensure as far as possible that the policies of this Plan are properly, fairly and reasonably implemented.
3. The Regional District shall give consideration to the policies of this Plan in preparing short and long term budgetary requirements.

### **5.3 Land Use Control**

1. The Big White Zoning Bylaw shall be redrafted to conform to the policies of this Plan.
2. In order to accommodate specific site conditions or circumstances, the densities and uses referred to in this Plan may be further refined in the implementing bylaws provided that the general intent and purpose of the Plan is respected.
3. Subdivision approval remains with the Ministry of Transportation and Highways Provincial Approving Officer who may have regard to the policies of this Plan in considering subdivision applications.
4. The Regional District, in order to implement this Plan, may enact such bylaws as it considers reasonable and appropriate.

## 6 LAND USE MAP

### 6.1 Interpretation of Land Use Maps

The Land Use Map attached hereto as Schedule „B” indicates the general locations and distributions of major land use designations in the Plan area. The boundaries of the designations are approximate and convey the relationship between principal uses. These boundaries will be defined in greater detail in the implementing bylaws.

Public utility uses and transmission facilities (excepting offices, maintenance facilities and administrative services) which are essential for the provision of water, sewer, electricity, telephone and similar services shall be permitted throughout the area as required.

### 6.2 Explanation of the Land Use Designations

The list below generally indicates the range of permitted uses for each land-use designation.

#### 1. EXISTING DEVELOPMENT AREA

##### Village Core

Within the area designated Village Core, permitted uses may include: bookshops, business, professional and administrative offices, catering services, conference centres and banquet rooms, day-care facility, eating and drinking establishments, gift shops, health salon and fitness centres, hotels, multiple family residences, personal service establishment, recreation and entertainment facilities, ski/sport shop including ski school and ski rental facilities and accessory uses, buildings and structures.

##### Medium Density Residential

Within the area designated Medium Density Residential, permitted uses may include: single and two family residences, multiple family residences, home occupations, accessory buildings and structures.

##### Intermediate Density Residential

Within the area designated Intermediate Density Residential, permitted uses may include: single and two family residences; multiple family residences; recreational and entertainment facilities; home occupations; pensions; bed and breakfasts and/or boarding use; and accessory buildings and structures.

##### High Density Residential

Within the area designated High Density Residential, permitted uses may include: multiple family residences and accessory buildings and structures.

##### Day Lodge Commercial

Within the areas designated Day Lodge Commercial, permitted uses may include: day-care facilities, eating and drinking establishments, gift and sport shop, ski school sales and ski rental facilities, ticket sales and accessory uses, buildings and structures.

##### Public and Institutional

Within the areas designated as Public and Institutional, permitted uses may include: civic use, community hall, emergency services building, fire hall, first aid post, hospital, post office, public service use, recycling facilities, public utility use, ski patrol building and one dwelling unit in conjunction with a principal permitted institutional use recycling facilities.

##### Light Industrial

Within the areas designated as Light Industrial permitted uses may include typical ski-hill maintenance facilities, storage, towing compounds, accessory uses buildings and structures.

Bylaw  
No.  
1353

**Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.**



***Big White Official Community Plan-Bylaw No. 1125, 2001***

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**Sewer Utility**

In the area designated as Sewer Utility, permitted uses shall include: sewage treatment and disposal facilities operating under a permit pursuant to the Waste Management Act and accessory uses, buildings and structures including the storage of propane or similar fuel tanks.

**Recreational Resource**

In the area designated as Recreational Resource, permitted uses may include: hiking trails, horseback riding trail and stables, outdoor recreational use, picnic site, resource use, ski lift and tow and accessory uses, buildings and structures.

**Neighbourhood Commercial**

Neighbourhood Commercial is primarily intended to meet the immediate needs of a residential area that is removed from the Village proper. It should not be of a size or nature that could seriously compete with, or detract from, commercial within the Village Core. The suggested maximum Floor Area Ratio for new development of commercial should be in the vicinity of 0.8.

**2. FUTURE GROWTH AREA**

The Future Growth Area designation is subject to Secondary Planning in compliance with Section 3.3 of this Plan and all other policies of the Big White Official Community Plan. The permitted uses within the Future Growth Area will be identified by way of the Secondary Planning Process. The Future Growth Area will be divided into sub-areas on Schedule B (Land Use Map) to assist in referencing certain areas with greater ease. The sub-areas are the Black Forest, Village, Lower Snow Pines, Powder and Westridge Future Growth Area.

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***Note: This Bylaw is amended periodically.  
Contact the Planning Department to ensure this is a current copy.***

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## Appendix B: Letter of Support from the Province of B.C.



File No.: 3411575

July 19, 2007

Mark Andison, Director of Planning  
 Kootenay-Boundary Regional District  
 Suite 202 - 843 Rossland Ave  
 Trail, BC V1R 4S8

Dear Mr. Andison,

**RE: Application for Rezoning, Black Forest Project at Big White Ski Resort**

Brent Harley and Associates Inc., acting as an agent on behalf of Big White Ski Resort, has applied to our office for a Crown Grant for residential development. The application area is currently zoned REC (Recreation Resource) which is not suitable for the intended purpose. This letter will confirm that Brent Harley and Associates Inc. is authorized to act as an Agent on behalf of the Ministry of Tourism, Sport and the Arts ("Owner") with respect to a rezoning application for the Crown land described as:

**Black Forest at Big White – Unsurveyed Crown land in the vicinity of District Lot 4219, Similkameen Division Yale District, containing 27.94 hectares, more or less, within the Controlled Recreation Area for Big White Ski Resort.**

I trust this letter is sufficient to allow the Board to accept and process the rezoning applications for these parcels of land. Please call me if you require further information.

Yours truly,

Tori Meeks  
 Land Officer  
 250-371-3943

pc: Adam Brown, Brent Harley and Associates Inc. Via Email: [adam@brentharley.com](mailto:adam@brentharley.com)  
 Paul Plocktis, Vice President, Real Estate & Development, Big White Ski Resort  
 Via Email: [pplocktis@bigwhite.com](mailto:pplocktis@bigwhite.com)

Ministry of Tourism,  
 Sport and the Arts

Resort Development Branch  
 Tourism Division

Mailing Address:  
 510 175 2<sup>nd</sup> Ave  
 Kamloops, BC V2C 5W1

Phone: (250) 371-3952  
 Fax: (250) 371-3942

Location:  
 510 175 2<sup>nd</sup> Ave  
 Kamloops, BC V2C 5W1

[www.gov.bc.ca/tsa](http://www.gov.bc.ca/tsa)



## Appendix C: Utilities and Servicing Plan



October 29, 2007

Big White Ski Resort Ltd.  
PO Box 2434 Station R  
Kelowna BC  
V1X 4K5

Attention: Mr. Jeremy Hopkinson  
Vice President, Mountain Operations

Dear Jeremy:

**RE: Black Forest Development - Drainage System Conceptual Plan**

## **1.0 INTRODUCTION**

This letter-report summarizes the conceptual plan for the storm drainage system for the Big White Black Forest development. The objective of this letter is to determine the storm sewer layout and pipe diameters required to service the proposed development

This report includes the following sections:

- 1.0 Introduction
- 2.0 Engineering Criteria
- 3.0 Drainage Analysis
- 4.0 Summary of Report

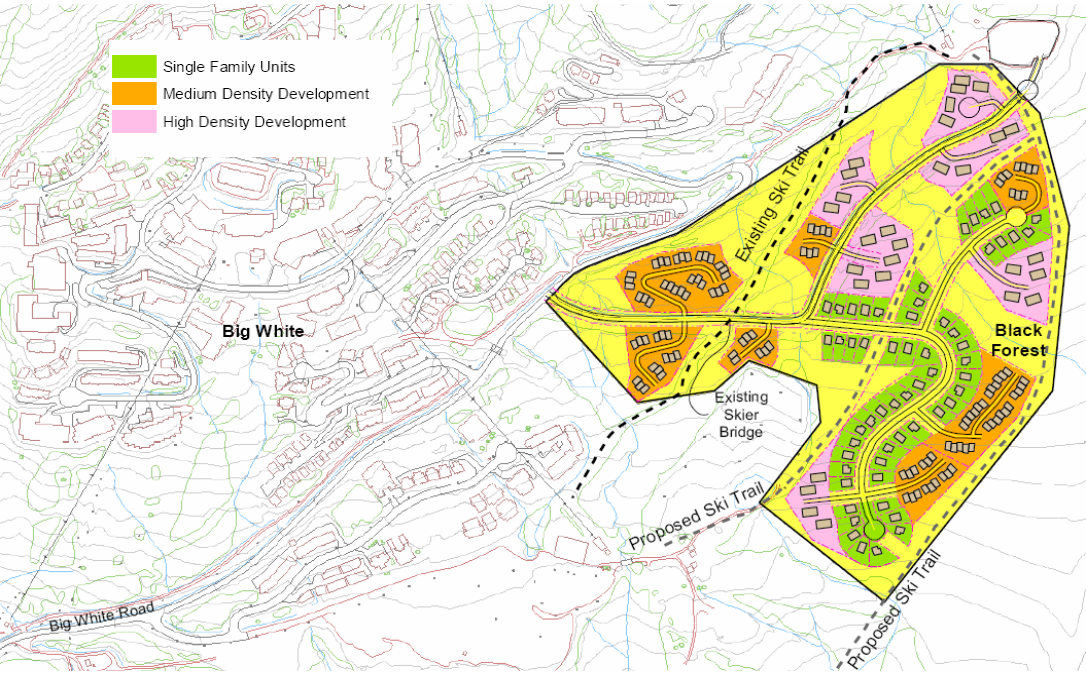
The Black Forest Development consists of 29 High Density Buildings, 111 Medium Density Buildings and 56 Single Family Units. The roads within the development will be built complete with curb and gutter. The runoff flows will be conveyed by a storm sewer network discharging to the existing watercourses in the area.

Location of proposed development area is shown on Figure 1.1.

**Agua Consulting Inc. “Engineered Water Solutions”**

- o 3349 East Kelowna Road, Kelowna, BC, V1W 4H3
- o Phone: 250.860.1222 Facsimile: 250.860.1254 Cellular: 250.212.3266

Figure 2.1 - Black Forest Concept Plan by Brent Harley and Associates



This report is based on preliminary development layout supplied by D.C. Ponto and Associates. Road design within proposed development has not been completed at this time. Pipe inverts and slopes are based on existing topography assuming inverts at 1.5m below existing ground elevation.

2.0 DESIGN CRITERIA

Criteria for storm water infrastructure design are based on good engineering practices. A summary of the parameters used is as follows:

Minor return period storm frequency	1:5 year
Major return period storm frequency	1:100 year
Mannings Coefficient	n=0.013

The proposed development was divided into contributing areas as illustrated in Figure 2.1. All contributing areas are small enough to complete the runoff analysis using the Rational Method. Runoff coefficients were used based on the proposed density for each area. Runoff coefficients used are as follows:

Runoff coefficient for Single Family Units	0.5
Runoff coefficient for Attached Multi-family	0.7
Runoff coefficient for Detached Multi-family	0.6
Runoff coefficient for road and parking areas	0.8

Rainstorms Data

Agua Consulting Inc.  
"Engineered Water Solutions"

Rainfall data for the Big White area is not available. Information from the Kelowna International Airport with a correction factor due to altitude difference was used for the Drainage Analysis. Precipitation intensity was increased by 30%.

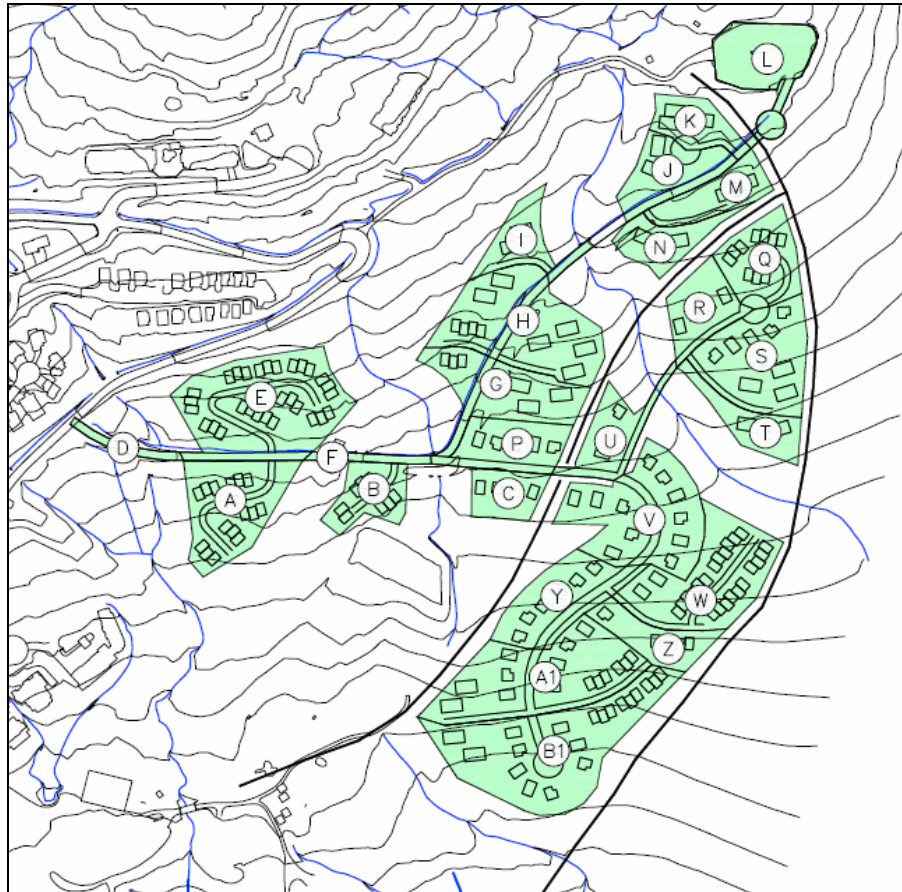
#### Time of Concentration

Time of concentration for the 5 year event	10 min
Time of concentration for the 100 year event	5 min

### 3.0 DRAINAGE ANALYSIS

The proposed development is located east of the Big White Village on land sloping to the southeast. Several minor water courses flow through the proposed development area. Runoff flows conveyed by the storm sewer will be discharged at these water bodies at several locations. Figure 3.1 shows the sub-catchment areas identified for the Black Forest development.

**Figure 3.1 - Black Forest Sub-catchment Areas Identification**



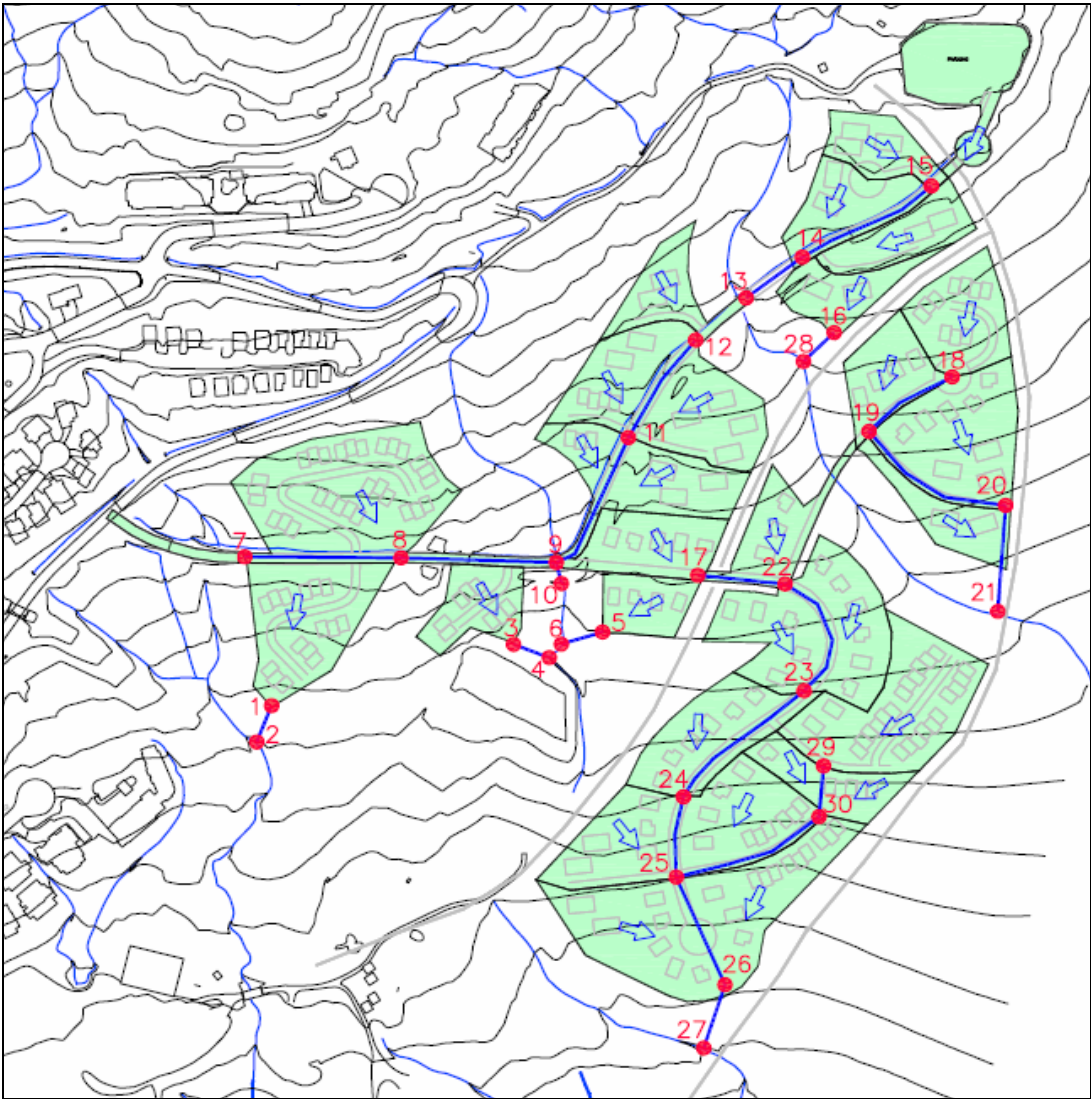
**Table 3.1 - Black Forest Sub-Catchment Areas and 1:5 year Runoff**

Area Id	Area (m <sup>2</sup> )	Runoff Coeff	Discharge Node	Runoff Flow (L/s)
A	7898	0.7	1	92
B	3663	0.7	3	43
C	3003	0.5	5	25
D	884	0.8	7	12
E	13725	0.7	8	160
F	924	0.8	9	12
G	7289	0.65	9	79
H	11583	0.6	11	116
I	3555	0.6	12	36
J	4798	0.6	14	48
K	3345	0.6	15	33
L	6222	0.8	15	83
M	3847	0.6	14	38
N	3328	0.6	16	33
P	4922	0.5	17	41
Q	5346	0.7	18	62
R	4187	0.5	19	35
S	8854	0.55	20	81
T	3359	0.6	21	34
U	4144	0.5	22	35
V	11203	0.5	23	93
W	9967	0.65	29	108
Y	6621	0.5	24	55
Z	3684	0.6	30	37
A1	12333	0.55	25	113
B1	15024	0.6	26	150

The proposed storm sewer is illustrated in Figure 3.2. The storm sewer pipe network is based on the proposed road alignment and the existing topography.



Figure 3.2 - Black Forest Proposed Storm Sewer



The proposed storm sewer pipe network has been designed to convey the runoff generated by the 5 year storm event. The required pipe diameters and expected flows are illustrated in Table 3.2

Runoff generated by the 1:100 year storm event will be safely conveyed by roads and swales following the same drainage pattern shown in Figure 3.2. The expected runoff flows from each of the sub-catchment areas is indicated in Table 3.3

**Table 3.2 - Storm Sewer Pipe Network**

Node ID		Elevation (m)		Length (m)	Slope (%)	Diameter (mm)	Manning n	Full Flow Cap (L/s)	Full Flow Vel (m/s)	Travel Time (min)	Max. Expected Flow (L/s)	Q/Qfull	Comments
Initial	Final	Initial	Final										
1	2	1686.5	1685.0	30.0	5.0	250	0.013	133	2.71	0.18	80	0.60	Discharge to Creek
3	4	1687.0	1685.0	30.0	6.7	250	0.013	154	3.13	0.19	37	0.24	Discharge to Creek
5	6	1688.5	1685.0	44.0	8.0	250	0.013	168	3.42	0.31	22	0.13	Discharge to Creek
7	8	1703.5	1700.5	135.0	2.2	250	0.013	89	1.81	1.87	10	0.12	
8	9	1700.5	1694.5	105.0	5.7	300	0.013	231	3.27	0.50	149	0.64	
12	11	1716.5	1707.5	96.0	9.4	250	0.013	182	3.71	0.58	31	0.17	
11	9	1707.5	1694.5	121.0	10.7	250	0.013	195	3.97	0.47	131	0.67	
9	10	1694.5	1693.0	18.0	8.3	375	0.013	506	4.58	0.06	280	0.55	Discharge to Creek
15	14	1726.5	1721.0	102.0	5.4	250	0.013	138	2.81	0.55	101	0.73	Discharge to Creek
14	13	1721.0	1718.0	73.0	4.1	300	0.013	196	2.77	0.39	176	0.90	
16	28	1713.5	1710.0	30.0	11.7	250	0.013	203	4.14	0.17	29	0.14	Discharge to Creek
18	19	1705.5	1701.0	76.0	5.9	250	0.013	145	2.95	0.46	54	0.37	Discharge to Creek
19	20	1701.0	1693.5	128.0	5.9	250	0.013	144	2.93	0.70	84	0.59	
20	21	1693.5	1686.0	85.0	8.8	300	0.013	287	4.06	0.33	184	0.64	
29	30	1676.0	1668.5	48.0	15.6	250	0.013	235	4.79	0.18	94	0.40	Discharge to Creek
30	25	1668.5	1664.0	113.0	4.0	250	0.013	119	2.42	0.70	94	0.79	
17	22	1693.0	1692.0	60.0	1.7	250	0.013	77	1.56	0.65	36	0.46	
22	23	1692.0	1687.0	60.0	8.3	250	0.013	172	3.50	0.31	65	0.38	
23	24	1687.0	1673.5	165.0	8.2	250	0.013	170	3.47	0.74	113	0.67	
24	25	1673.5	1664.0	68.0	14.0	250	0.013	222	4.53	0.22	211	0.95	
25	26	1664.0	1653.5	110.0	9.5	375	0.013	542	4.90	0.36	305	0.56	
26	27	1653.5	1650.0	55.0	6.4	375	0.013	442	4.00	0.23	435	0.98	

Big White Water, Sewer and Gas Utility  
 Black Forest – Drainage System Conceptual Plan  
 October 29, 2007

**Table 3.3 - Black Forest Sub-Catchment Areas and 1:100year Runoff**

Area Id	Area (m <sup>2</sup> )	Runoff Coeff	Discharge Node	Runoff Flow (L/s)
A	7898	0.7	1	238
B	3663	0.7	3	110
C	3003	0.5	5	65
D	884	0.8	7	30
E	13725	0.7	8	413
F	924	0.8	9	32
G	7289	0.65	9	204
H	11583	0.6	11	299
I	3555	0.6	12	92
J	4798	0.6	14	124
K	3345	0.6	15	86
L	6222	0.8	15	214
M	3847	0.6	14	99
N	3328	0.6	16	86
P	4922	0.5	17	106
Q	5346	0.7	18	161
R	4187	0.5	19	90
S	8854	0.55	20	209
T	3359	0.6	21	87
U	4144	0.5	22	89
V	11203	0.5	23	241
W	9967	0.65	29	278
Y	6621	0.5	24	142
Z	3684	0.6	30	95
A1	12333	0.55	25	291
B1	15024	0.6	26	387

#### 4.0 REPORT SUMMARY

This section provides a summary of our report

- ☐ Black Forest development is located in an area that has several available discharge locations into water courses. Having the opportunity to discharge the runoff in several different locations reduces the pipe sizes required throughout the drainage pipe network. It also disperses the runoff flows to the natural stream locations with lower flows and less overall impact.
- ☐ The proposed development area has been subdivided into small sub-catchment areas. The analysis was carried out utilizing the rational method. Rain data used for the analysis was taken from the Kelowna Airport with an increase of 30% due greater intensities expected at the higher altitude.
- ☐ The storm sewer has been designed following the road layout and based on the existing topography. The pipes have been sized to convey the 1:5 year storm event.
- ☐ A minimum pipe diameter of 250mm has been adopted for this drainage plan.
- ☐ At the time of this report completion no detailed profiles of the roads within the development were available. The conceptual plan has been based on existing topographic information. Once the detailed road design is completed, confirmation of the actual pipe slopes and required storm sewer pipe sizes can be completed. The final pipe sizes must be checked against the actual detailed design drawing pipe slopes to verify there is sufficient pipe capacity to carry the minor system Design Flows.
- ☐ Table 3.2 of this report shows the preliminary pipe diameters for the proposed storm sewer.
- ☐ The major storm event runoff will flow overland following the same route as the minor storm event. In places where the overland flow is not conveyed by a road, swales large enough to carry the expected flows shall be constructed. Erosion protection of the swale must be considered during their design.
- ☐ The capacity of the ravine where Nodes 4, 6 and 10 will discharge has to be assessed to make sure that no overland flow will enter the west part of sub-catchment areas A1 and B1.

Yours truly,

**Agua Consulting Inc.**



Bob Hrasko, P.Eng.  
Principal

RJH/af

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**Agua Consulting Inc.**  
"Engineered Water Solutions"



October 29, 2007

Big White Ski Resort Ltd.  
 PO Box 2434 Station R  
 Kelowna BC  
 V1X 4K5

Attention: Mr. Jeremy Hopkinson,  
 Vice President, Mountain Operations

Dear Jeremy:

**RE: Black Forest Development - Water System Conceptual Plan**

## **1.0 INTRODUCTION**

This report sets out our recommended plan for the development of the water supply system for the Black Forest development at Big White. The objective of this letter is to review the existing water system infrastructure capacity to service the proposed development. The size of new infrastructure needed to supply water to the Black Forest Development is presented.

This report includes the following sections:

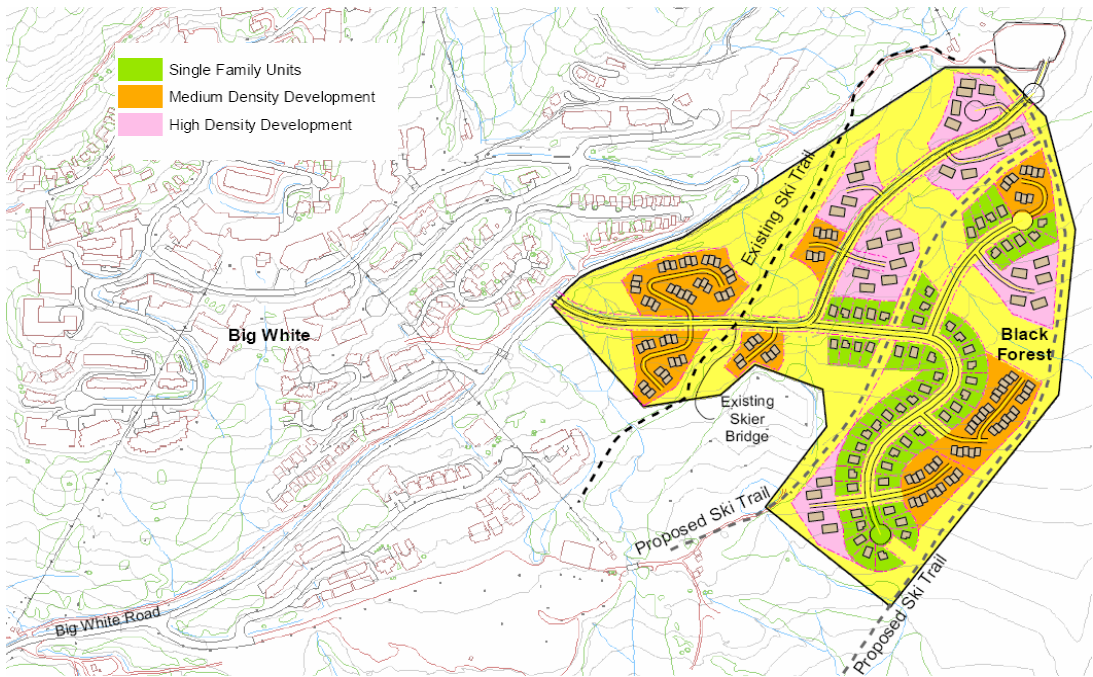
- 1.0 Introduction
- 2.0 Engineering Criteria
- 3.0 Existing water supply system capacity assessment
- 4.0 Water system upgrades
- 5.0 Summary of report

The proposed Black Forest development is to consist of 29 High Density Buildings, 111 Medium Density Buildings and 56 Single Family Units. The development will have 1,200 bed units within each of two phases for an ultimate number of 2,400 bed units. The development elevation ranges from 1,683m to 1,717m.

Location of proposed development and site layout is illustrated on Figure 1.1.

**Agua Consulting Inc.** "Engineered Water Solutions"  
 o 3349 East Kelowna Road, Kelowna, BC, V1W 4H3  
 o Phone: 250.860.1222 Facsimile: 250.860.1254 Cellular: 250.212.3266

Figure 2.1 - Black Forest Concept Plan by Brent Harley and Associates



2.0 ENGINEERING CRITERIA

Engineering criteria adopted for this report is presented as follows:

Population Density

High Density Building	33 bed/building
Medium Density Building	11 bed/building
Single Family Unit	4 bed/building
Studio	2 pillows
1 Bedroom	4 pillows
2 Bedroom	6 pillows
3 Bedroom	8 pillows
Additional bedroom	1.5 pillows

Water Demands

Maximum Day Demand (MDD)	227.3 L/d/bed (50 lgp/bed)
Average Day Demand (ADD)	68.2 L/d/bed (15 lgp/bed)
Peak Hour Demand (PHD) / MDD factor	1.5
Fire Flow Demand (minimum)	150 L/s for 2 hours

Residual Pressures

Maximum Static Pressure	95m (135 psi)
Minimum Pressure under Peak Hour Demand	31.7m (45 psi)
Minimum Pressure under MDD + FF	14.1m (20 psi)

Hazen- Williams Roughness Coefficient 'C' for PVC pipe	130
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### 3.0 EXISTING WATER SUPPLY SYSTEM CAPACITY ASSESSMENT

Our assessment of the water system with respect to the proposed development covers the domestic water demands, fire demand, an assessment of reservoir storage requirements, water distribution system capacity, review of pressure service zones, and water treatment plant (WTP) capacity.

#### Water Demands

Based on a MDD of 50 Igpd/bed the additional demand placed on the mountain from the proposed development is estimated to be as follows:

##### Black Forest

Phase 1 – 1,200 bed units x 50 Igpd/bed unit	=	60,000 Igpd (3.16 L/s)
Phase 2 – 1,200 bed units x 50 Igpd/bed unit	=	60,000 Igpd (3.16 L/s)

<b>Ultimate Add'l Max Day Water Demand (MDD)</b>	<b>120,000 Igpd (6.31 L/s)</b>
--	--------------------------------

A minimum Fire Flow demand of 150 L/s with a duration of 2 hours is typical for multi-family developments in the BC Southern Interior. The building FF demand must be estimated as per Fire Underwriters Survey (FUS) to confirm that the FF requirement is met.

#### Reservoir Storage Assessment

Reservoir storage is typically assessed using the equation of the sum of:

- A = Balancing storage, typically 6 hours of the Maximum daily water demand;
- B = Fire storage for the flow rate and duration of the highest level of protection required in the service area;
- C = Emergency storage which is equal to ( A + B ) x 25%

Existing reservoir storage on the mountain consists of a 1,363 m<sup>3</sup> concrete in-ground storage tank with a high water level of 1879.40 metres. The current actual MDD measured at Big White is 27.53 L/s (524,000 Igpd). The reservoir is gravity fed from the WTP, where the number of on-line filters is adjusted through out the year to supply the MDD. The WTP capacity is 31.5 L/s (600,000 Igpd) which reduces the balancing storage requirement. Our current assessment of storage allotment is summarized as follows:

#### Current Storage Available

	Excludes WTP Flow	Includes WTP Flow
A (Balancing storage) = MDD flow (27.53 L/s) for 6 hours =	595 m <sup>3</sup>	0 m <sup>3</sup>
B ( Fire storage ) = 134.9 L/s for a duration of 2.0 hours =	971 m <sup>3</sup>	971 m <sup>3</sup>
C (emergency storage) = 25% x (A+B) =	273 m <sup>3</sup>	392 m <sup>3</sup>
<b>TOTAL</b>	<b>1,839m<sup>3</sup></b>	<b>1363 m<sup>3</sup></b>

The current available Fire Storage is 971 m<sup>3</sup>. This volume is enough to supply 134.9 L/s during 2.0 hours based on FUS recommendations. With the addition of the Black Forest development, the available FF protection will be reduced to 130.2 L/s for a 2.0 hour duration.

#### Storage Available After Adding Black Forest

	Excludes WTP Flow	Includes WTP Flow
A (Balancing storage) = MDD flow (33.84 L/s) for 6 hours =	731 m <sup>3</sup>	9 m <sup>3</sup>
B ( Fire storage ) = 130.2 L/s for a duration of 2.0 hours =	937 m <sup>3</sup>	937 m <sup>3</sup>
C (emergency storage) = 25% x (A+B) =	417 m <sup>3</sup>	417 m <sup>3</sup>
<b>TOTAL</b>	<b>2,085 m<sup>3</sup></b>	<b>1363 m<sup>3</sup></b>

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The available fire protection flow is reduced to 130.2 L/s for 2.0 hours when the Black Forest Development MDD is added to the water system. It should be noted that the emergency component (C) was not reduced due to flow available from the WTP.

#### **Water Distribution System Performance Assessment**

The proposed development is outside the area currently serviced by the Big White water distribution system. The watermain network has to be extended to supply water to Black Forest development. The proposed network expansion is discussed in Section 4.0 Water System upgrades.

#### **Water Treatment Capacity Assessment**

The existing water treatment system has a current capacity of 31.5 L/s (600,000 Ipgd). With the addition of the Black Forest development, the water treatment capacity will be insufficient to handle the maximum daily demand conditions. Expansion of the filtration system is discussed in Section 4.0 Water System Upgrades.

### **4.0 WATER SYSTEM UPGRADES**

The water system upgrades required to service the proposed development are discussed in this section.

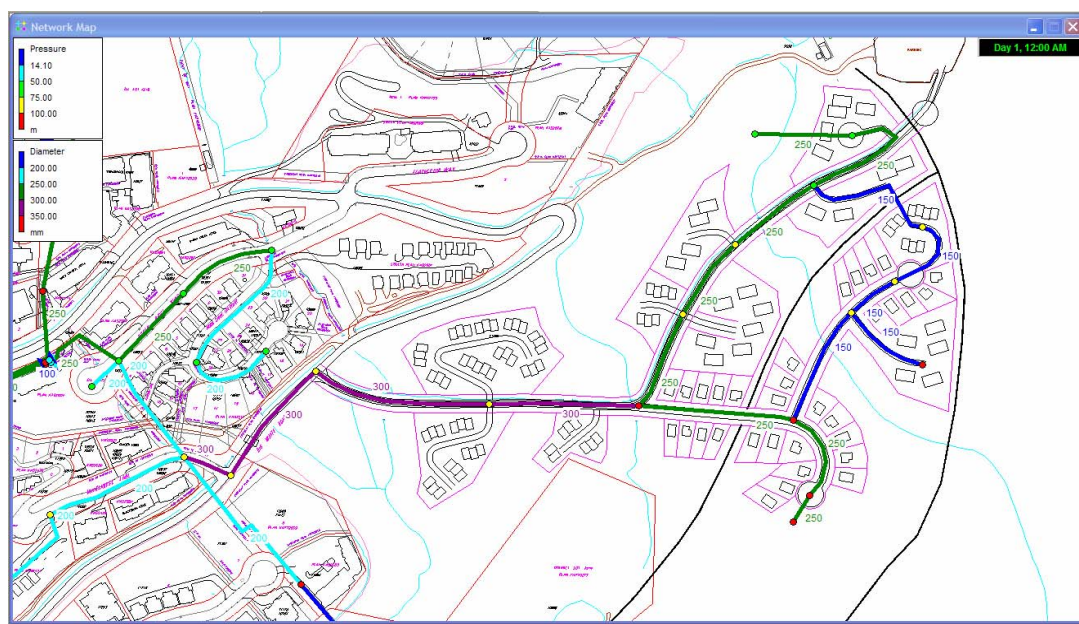
#### **Water Distribution System Upgrades**

The computer water distribution model is the best analysis tool for determining water distribution system capacity to the development site. The proposed pipe network expansion was added to the latest version of the model to confirm water main diameter requirements for properly servicing the Black Forest Development. Figure 4.1 illustrates the required water main sizes. Sizes are shown on the figure in millimeters.

The development area is located below the existing Pressure Reducing Valve (PRV) stations that are on the mountain. Because the development is lower on the mountain, there is the ability in the long term to provide water from either the Rhonda Lake source or from the Powder Basin Reservoir. Supply from either source is large benefit in developing redundancy and contingency plans in the event of supply or disinfection problems.



**Figure 4.1 - Required Watermain Sizes**



### Fire Flow Protection

FUS fire flow assessments for the larger building within Black Forest must be completed. Additional information in regards to square footage, construction materials, fire wall and sprinkler system installation, as well as building clearances will affect the fire flow assessment. Based on FUS fire flow requirements for multi family units in the Okanagan Valley, it is expected a FF higher than current system capacity of 133 L/s. Two options for fire protection are provided.

#### Option 1 - Fire Flow Protection – Bypass Filters

One possible option to increase the available FF is to adjust the system so that the FF component is eliminated from the storage requirement equation by means of a direct feed from the Rhonda Lake Reservoir. Rhonda Lake Reservoir holds approximately 360,000 m<sup>3</sup> of storage and is the primary water supply for Big White. Sufficient flow and substantial duration of the maximum flow will be available if this source is used directly to provide fire protection.

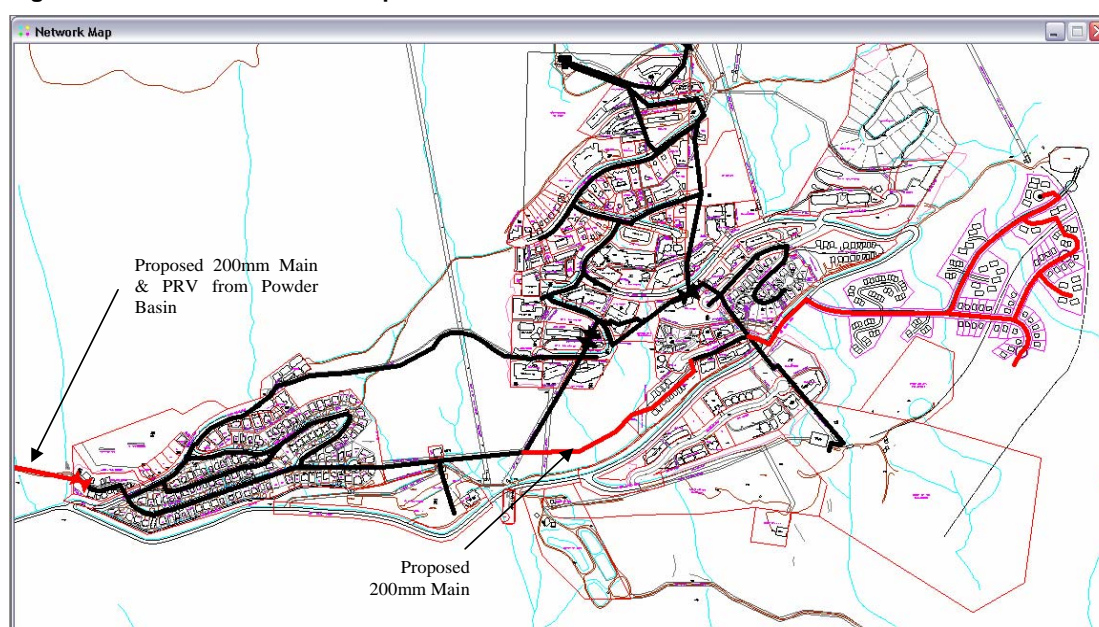
In order to ensure biological safety of the water, upgrades are required with respect to the chlorination and disinfection systems. A high-flow automated bypass valve from the filter system would be required to be set up with appropriate controls to ensure that there is sufficient fire flow when required to feed a fire in the event of a major event.

A UV disinfection system is the best available technology that would allow Big White to proceed with these process adjustments. Upgrading of the chlorination system would also be required if this is to be developed.

### Option 2 - Fire Flow Protection – Feed from Powder Basin

A second option is to change the settings on both existing PRV stations to have the lower pressure zone water fed primarily from the new Powder Basin reservoir and treatment facility. The PRVs would be set to maintain a minimum flow through during the normal demand periods to reduce the potential for water stagnation in the mains. The PRVs would also provide a higher flow under the fire flow scenario. The PRVs must be set so that the residual pressure downstream of existing PRVs is maintained by the new PRV on the line from Powder Basin. The valves also would have to be set to limit the fire flow supplied by the 1879m Reservoir to a maximum of 130 L/s. Figure 4.2 shows in red the new mains required for Basin Powder to feed the Black Forest area.

**Figure 4.2 - Additional Mains Required**



The modified PRV setting option has been modeled using the latest EPANET Big White Water System model. The model has been updated including the Black Forest Area and the simulation time has been extended from 1 hour to a 24 hour period. By utilizing extended simulation times ( modeling a 24 hour period of time) a better understanding of components such as storage volume available can be obtained. An additional demand pattern has been included in the model to include for system leakage.

The model was used to determine the PRV settings to have normal condition demands in the lower pressure zone being supplied by the Powder Basin Reservoir. The chosen PRV settings are as follows:

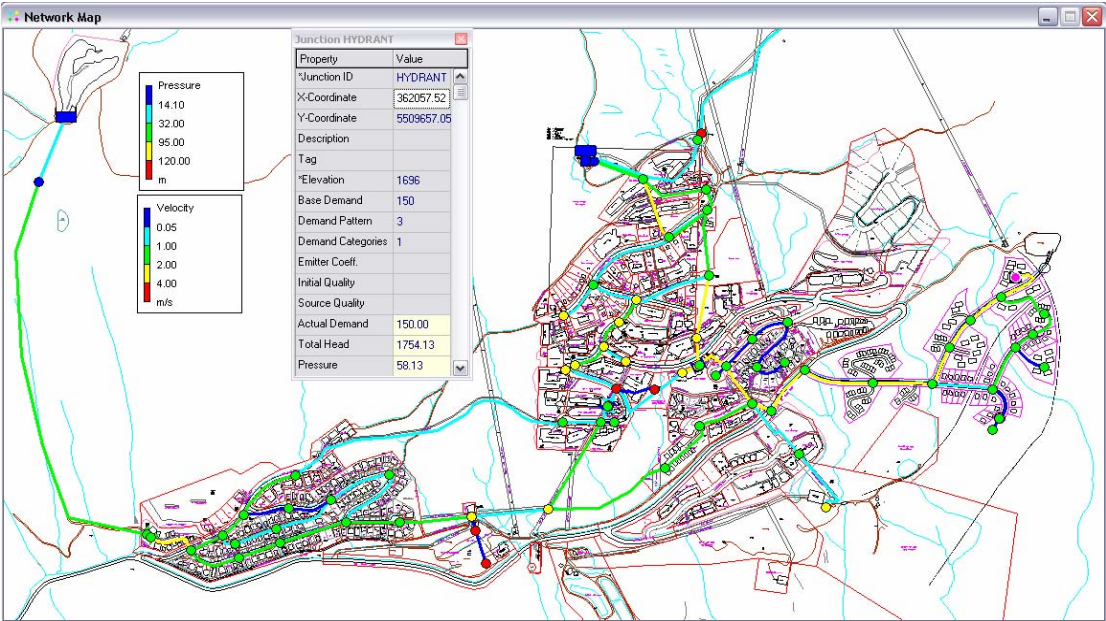
Plaza PRV	49.25m (70.0 psi)
Stonegate PRV	32.00m (45.5 psi)
New PRV from Powder Basin	50.00m (71.0 psi)

With the selected PRV set points, the existing PRVs will not feed the lower pressure zone under normal operation conditions. In case of fire flow the existing PRVs will allow total flows in the range of 118 L/s to be supplied from the 1880 Reservoir. Figure 4.3 shows the residual pressures and flow velocities when a 150 L/s fire flow at the highest point of Black Forest development is simulated under MDD.

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Figure 4.3 - Residual Pressure and Flow Velocity under MDD+FF



**Water Treatment Capacity Assessment**

The existing water treatment system has a current capacity of 31.5 L/s (600,000 Ipgd). With the addition of the Black Forest development, the water treatment capacity will be insufficient to handle the maximum daily demand conditions. Expansion of the filtration system will be required if the source water for this site is to originate from Rhonda Lake Reservoir. The MDD is projected to increase from 27.53 L/s (524,000 Ipgd) to 33.84 L/s (642,500 Ipgd). The existing water filtration system has the capacity to accommodate an additional flow of 3.97 L/s at MDD conditions. This is sufficient for development of an additional 1500 bed units.

Based on the current filter sizes, two additional 80,000 Imperial gallon per day multi-media filters will be required to provide sufficient flow for Black Forest Development.

Alternately, should the Powder Basin Reservoir complete with disinfection be developed in time, the expansions of filtration and increased reservoir storage at the 1875m Reservoir can be deferred.

## 5.0 SUMMARY OF REPORT

This section summarizes our report.

- ☐ Water demands for this development are based on a total of 2,400 bed units and MDD of 50 Igpd per bed unit. The MDD for the current development is 27.53 L/s. With the addition of Black Forest, the additional demand is estimated to be 6.38 L/s. The peak hour demand is estimated to be in the range of 9.6 L/s.
- ☐ An Engineer's sealed form of the FUS fire flow assessment should be completed by the developer and submitted to Big White to confirm the fireflow requirements for each new building developed. This letter has been completed based on a maximum fire flow requirement for multi-family development of 150 L/s. Should the FUS fire flow calculation indicate that a higher fire flow is required the watermain grid for supply must be reviewed.
- ☐ The existing water distribution system should be modified to adequately service the proposed development. In addition to the water main network within the proposed development area, a 200mm main as illustrated in Figure 4.2 of this report is required.
- ☐ The existing PRV settings have to be modified to allow Powder Basin Reservoir to supply the normal operation demands of the lower pressure zone. The existing PRV stations will supply flow from the 1879 Reservoir only under fire flow conditions.
- ☐ The existing 1879 Reservoir capacity has been assessed factoring in the gravity fed flows available from the water treatment plant. The water treatment plant is operated to always supply the MDD reducing the balancing storage requirement. The balancing storage requirement reduction translates in higher volume available for fire protection. This report estimates that the maximum available fire protection storage when adding Black Forest's MDD to existing demands, equals a flow of 134.9 L/s for a duration of 2.0 hours.
- ☐ Water distribution system simulation indicated that a fire flow of 150 L/s can be supplied to the Black Forest area if the system is modified as discussed in this report. This flow can be met with 100 L/s coming from the 1879m Reservoir and another 54 L/s coming from the Powder Basin Reservoir.
- ☐ The proposed water distribution system with in the Black Forest area has been modeled to confirm that water main diameters are adequate to supply the expected demands under the Engineering Criteria conditions indicated in Section 2.0 of this report.
- ☐ Water filtration treatment capacity is restricted to 31.5 L/s. The additional development increases the requirement to 33.91 L/s. Two additional multi-media filters are required to meet the MDD flow rates.

Please review this letter and call us with any further questions that you may have.

Yours truly,

**Agua Consulting Inc.**



Bob Hrasko, P.Eng.  
 Principal  
 RJH/af

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## Draft Zone: R6B Hostel Zone

### **407B. HOSTEL ZONE R6B**

1. Subject to compliance with the general provisions in Part 3, the following provisions shall apply in the Hostel Zone.

#### **2. Permitted Uses**

The following uses only shall be permitted:

- a) Employee Housing;
- b) Employee Services;
- c) Hostel;
- d) Accessory buildings and structures.

#### **3. Minimum Parcel Area**

The minimum parcel area shall be 2,000 m<sup>2</sup>.

#### **4. Floor Area Ratio**

The maximum floor area ratio shall be 0.8

#### **5. Setbacks**

No building or structure or part thereof except a fence shall be located within:

- a) 4.5 metres of a front lot line;
- b) 4 metres of a rear and interior side lot line;
- c) 3 metres of an exterior side lot line.

#### **6. Parcel Coverage**

The maximum parcel coverage shall be 60%. Notwithstanding the foregoing, portions of underground parking areas which are not directly under the foot print of a building and which are entirely below the finished grade of the parcel and thereby fully concealed, shall be deemed to be exempt from these parcel coverage standards.

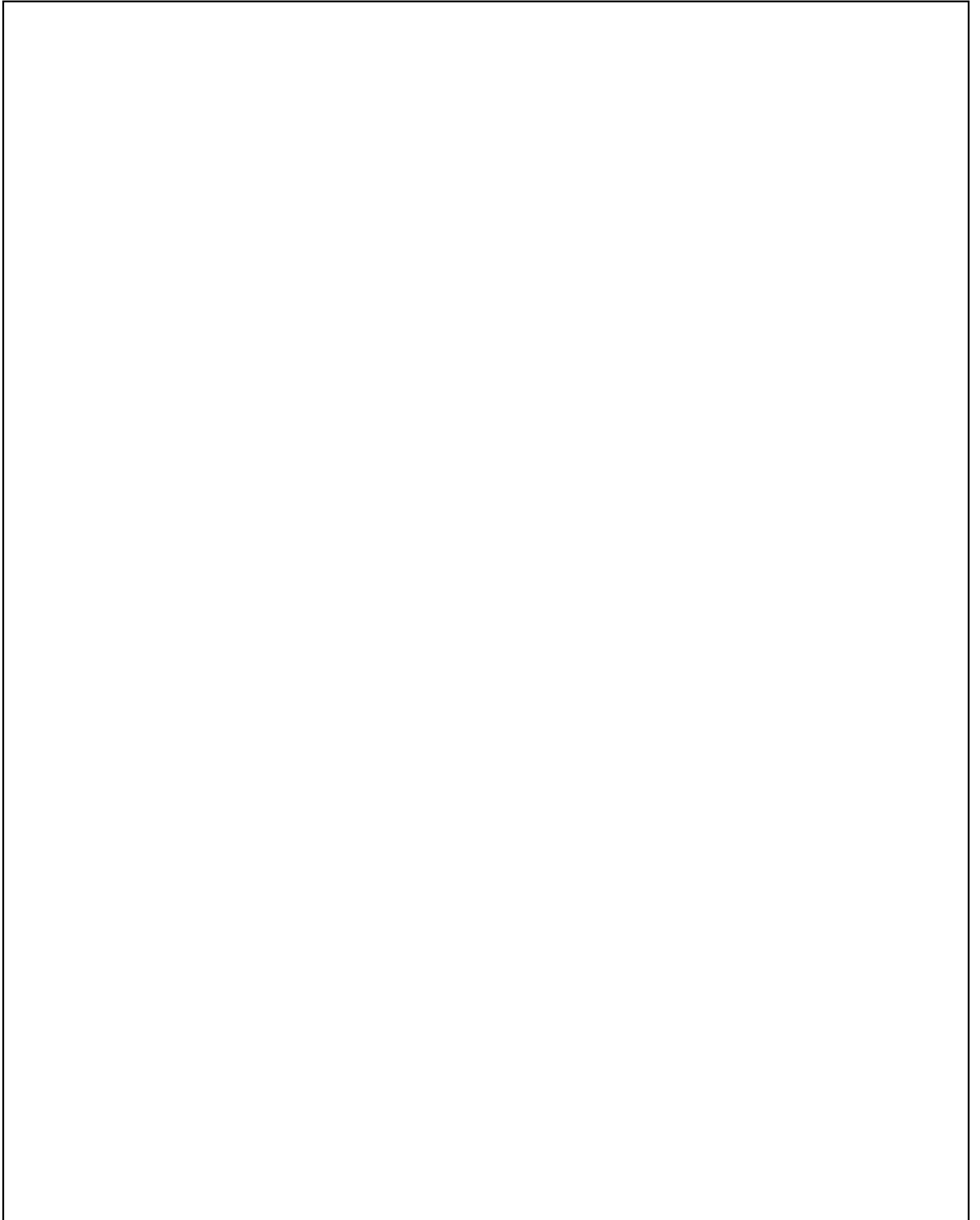
#### **7. Height**

- a) Principal buildings shall not exceed 17 metres in height;
- b) Accessory buildings shall not exceed 6 metres of one storey in height.

#### **8. Parking**

With the exception of Employee Housing, all Off-street parking spaces shall be provided in accordance with Section 317 of this Bylaw.

Employee Housing shall be exempt from of section 317(6) of this bylaw (Proportion of parking spaces that must be covered).



## M E M O R A N D U M

TO: Director Ali Grieve, Electoral Area 'A'

FROM: Deep Sidhu - Financial Services Manager

RE: Grants-In-Aid 2018

Balance Remaining from 2017	-\$ 1,066.32
2018 Requisition	\$ 31,516.00
Less Board Fee 2018	\$ (1,216.00)

<b>Total Funds Available:</b>	<b>\$ 29,233.68</b>
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RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
405-17	Oct-17	Beaver Valley Nitehawks	Cost of repairs to bus	\$ 1,500.00
28-18	Jan-18	Tourism Rossland Society	Donation level advertising on Ski Bus	\$ 100.00
28-18		Beaver Valley May Days Society	May Day events	\$ 4,000.00
28-18		Village of Fruitvale	Annual Jingle Down Main events	\$ 1,500.00
78-18	Jan-18	Diane Langman	"Us and Them" movie	\$ 250.00
78-18		Beaver Valley Nitehawks	Assist with operating budget	\$ 1,300.00
78-18		Village of Montrose	BC Family Day events	\$ 300.00
78-18		Zone 6 Kootenay Boundary 55+ Games	Assist with preparation/participation costs	\$ 500.00
113-18	Feb-18	Beaver Valley Recreation	Senior's dinner & dance catering	\$ 1,600.00
113-18		Arthritis Society	Assist with cost of Arthritis Walk	\$ 375.00

<b>Total</b>	<b><u>\$ 11,425.00</u></b>
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<b>Balance Remaining</b>	<b><u>\$ 17,808.68</u></b>
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 MEMORANDUM
 

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**TO:** Director Linda Worley, Electoral Area 'B' /Lower Columbia-Old Glory

**FROM:** Deep Sidhu - Financial Services Manager

**RE:** Grants-In-Aid 2018

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Balance Remaining from 2017	\$ 1,911.62
2018 Requisition	\$ 22,779.00
Less Board Fee 2018	\$ (879.00)

**Total Funds Available:** **\$ 23,811.62**

RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
78-18	Jan-18	Diane Langman	"Us and Them" movie	\$ 250.00
78-18		Zone 6 Kootenay Boundary 55+ Games	Assist with preparation/participation costs	\$ 750.00
113-18	Feb-18	Arthritis Society	To assist with cost of Arthritis Walk	\$ 375.00

**Total** **\$ 1,375.00**

**Balance Remaining** **\$ 22,436.62**



## M E M O R A N D U M

**TO:** Director Grace McGregor, Electoral Area 'C'/Christina Lake

**FROM:** Deep Sidhu - Financial Services Manager

**RE:** Grants-In-Aid 2018

Balance Remaining from 2017	\$ 18,182.27
2018 Requisition	\$ 60,640.00
Less Board Fee 2018	\$ (2,340.00)

**Total Funds Available:** **\$ 76,482.27**

RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
28-18	Jan-18	Boundary Family & Individual Services Society	Help support the BF Café	\$ 1,000.00
78-18	Jan-18	Boundary Youth Soccer Association	Assist with operational costs	\$ 2,000.00
78-18		Zone 6 Kootenay Boundary 55+ Games	Assist with preparation/participation costs	\$ 750.00
113-18	Feb-18	Christina Lake Tourism Society	Assist with redesign of website	\$ 2,500.00
113-18		Boundary Museum Society	Assist with cost to upgrade basement office	\$ 4,000.00

**Total** **\$ 10,250.00**

**Balance Remaining** **\$ 66,232.27**

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**MEMORANDUM**


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**TO:** Director Roly Russell, Electoral Area 'D'/Rural Grand Forks

**FROM:** Deep Sidhu - Financial Services Manager

**RE:** Grants-In-Aid 2018

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Balance Remaining from 2017	\$ 26,704.00
2018 Requisition	\$ 38,485.00
Less Board Fee 2018	\$ (1,485.00)

<b>Total Funds Available:</b>	<b>\$ 63,704.00</b>
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RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
28-18	Jan-18	Boundary Family & Individual Services Society	Help support the BF Café	\$ 1,000.00
78-18	Jan-18	Grand Forks & District Fall Fair	Storage area remedial work	\$ 1,317.00
113-18	Feb-18	Boundary Youth Soccer Association	Assist with operational costs	\$ 2,000.00

<b>Total</b>	<b><u>\$ 4,317.00</u></b>
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<b>Balance Remaining</b>	<b><u>\$ 59,387.00</u></b>
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**MEMORANDUM**


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**TO:** Director Vicki Gee, Electoral Area 'E'/West Boundary

**FROM:** Deep Sidhu - Financial Services Manager

**RE:** Grants-In-Aid 2018

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Balance Remaining from 2017	\$ 24,657.51
2018 Requisition	\$ 86,748.00
Less Board Fee 2018	\$ (3,348.00)

<b>Total Funds Available:</b>	<b>\$ 108,057.51</b>
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RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
28-18	Jan-18	Trails to Boundary Society	Support website administrator	\$ 1,000.00
113-18	Feb-18	Boundary Central Secondary School	Foodsafe training for 20 students	\$ 1,000.00
113-18		British Columbia Conservation Foundation	To expand the WildSafe Bc program	\$ 1,000.00

<b>Total</b>	<b><u>\$ 3,000.00</u></b>
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<b>Balance Remaining</b>	<b><u><u>\$ 105,057.51</u></u></b>
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**Regional District of Kootenay Boundary  
Status Report - Gas Tax Agreement  
March 7, 2018**

**A**

**ELECTORAL AREA 'A'**

	Description	Status	Allocation	
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**Revenue:**

Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$	96,854.94
Allocation to Dec 31, 2008	Received		46,451.80
Allocation to Dec 31, 2009	Received		91,051.00
Allocation to Dec 31, 2010	Received		89,796.00
Allocation to Dec 31, 2011	Received		89,788.04
Allocation to Dec 31, 2012	Received		87,202.80
Allocation to Dec 31, 2013	Received		87,167.87
Allocation to Dec 31, 2014	Received		84,868.70
Allocation to Dec 31, 2015	Received		84,868.70
Allocation to Dec 31, 2016	Received		87,726.69
Allocation to Dec 31, 2017	Received		88,649.64
Allocation to Dec 31, 2018	Estimated		91,749.63

TOTAL AVAILABLE FOR PROJECTS

**\$ 1,026,175.81****Expenditures:**

Approved Projects:

2009	Columbia Gardens Water Upgrade	Completed	\$	250,000.00
2011	South Columbia SAR Hall	Completed		2,665.60
281-13	BV Family Park - Solar Hot Water	Completed		16,684.00
451-13	Beaver Valley Arena - Lighting	Completed		69,000.00
26-14	LWMP Stage II Planning Process	Completed		805.88
		Pending or		
17-15	Beaver Creek Park - Band Shell/Arbour	Committed		100,000.00
61-17	Fruitvale Elementary Playground -PAC LEAP Project	Funded		20,000.00
126-17	RDKB BVPART (Electrical Upgrade BV Family Park)	Funded		5,327.25
		Pending or		
	RDKB BVPART (Electrical Upgrade BV Family Park)	Committed		4,672.75
153-17	Village of Fruitvale (Fruitvale RV Park)	Funded		52,500.00
		Pending or		
	Village of Fruitvale (Fruitvale RV Park)	Committed		17,500.00
		Pending or		
77-18	Village of Fruitvale (Construction of Replica Train Static	Committed		150,000.00

TOTAL SPENT OR COMMITTED

**\$ 689,155.48**

TOTAL REMAINING

**\$ 337,020.33**

**Regional District of Kootenay Boundary  
Status Report - Gas Tax Agreement  
March 7, 2018**

**ELECTORAL AREA 'B' / LOWER COLUMBIA/OLD GLORY**



	Description	Status	Allocation	
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**Revenue:**

Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$ 69,049.93
Allocation to Dec 31, 2008	Received	33,116.46
Allocation to Dec 31, 2009	Received	64,912.00
Allocation to Dec 31, 2010	Received	64,017.00
Allocation to Dec 31, 2011	Received	64,010.00
Allocation to Dec 31, 2012	Received	65,936.00
Allocation to Dec 31, 2013	Received	65,907.41
Allocation to Dec 31, 2014	Received	64,169.02
Allocation to Dec 31, 2015	Received	64,169.02
Allocation to Dec 31, 2016	Received	66,329.94
Allocation to Dec 31, 2017	Received	67,600.62
Allocation to Dec 31, 2018	Estimated	69,964.55

TOTAL AVAILABLE FOR PROJECTS

**\$ 759,181.95**

**Expenditures:**

Approved Projects:

8547	GID - Groundwater Protection Plan	Completed	\$ 10,000.00
11206	GID - Reducing Station (Advance)2008	Completed	16,000.00
2009	GID - Reducing Station (Balance)	Completed	14,000.00
2009	GID - Upgrades to SCADA	Completed	22,595.50
2009	Casino Recreation - Furnace	Completed	3,200.00
Phase 1	GID - Pipe Replacement/Upgrades	Completed	60,000.00
Phase 2	Looping/China Creek	Completed	18,306.25
2012	Rivervale Water SCADA Upgrade	Completed	21,570.92
2013	Rossland-Trail Country Club Pump	Completed	20,000.00
261-14	Rivervale Water & Streetlighting Utility	Completed	20,000.00
262-14	Genelle Imp. District - Water Reservoir	Completed	125,000.00
263-14	Oasis Imp. District - Water Well	Completed	34,918.00
	Castlegar Nordic Ski Club (Paulson Cross		
251-15	Country Ski Trail Upgrade)	Completed	10,000.00
	Black Jack Cross Country Ski Club Society		
252-15	(Snow Cat)	Completed	10,000.00
	Rivervale Water & Streetlighting Utility (LED		
253-15	Streetlights)	Completed	14,417.00
254-15	Rivervale Oasis Sewer Utility (Flow Meters)	Completed	90,000.00
	Rivervale Oasis Sewer Utility - RDKB (Wemco		
190-16	Booster Pumps)	Pending or	
221-16	Area 'B' Recreation - RDKB (Rivervale Shed)	Committed	88,159.66
	Rossland Historical Museum and Archive		
152-17	Association (Rossland Museum Upgrades)	Completed	8,632.00
	Rossland Historical Museum and Archive		
	Association (Rossland Museum Upgrades)	Funded	18,750.00
	Visions for Small Schools Society (Broadband	Pending or	
296-17	Installation)	Committed	6,250.00
	Birchbank Golf Club (Upgrade Irrigation		
111-18	Satellite Controller)	Funded	13,381.80
		Pending or	
		Committed	50,000.00

TOTAL SPENT OR COMMITTED

**\$ 675,181.13**

TOTAL REMAINING

**\$ 84,000.82**

## Status Report - Gas Tax Agreement Electoral Area 'C' / Christina Lake

**Regional District of Kootenay Boundary  
Status Report - Gas Tax Agreement  
March 7, 2018**



## ELECTORAL AREA 'C' / CHRISTINA LAKE

	Description	Status	Allocation	
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**Revenue:**

## Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$ 69,877.75
Allocation to Dec 31, 2008	Received	33,513.49
Allocation to Dec 31, 2009	Received	65,690.00
Allocation to Dec 31, 2010	Received	64,785.00
Allocation to Dec 31, 2011	Received	64,778.00
Allocation to Dec 31, 2012	Received	65,746.00
Allocation to Dec 31, 2013	Received	65,718.43
Allocation to Dec 31, 2014	Received	63,985.02
Allocation to Dec 31, 2015	Received	63,985.02
Allocation to Dec 31, 2016	Received	66,139.74
Allocation to Dec 31, 2017	Received	62,678.25
Allocation to Dec 31, 2018	Estimated	64,870.04

TOTAL AVAILABLE FOR PROJECTS

\$	751,766.74
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**Expenditures:**

Approved Projects:

11207	Christina Lake Community and Visitors Centre	Advanced	\$ 50,000.00
2009	CLC&VC	Advanced	25,000.00
2010	CLC&VC	Advanced	25,000.00
2010	Living Machine	Advanced	80,000.00
2012	Kettle River Watershed Study	Funded	5,000.00
2013	Kettle River Watershed Project	Funded	9,959.86
2014	Kettle River Watershed Project	Funded	3,548.77
2015	Kettle River Watershed Project	Funded	1,371.07
2016	Kettle River Watershed Project	Funded	754.04
2017	Kettle River Watershed Project	Funded	2,068.54
	Kettle River Watershed Study	Pending or Committed	297.72
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded	2,000.00
2011	Solar Aquatic System Upgrades	Completed	7,325.97
418-13	Christina Lake Chamber of Commerce (Living Arts Centre Sedum/Moss Planting Medium)	Completed	20,697.00
106-14	Christina Gateway Community Development Association	Funded	20,000.00
264-14	Christina Lake Solar Aquatic System Upgrades	Completed	4,227.29
16-15	Christina Lake Nature Park - Riparian and Wetland Demonstration Site and Native Plant Nursery	Funded	32,072.33
	Christina Lake Nature Park - Riparian and Wetland Demonstration Site and Native Plant Nursery	Pending or Committed	10,690.78
18-15	CL Elementary Parent Advisory Council - Hulitan/Outdoor Classroom	Funded	36,880.00
256-15	Christina Lake Recreation Commission (Pickle Ball & Pump Bike Park)	Completed	65,235.18
360-15	Christina Lake Community Association (Design & Installation Make-Up Air System)	Completed	17,000.00
361-15	Christina Lake Boat Access Society (Redesign Texas Point Boat Launch Parking)	Funded	22,500.00

Status Report - Gas Tax Agreement Electoral Area 'C' / Christina Lake			
	Christina Lake Boat Access Society (Redesign Texas Point Boat Launch Parking)	Pending or Committed	7,500.00
80-16	Christina Lake Community Association (Installation Make-Up Air System Shortfall)	Completed	6,263.75
271-16	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	2,129.71
269-16	RDKB C.L. Solar Aquatic System (Plant Rack)	Completed	7,384.83
404-17	RDKB CL PARTS (New Washrooms @ Pickleball/Tennis Courts)	Funded	15,000.00
76-18	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined )	Pending or Committed	11,303.33
TOTAL SPENT OR COMMITTED			\$ 491,210.17
TOTAL REMAINING			\$ 260,556.57

Status Report - Gas Tax Agreement  
Electoral Area 'D' / Grand Forks Rural

Regional District of Kootenay Boundary  
Status Report - Gas Tax Agreement  
March 7, 2018

ELECTORAL AREA 'D' / RURAL GRAND FORKS



	Description	Status	Allocation	
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Revenue:

Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$	154,656.26
Allocation to Dec 31, 2008	Received		74,173.40
Allocation to Dec 31, 2009	Received		145,389.00
Allocation to Dec 31, 2010	Received		143,385.00
Allocation to Dec 31, 2011	Received		143,370.00
Allocation to Dec 31, 2012	Received		150,634.00
Allocation to Dec 31, 2013	Received		150,571.27
Allocation to Dec 31, 2014	Received		146,599.76
Allocation to Dec 31, 2015	Received		146,599.76
Allocation to Dec 31, 2016	Received		151,536.57
Allocation to Dec 31, 2017	Received		151,187.25
Allocation to Dec 31, 2018	Estimated		156,474.12

TOTAL AVAILABLE FOR PROJECTS

\$ 1,714,576.39

Expenditures:

Approved Projects:

8549	City of GF - Airshed Quality Study	Completed	\$	5,000.00
2010	Kettle River Water Study	Funded		25,000.00
2012-1	Kettle River Watershed Study	Funded		15,000.00
2012-2	Kettle River Watershed Study	Funded		10,000.00
2013	Kettle River Watershed Project	Funded		24,899.66
2014	Kettle River Watershed Study	Funded		41,490.99
2015	Kettle River Watershed Study	Funded		7,857.50
2016	Kettle River Watershed Study	Funded		4,237.38
2017	Kettle River Watershed Study	Funded		11,377.02
	Kettle River Watershed Study	Pending or Committed		1,637.45
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded		2,000.00
		Pending or Committed		
2010	Boundary Museum Society - Phase 1	Completed		13,000.00
2011	Boundary Museum Society - Phase 2	Completed		30,000.00
2012	Boundary Museum Society - Phase 2	Completed		8,715.00
2011	Phoenix Mnt Alpine Ski Society	Completed		63,677.00
2012	Phoenix Mnt Alpine Ski Society	Completed		1,323.00
2012	Phoenix Mnt Alpine Ski Society	Additional		12,600.00
2012	Grand Forks Curling Rink	Completed		11,481.00
27-14	Boundary Museum	Funded		77,168.50
178-15	Grand Forks Rotary Club (Spray Park)	Completed		25,000.00
426-15	Jack Goddard Memorial Arena (LED Lights)	Completed		40,000.00
7-16	RDKB (Hardy Mountain Doukhobor Village)	Funded		38,165.19
	Grand Forks Aquatic Center (LED Lights for Natatorium)	Completed		10,565.83
144-16	Grand Forks BMX Society (Track Upgrade)	Completed		5,000.00
246-16	RDKB (Kettle River Heritage Trail)	Funded		100,000.00
271-16	RDKB (Boundary Agricultural & Food Project)	Pending or Committed		6,744.15
268-16	Grand Forks Community Trails Society (New Surface Trans Canada Trail Westend Station)	Completed		24,648.45
	Grand Forks Aquatic Center (Underwater LED Light Replacement)	Funded		11,508.76
293-16	Phoenix Cross Country Ski Society (Trail Grooming Machine)	Completed		20,512.33
451-16	RDKB (Boundary Transit Capital Funding)	Funded		5,889.00
467-17	RDKB (Boundary Trails Master Plan)	Funded		13,108.73
468-17	RDKB (Boundary Trails Master Plan)	Pending or Committed		6,891.27
	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined )	Pending or Committed		11,303.33
76-18				
112-18	Grand Forks Community Trails Society (North Fork Trans Canada Trail Surface Installation)	Pending or Committed		50,000.00

TOTAL SPENT OR COMMITTED

\$ 735,801.54

TOTAL REMAINING

\$ 978,774.85



Status Report - Gas Tax Agreements  
Electoral Area 'E' / West Boundary

Regional District of Kootenay Boundary  
Status Report - Gas Tax Agreement  
March 7, 2018



ELECTORAL AREA 'E' / WEST BOUNDARY

	Description	Status	Allocation	
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Revenue:

Per Capital Allocation of Gas Tax Grant:

Allocation to Dec 31, 2007	Received	\$	108,785.28
Allocation to Dec 31, 2008	Received		52,173.61
Allocation to Dec 31, 2009	Received		102,266.68
Allocation to Dec 31, 2010	Received		100,857.14
Allocation to Dec 31, 2011	Received		100,846.00
Allocation to Dec 31, 2012	Received		93,112.00
Allocation to Dec 31, 2013	Received		93,073.54
Allocation to Dec 31, 2014	Received		90,618.62
Allocation to Dec 31, 2015	Received		90,618.62
Allocation to Dec 31, 2016	Received		93,670.24
Allocation to Dec 31, 2017	Received		101,025.90
Allocation to Dec 31, 2018	Estimated		104,558.67

TOTAL AVAILABLE FOR PROJECTS

\$ 1,131,606.30

Expenditures:

Approved Projects:

283	Greenwood Solar Power Project	Completed	\$	3,990.00	
8548	Kettle Valley Golf Club	Completed		20,000.00	
8546	West Boundary Elementary School Nature Park	Completed		13,500.00	} 28,500.00
8546E	2010 WBES - Nature Park (expanded)	Completed		15,000.00	
2009/10	Kettle Wildlife Association (heat pump)	Completed		35,000.00	
2010	Rock Creek Medical Clinic (windows/doors)	Completed		18,347.56	
2010	Kettle Valley Golf Club (Pumps)	Completed		24,834.63	} 41,368.00
2011	Kettle Valley Golf Club (Pumps)	Completed		10,165.37	
2011	Kettle Valley Golf Club (Pumps)	Completed		6,368.00	
2010	Rock Creek Fairground Facility U/G	Completed		14,235.38	} 44,000.00
2011	Rock Creek Fairground Facility U/G	Completed		22,764.62	
2011	Rock Creek Fairground Facility U/G	Completed		7,000.00	
2010/11	Beaverdell Community Hall Upgrades	Completed		47,000.00	
2010	Kettle River Water Study	Funded		25,000.00	
2012-1	Kettle River Watershed Study	Funded		15,000.00	
2012-2	Kettle River Watershed Study	Funded		40,000.00	
2013	Kettle River Watershed Project	Funded		49,799.31	
2014	Kettle River Watershed Study	Funded		33,201.82	
2015	Kettle River Watershed Study	Funded		10,946.27	
2016	Kettle River Watershed Study	Funded		5,805.60	
2017	Kettle River Watershed Study	Funded		15,514.16	
	Kettle River Watershed Study	Pending or Committed		2,232.84	
417-13	Kettle River Watershed (Granby Wilderness Society)	Funded		2,000.00	
145-14	Rock Creek & Boundary Fair Association (Electrical Lighting & Equipment Upgrade)	Completed		35,122.00	
221-15	Greenwood Heritage Society (Zee Brick Replacement	Completed		6,000.00	
222-15	Big White Chamber of Commerce (Tourist Trails Information Sign)	Funded		2,085.70	
	Big White Chamber of Commerce (Tourist Trails Information Sign)	Pending or Committed		695.23	
255-15	Rock Creek & Boundary Fair Association (Irrigation Upgrades)	Completed		20,866.89	
341-15	Greenwood Heritage Society (Install 2 Electric Car Charging Stations)	Completed		2,527.56	
342-15	Kettle River Museum (Install 2 Electric Car Charging Stations)	Completed		2,743.50	

Status Report - Gas Tax Agreements Electoral Area 'E' / West Boundary			
343-15	Trails to the Boundary Society (Trans-Canada Trail Between Mccullock and Eholt)	Funded	29,574.09
81-16	Kettle Valley Golf Club (Pump House Renovation Project)	Completed	10,123.48
110-16	Kettle Wildlife Association (Parking/Water/Electrical Upgrades)	Completed	24,717.57
182-16	Rock Creek Community Medical Society (Roof and Floor Replacement RC Health Centre)	Completed	22,675.68
183-16	Kettle Wildlife Association (Parking/Water/Electrical Upgrades Addiitonal)	Completed	3,744.15
271-16	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	14,233.14
451-16	Phoenix Cross Country Ski Society (Trail Grooming Machine)	Completed	10,256.17
166-17	Beaverdell Community Club & Recreation Commission (Bleachers Beaverdell Ball Park)	Funded	7,178.90
	Beaverdell Community Club & Recreation Commission (Bleachers Beaverdell Ball Park)	Pending or Committed	2,392.96
	Westbridge Recreation Society (Replace Kitchen Westbridge Hall)	Funded	20,699.41
198-17	RDKB (Boundary Trails Master Plan)	Funded	13,108.74
468-17	RDKB (Boundary Trails Master Plan)	Pending or Committed	6,891.26
76-18	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined )	Pending or Committed	11,303.33
TOTAL SPENT OR COMMITTED			\$ 684,645.32
TOTAL REMAINING			\$ 446,960.98