



Electoral Area Services Committee

Thursday, May 16, 2019 - 4:30 pm

The Regional District of Kootenay
Boundary Board Room, RDKB Board Room,
843 Rossland Ave., Trail, BC

A G E N D A

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

A) **May 16, 2019**

Recommendation: That the Electoral Area Services Committee meeting agenda be adopted as presented.

3. MINUTES

A) **April 11, 2019**

[Electoral Area Services Committee - 11 Apr 2019 - Minutes - Pdf](#)

Recommendation: That the Electoral Area Services Committee meeting minutes from April 11, 2019 be adopted as presented.

4. DELEGATIONS

A) **Dave Hubbs**
RE: Bylaw Enforcement

5. UNFINISHED BUSINESS

A) **Update to Planning and Development Work Plan**
[2019-05-16 Annual Work Plan Planning and Development](#)

Recommendation: That the staff report regarding the progress to date on the 2019 Planning and Development Department's Annual Work Plan

be received.

- B) A Staff Report from Janine Dougall, General Manager of Environmental Services which provides an update on the implementation of projects included in the 2019 Work Plans for the 081 and 091 Services.
[Staff Report-2019 Work Plan Services 081,091-May Update-EAS-May16'19 - Pdf](#)

Recommendation: That the Electoral Area Services Committee receive the report from Janine Dougall, General Manager of Environmental Services titled "2019 Work Plans for Services 081 and 091 – May Update" and dated May 16, 2019.

- C) **Update to Work Plan 023 Christina Lake Parks & Recreation**
[Staff Report Workplan 023 CL Parks](#)

Recommendation: That the Electoral Area Services Committee receive the Christina Lake Parks & Recreation Commission - Program Service 2019/2020 Work Plan.

- D) **Update to Electoral Area Administration Service Work Plan**

A staff report from Mark Andison, Chief Administrative Officer, providing an update on the status of projects and action items identified in the 2019 Electoral Area Administration Service Work Plan.

[2019 Electoral Area Administration Service Work Plan Update - Pdf](#)

Recommendation:

That the staff report from Mark Andison, Chief Administrative Officer providing an update on the projects and action items identified in the 2019 Electoral Area Administration Service Work Plan be received.

6. NEW BUSINESS

- A) **Ian & Susan Wallis**
RE: Development Variance Permit
7265 Ranken Road, Electoral Area 'D'/Rural Grand Forks
RDKB File: D-700-03668.030
[2019-04-24 WallisDVP EAS](#)

Recommendation: That the Development Variance Permit application

submitted by Ian and Susan Wallis, to allow for a reduced front parcel line setback from 7.5 m to 6.5 m – a 1.0 m variance to construct a garage on the property legally described as Lot 1, Block 10, Plan EPP86067, DL 700, SDYD, Electoral Area 'D'/Rural Grand Forks, be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation of support.

B) **Casey & Lori Hudson**

RE: Development Permit

2122 West Lake Drive, Electoral Area 'C'/Christina Lake

RDKB File: C-3989s-09104.110

[2019-04-11 DP EAS Hudson](#)

Recommendation: That the staff report regarding the Development Permit application submitted by Kyle Phillips on behalf of Casey and Lori Hudson to construct a single-family dwelling in the Environmentally Sensitive Waterfront Development Permit area on the parcel legally described as Block B, DL 3989s, SDYD, Electoral Area 'C'/ Christina Lake, be received.

C) **Donna DeCicco & Monica Jaehrlich**

RE: MOTI Subdivision

1325 and 1338 Thompson Road, Electoral Area 'C'/Christina Lake

RDKB File: C-316-02534.010

[2019-04-18 DeCicco-Jaehrlick MOTI EAS](#)

Recommendation: That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as that portion of DL316 which lies west of the westerly boundary of Plan H746, except plan KAP72166, SDYD, Electoral Area 'C'/Christina Lake, be received.

D) **Tom & Maureen Feeney**

RE: MOTI Subdivision

4095 Feeney Road E, Electoral Area 'B'/Lower Columbia-Old Glory

RDKB File: B-Twp28-10995.000

[2019-04-10 FeeneyMOTI EAS](#)

Recommendation: That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as NEPX60, Sublot 29, Township 28, KD, Electoral Area 'B'/Lower Columbia-Old Glory, be received.

E) **Electoral Area 'D' / Rural Grand Forks Zoning Bylaw**
[Area D Zoning EAS Report](#)

Recommendation: That the Electoral Area 'D'/Rural Grand Forks OCP amendment Bylaw No. 1674, and that the new Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1675 be supported, and further that staff be directed to present the bylaws to the Regional District of Kootenay Boundary Board of Directors for first and second readings; that to schedule and hold a public hearing on proposed amendment Bylaw No. 1674 and Zoning Bylaw No. 1675.

F) **Cannabis Public Hearings at Big White**
(Director Gee)

G) **Requests for Official Community Plan work from municipalities**
(Director Gee)

H) **Grant in Aid Report**
[Grant in Aid Report](#)

Recommendation: That the Grant in Aid report be received.

I) **Gas Tax Report**

[Gas Tax Agreement EA Committee \(April 30, 2019\)](#)

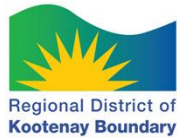
Recommendation: That the gas tax report be received.

7. LATE (EMERGENT) ITEMS

8. DISCUSSION OF ITEMS FOR FUTURE AGENDAS

9. CLOSED (IN CAMERA) SESSION

10. ADJOURNMENT



**Electoral Area Services Committee
Minutes
Thursday, April 11, 2019
RDKB Board Room, 2140 Central Ave., Grand Forks, BC**

Directors Present:

Director L. Worley-Chair
Director G. McGregor-Vice Chair
Director Ali Grieve-via teleconference
Director Roly Russell-RDKB Chair
Director Vicki Gee

Staff Members Present:

M. Andison, Chief Administrative Officer of the Regional District of Kootenay Boundary
D. Dean, Manager of Planning and Development
S. Surinak, Secretary/Clerk/Receptionist/Recording Secretary

Members of the General Public Present:

H. Underwood
W. Underwood
R. White-Ponderosa Estates Residential Property Owners Association
R. Crosby-Ponderosa Estates Residential Property Owners Association
D. Gagne-Ponderosa Estates Residential Property Owners Association
S. Vincent-Ponderosa Estates Residential Property Owners Association
D. Bartlett-Ponderosa Estates Residential Property Owners Association
J. Carroll-Ponderosa Estates Residential Property Owners Association
M. Paul-Ponderosa Estates Residential Property Owners Association
S. Nielsen-Ponderosa Estates Residential Property Owners Association
J. Berndt-Ponderosa Estates Residential Property Owners Association
P. Hammet-Ponderosa Estates Residential Property Owners Association

CALL TO ORDER

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

*Page 1 of 8
Electoral Area Services Committee Meeting
April 11, 2019*

ACCEPTANCE OF AGENDA (ADDITIONS/DELETIONS)

April 11, 2019

Moved: Director McGregor Seconded: Director Russell

That the Electoral Area Services Committee meeting agenda be adopted as presented.

Carried.

MINUTES

March 14, 2019

Moved: Director McGregor Seconded: Director Russell

That the Electoral Area Services Committee meeting minutes from March 14, 2019 be adopted as presented.

Carried.

DELEGATIONS

Wayne and Heather Underwood

RE: ALC changes around Secondary Dwellings

Wayne and Heather Underwood explained how, over the last several months, they have been planning for an application for a building permit to place a mobile home on their parcel as a secondary suite. They described how the use, which is permitted in the Electoral Area 'A' Zoning Bylaw, was also permitted by the Agricultural Land Commission until changes to the ALC Act were made on February 22, 2019. Since construction had not started prior to February 22, 2019, the use can only be permitted with an approved application for a non-adhering residence. With an application fee of \$1500 and no guarantee that it would be approved, they are uncertain whether they will submit an application.

The Electoral Area Directors described how they were also surprised to learn about the changes to the Act with little or no public consultation. The members agreed to send a letter to the ALC regarding support for an application by Wayne and Heather Underwood should they decide to submit an application; and to also outline in the letter the broader implications to others in the community who may be in a similar situation.

*Page 2 of 8
Electoral Area Services Committee Meeting
April 11, 2019*

Moved: Director Grieve Seconded: Director McGregor

That the Electoral Area Services Committee recommend that the Regional District of Kootenay Boundary Board of Directors send a letter to the Agricultural Land Commission in support of the Underwood's proposal to build a manufactured home as a second dwelling unit on their parcel; and FURTHER that the letter also outline the broader implications to others in the community who may be in a similar situation.

Carried.

Richard White

RE: Ponderosa Estates Aquifer

Mr. Richard White, Chairman of the Ponderosa Estate Owners Association, gave a presentation on behalf of the owners in the Ponderosa area located at Christina Lake.

Mr. White outlined a number of the potential impacts of a proposed cannabis production facility on the Ponderosa Estates area including: risks to water quality and quantity; air quality; insufficient tree buffering and exterior lighting. He also expressed concern regarding the water license on the Kettle River and the fact that cannabis is a luxury item and not a life necessity.

The delegates left the meeting at 5:07 pm.

Moved: Director Russell Seconded: Director Russell

That Electoral Area Services Committee receive a written copy of the presentation that Mr. White gave on behalf of the owners in the Ponderosa area.

Carried.

UNFINISHED BUSINESS

Electoral Area Directors

RE: Support for each other

The Electoral Area directors discussed the need to balance many factors in their decision making at the Board table as well as the importance the freedom to express their opinion and vote independently. All felt that fulsome discussions are important.

*Page 3 of 8
Electoral Area Services Committee Meeting
April 11, 2019*

M. Andison, CAO

Re: Bylaw Enforcement Coordinator Position

A staff report from Mark Andison, Chief Administrative Officer, regarding the proposed hiring of a dedicated bylaw enforcement coordinator for the Regional District of Kootenay Boundary was presented and discussed.

Discussion included potential additional costs; the location for the position; the future of bylaw enforcement services after the two-year term is completed; potential partnerships with member municipalities; and potential additional duties of the position.

Moved: Director McGregor Seconded: Director Russell

That the Electoral Area Services Committee directs staff to carry on with the plan to hire a bylaw enforcement officer for an initial two-year term.

Carried.

NEW BUSINESS

John Frederick Mooney

RE: OCP and Zoning Amendment

6380 Whiskey Jack Road, Big White
RDKB File: BW-4109s-07428.000

Donna Dean, Manager of Planning and Development, explained that the applicants are working with staff to amend their application.

Moved: Director Gee Seconded: Director McGregor

That the application submitted by John Mooney, Mooney Supplies Inc., to amend the *Big White Official Community Plan, Bylaw No. 1125* and the *Big White Zoning Bylaw No. 1166* be deferred and returned to the Big White APC for further review.

Carried.

**Brent Harley, Agent for
Big White Ski Resort
RE: OCP Amendment**

RDKB File: BW-4216-Happy Valley Guest Services

Moved: Director McGregor Seconded: Director Gee

That the application submitted by Brent Harley and Associates Inc. on behalf of Big White Real Estate Ltd. to amend the Big White Official Community Plan Bylaw No. 1125 to change the designation from Black Forest Future Growth Area to Day Lodge Commercial and to add the site to the Commercial and Multiple Family and the Alpine Environmentally Sensitive Landscape Reclamation Development Permit Areas for the construction of a guest services building on District Lot 4216, Big White, Electoral Area 'E'/West Boundary, be supported, and further that staff be directed to draft an amendment bylaw for presentation to the Regional District of Kootenay Boundary Board of Directors for first and second readings and to schedule and hold a public hearing on the proposed bylaw amendments.

Carried.

**Iron Horse Developments Ltd.
RE: Development Permit Amendment**

Grizzly Ridge Trail, Big White

RDKB File: BW-4213-07913.242

Iron Horse Developments is applying to add eight duplexes to its existing development at Big White. The Big White Advisory Planning Commission is concerned about the landscaping not being completed in a phased manner and drainage from the site.

Moved: Director Russell Seconded: Director McGregor

That the staff report regarding the Development Permit Amendment application submitted by Marvin Dean, Iron Horse Developments Ltd., to construct 8 – two family dwellings in the Commercial and Multi-Family Development Permit and the Alpine and Environmentally Sensitive Landscape Reclamation Development Permit areas on the parcel legally described as Lot A, Plan KAP83081, DL 4213, 4284, Big White, Electoral Area 'E' / West Boundary, be received.

Carried.

Ponderosa Estates Ltd.

RE: Development Permit

Ponderosa Drive, Christina Lake

RDKB File: C-312-02632.275

Moved: Director McGregor Seconded: Director Grieve

That the staff report regarding the Development Permit application submitted by Jason Taylor on behalf of Ponderosa Estates to construct a cannabis cultivation facility in the Ponderosa Industrial Development Permit Area on the parcel legally described as Lot 35 District Lots 312 & 348 SDYD Plan 29935 Except Plan 39263, Electoral Area 'C'/Christina Lake be received.

Carried

Cecil and Joan Sheloff

RE: MOTI Subdivision

400-13th Avenue, Genelle

RDKB File: B-2404-06300.500

Potential issues regarding minimum parcel size and turn around areas for emergency vehicles were discussed.

Moved: Director McGregor Seconded: Russell

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcels legally described as Lot 1, Block 5, Plan NEP2423 and Lot 9, Plan NEP2066 DL 2404, KD, Electoral Area 'B'/Lower Columbia-Old Glory, be received.

Carried.

Pa-Van Ranch Ltd.

RE: MOTI Subdivision

12800 North Fork Road, Electoral Area 'D'/Rural Grand Forks
RDKB File: D-436s-02819.000

Moved: Director Russell Seconded: McGregor

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcels legally described as DL436s and DL 2019, SDYD, Electoral Area 'D'/Rural Grand Forks, be received.

Carried.

Grant in Aid Report

Moved: Director Grieve Seconded: Director Russell

That the Grant in Aid report be received.

Carried.

Gas Tax Report

The amount of Gas Tax monies received this year has been doubled. This is a one time only occurrence.

Moved: Director McGregor Seconded: Director Russell

That the Gas Tax report be received.

Carried.

LATE (EMERGENT) ITEMS

There were no late (emergent) items for the Committee to discuss.

DISCUSSION OF ITEMS FOR FUTURE AGENDAS

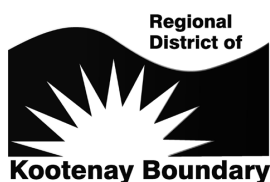
Discuss cannabis public hearings at Big White and review the process.

CLOSED (IN CAMERA) SESSION

A closed (in camera) session was not required.

ADJOURNMENT

There being no further business, Chair Worley adjourned the meeting at 6:30 pm



Electoral Area Services Committee Staff Report

RE:	Planning and Development Department Annual Work Plan Progress to Date		
Date:	May 16, 2019	File #	Admin-2019
To:	Chair Worley and Members of the EAS Committee		
From:	Donna Dean, Manager of Planning and Development		

Issue Introduction

The purpose of this report is to provide the EAS Committee with an update on progress to date on the Planning and Development Department's Annual Work Plan, which was adopted in February 2019.

Operational Update

Our new Planner Elizabeth Moore and GIS Technician Heather Potter started in January and April, respectively. Unfortunately we are in the process of recruiting a new Senior Planner as Ken Gobeil has accepted a position at Columbia Shuswap Regional District in Salmon Arm. Ken's last day will be May 31st.

The new Watershed Planner will be starting in early July. We continue to work with the Boundary Community Development Committee regarding the governance for the new Boundary Integrated Watershed Service in addition to managing the three contracts we have with Collective Roots Consulting Ltd. The well licensing contract is complete and reporting to the Province is complete. We are in the process of reviewing the draft Drought Management Plan for the Boundary Area.

We will be drafting a new job description for the Bylaw Enforcement Coordinator, which we plan to present to the Joint Labour/Job Classification Committee (RDKB-CUPE) later this month.

Approximately 45 applications and referrals have been processed to date, which is typical for this time of year. Approximately 8 new bylaw enforcement files have been started along with the ongoing enforcement activities. In addition, calls are regularly received regarding unenforceable complaints, mostly regarding unsightly premises and noise.

Project Updates

The table below includes a list of projects identified in the 2019 Work Plan and their status:

1.	Continue Creation of the Rural Bridesville Land Use Plan	The Senior Planner continues to work with the Steering Committee. A meeting is planned for May 25 th where the draft Plan in its entirety will be discussed.
2.	Continue Review of the Electoral Area 'C'/Christina Lake OCP	The Senior Planner continues to meet with the OCP Steering Committee on a regular basis.
3.	Continuation of the Boundary Area Agriculture and Food Project	The Manager of Planning and Development, along with Tara Stark of Interior Health, have made presentations to two of the three Boundary municipalities. We are scheduled to make a presentation to the Grand Forks City council on June 10 th . There is \$15,000 in funds available and we are working on creating an application process so applications can be made for funds to carry our food and agriculture projects.
4.	Board of Variance Bylaw Review	This project has not started.
5.	Production of Application Guidelines for the Public/Updated Web Content	The Planner is drafting content and working with a plain language expert and a graphic designer for our most common application types.
6.	Creation of a Strategic Plan for the GIS Program	The Senior Planning Technician is working on a list of tasks we would like the consultant to accomplish this year.
7.	Asset Management Project	There has been limited involvement from the Planning and Development Department to date.
8.	Mapping of Street Address Points to Coincide with Building Locations.	The GIS section is working on establishing routine processes with member municipalities with respect to the address layer in our mapping prior to hiring a co-op GIS student in the fall.

Other Items:

- We will be submitting an RDKB wide grant proposal to UBCM for Housing Needs Reports, a new requirement of the *Local Government Act*.

- Waiting on grant approval for Community Emergency Preparedness Fund for flood hazard mapping; hazard area development permit areas; hydrometric station assessments; and Warfield flood risk assessment and environmental management plan.
- Zoning for high energy consumers: The Senior Planner is researching this subject.

Recommendation

That the staff report regarding the progress to date on the 2019 Planning and Development Department's Annual Work Plan be received.



**Regional District of
Kootenay Boundary**

STAFF REPORT

Date: 16 May 2019
To: **Chair Worley and Electoral Area
Services Committee**
From: Janine Dougall, General Manager of
Environmental Services
Re: 2019 Work Plans for Services 081
and 091 - May Update

File ES - Various

Issue Introduction

A Staff Report from Janine Dougall, General Manager of Environmental Services which provides an update on the implementation of projects included in the 2019 Work Plans for the 081 and 091 Services.

History/Background Factors

As part of the budgeting process is the development of Service specific Work Plans that outline planned projects for the year.

Implications

081 Service – Mosquito Control – Christina Lake

Project	Budget	Status
Award new contract for mosquito control work – current contract with Morrow Bioscience Ltd. expires on January 31, 2020	N/A	Not Initiated – Work planned to be started in the fall of 2019

091 Service – Noxious Weed Control - Christina Lake Milfoil

Project	Budget	Status
Obtain 5 year Provincial authorization to work in and around water bodies	N/A	Complete – Authorization valid until April 30, 2024

Advancement of Strategic Planning Goals

We will review and measure service performance and we will continue to focus on good management and governance.

Background Information Provided

Service 081 - 2019 Work Plan

Service 091 – 2019 Work Plan

Alternatives

1. That the Electoral Area Services Committee receive the report from Janine Dougall, General Manager of Environmental Services titled "2019 Work Plans for Services 081 and 091 – May Update" and dated May 16, 2019.
2. That the Electoral Area Services Committee not receive the report.

Recommendation(s)

That the Electoral Area Services Committee receive the report from Janine Dougall, General Manager of Environmental Services titled "2019 Work Plans for Services 081 and 091 – May Update" and dated May 16, 2019.



Mosquito Control - Christina Lake

2019 Work Plan



Mosquito Control - Christina Lake

2018

Janine Dougall, General Manager, Environmental Services



Mosquito Control - Christina Lake

2019 Work Plan

Service Name: Mosquito Control - Christina Lake

Service Number: 081

Committee Having Jurisdiction: Board of Directors

General Manager/Manager Responsible: Janine Dougall, General Manager of Environmental Services

Description of Service:

Service controls nuisance mosquitos in Electoral Area 'C'. Service is completely contracted out to a specialist contractor.

Control methods include aerial and ground based applications of larvaecide to kill mosquitos in the larvae stage. Contract work also includes monitoring, mapping as well as public education and response to complaint calls.

Establishing Authority:

Bylaw 766 adopted November 25, 1993. Bylaw 766 was established *"for the purpose of funding a mosquito and pest control service"*.

Requisition Limit:

Maximum tax requisition included in Bylaw 766 is \$25,000 or \$0.20/1000 of Net Taxable assessed value of Land and Improvements taxable for Hospital Purposes within Electoral Area 'C', (pre-converted), whichever is greater. The maximum calculated tax requisition is \$134,744.

2018 Requisition / Budgeted Expenditures / Actual Expenditures:

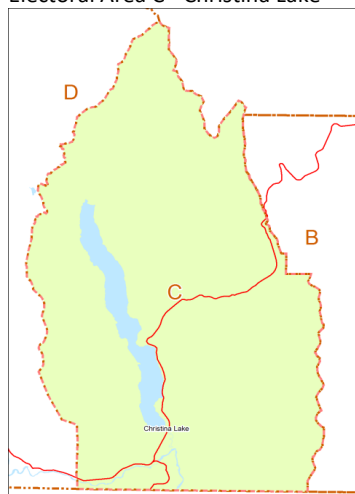
Requisition - \$18,835 / Budgeted Expenditures - \$34,359 / Estimated Actual Expenditures - \$30,818

Regulatory or Administrative Bylaws:

Not Applicable

Service Area / Participants:

Electoral Area C - Christina Lake

**Service Levels**

Control nuisance mosquitos at Christina Lake as resources, time and conditions permit.

Human Resources:

GM of Environmental Services (0.9% FTE), contracted control work (Morrow Bioscience Ltd.).

2018 Accomplishments:

2018 was a very challenging year for mosquito control work due to the flooding that significantly impacted the area, access and timing of treatment. The Kettle River reached record high levels in 2018, peaking on the 10th of May. These historically high river levels led to mosquito development sites that were spread out over large and unpredictable areas. Despite considerable aerial and ground reconnaissance events, some sites unfortunately were undetected which resulted in high levels of adult mosquito populations.

Ground treatments started on April 20, 2018 with aerial treatments initiated in May. Monitoring and mapping activities occurred throughout the mosquito control season. In low-water years, the aerial application portion of the Christina Lake mosquito program becomes less important because field staff can access most sites throughout the season. However, once the Kettle River levels approach flood stage and when local ambient temperatures are sufficiently high, certain sites become harder to treat by hand. Additionally, this year most sites became active with high mosquito abundance at the same point, making multiple large-scale aerial campaigns a necessity.

Images below were taken during an aerial treatment conducted five days following the peak in the Kettle River. Historically high flooding greatly hindered the ability to monitor sites due to road closures or unsafe access.



IMAGES NEAR CHRISTINA LAKE MOSQUITO DEVELOPMENT SITES NEAR THE KETTLE RIVER PEAK (MAY 2018) SHOWING HISTORICAL FLOODING SEVERITY AND STANDING WATER IN EXCESS OF ANY PREVIOUSLY RECORDED. PHOTOS COURTESY OF MORROW BIOSCIENCE LTD.

Drone technology was tested in the Granby area as a methodology for aerial application of larvaecide. It is predicted that the use of drone technology will reduce costs and yet be as effective as the use of helicopters. Unfortunately, although the test initially went well, the use of the drone was shut down by the Pest Management Regulatory Agency (Federal body that regulates pesticides and labels) due to a labelling issue. The Pest Management Regulatory Agency ruled that since drones are not specified on the label for the larvaecide, they could not be used to apply the product. Morrow Bioscience Ltd. is looking into avenues to obtain permission for the use of the drone technology in 2019.

Significant Issues and Trends:

Over the past three years high water levels and flooding events have impacted mosquito control work. The flooding in 2018 significantly changed water flow paths and sites not previously identified as mosquito habitat were flooded and dormant eggs hatched. The changes in weather patterns suggest that the flooding of mosquito habitats is becoming less predictable and this will result in greater challenges in conducting control work.

To test alternate control methods, over the past two seasons, the RDKB has installed bat and sparrow boxes to supplement the larvaeciding work. Observations of the installed boxes suggests that few individuals from the target species are living in the boxes. The habits of the target species suggest that

it will take a few seasons for the installed boxes to be fully occupied at which time the effectiveness in controlling mosquitos may be improved. It is concluded that presently, the efficacy of the alternate control methods is poor, however it is likely that there will be stakeholders that will wish to pursue these methods further.

2019 Program/Projects:

The 2019 mosquito control program will be dependent on weather patterns. At this time the budget has assumed a similar program and level of effort as that in 2018.

In 2018 West Nile Virus was detected in the Cranbrook area which may result in future changes to the RDKB program. It is anticipated that in 2019 this issue will be monitored and be considered in the development of subsequent contracts and future work plans.

The current contract with Morrow Bioscience Ltd. expires on January 31, 2020. As such, a project for 2019 will be a procurement process to allow for contract work to be initiated in the spring of 2020.



Noxious Weed Control - Christina Lake Milfoil

2019 Work Plan



Noxious Weed Control - Christina Lake Milfoil

2018

Janine Dougall, General Manager, Environmental Services



Noxious Weed Control - Christina Lake Milfoil

2019 Work Plan

Service Name: Noxious Weed Control Area 'C' - Christina Lake Milfoil

Service Number: 091

Committee Having Jurisdiction: Board of Directors

General Manager/Manager Responsible: Janine Dougall, General Manager of Environmental Services

Description of Service:

Eurasian water milfoil (milfoil) is an invasive aquatic plant. Once established it outcompetes beneficial native plant species and negatively impacts the ability of native fish species to spawn in gravel beds.

The service provides milfoil control in Christina Lake which protects and enhances the valuable regional, provincial, national and international recreational amenity that Christina Lake provides.

Milfoil is removed from the bottom of Christina Lake in the littoral zone, generally considered the portion of the lake less than 4 metres in depth, which is the optimal growing zone for Eurasian water milfoil. Two crews of commercial divers remove the milfoil by pulling individual plants from the lake bottom, literally weeding the lake bottom fronting private and public property.

Establishing Authority:

Service is established by Bylaw 531 adopted May 30, 1987, amended by Bylaw 817 adopted July 28, 1994. The purpose of the service establishment bylaw is, *"to undertake and carry out or cause to be carried out and provide eurasian water milfoil control for the said specified area and to do all things necessary in connection therewith"*.

Requisition Limit:

Tax requisition not to exceed \$.50/1000 of net taxable assessed value of Land and Improvements, (pre-converted), as per Bylaw 817, current maximum requisition is \$336,881.

2018 Requisition / Budgeted Expenditures / Actual Expenditures:

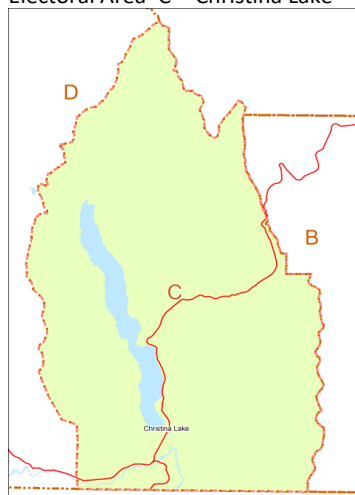
Requisition - \$288,324 / Budgeted Expenditures - \$327,504 / Estimated Actual Expenditures - \$327,051

Regulatory or Administrative Bylaws:

Not Applicable

Service Area / Participants:

Electoral Area 'C' - Christina Lake

**Service Levels**

Remove milfoil from Christina Lake as resources, time and conditions permit.

Human Resources:

GM Environmental Services (4.2% FTE), 1 Dive Supervisor, 1 Lead Hand, 5 Divers

2018 Accomplishments:

2018 saw 6 returning divers and a new member was hired in the spring for a total of 7 on crew, which was the same as in 2017. Start date for the program was April 30 for contracts and initial paperwork, with diving activities initiated on May 1. Crews worked for two and a half weeks, and then due to flooding, the program was put on hold until the end of May.

For the 2018 work plan the lake was divided into 7 distinct sectors with each sector having its own control times dependent on milfoil density, boat traffic activity and safety concerns. The south properties on both sides of the public beach continue to be a challenge, as the depth of water stays shallow for about 100m away from the low water line, and as such, there are hockey rink sized patches of milfoil growing in this area. These patches of milfoil are situated around mooring anchors, and as boats rotate around the anchors in the wind, they chop up and break off the tops of the milfoil plants

and perpetuate the growth around the mooring balls. The clay in the lake bottom in this area makes picking roots particularly difficult, and the fine grain size makes visibility very limited.

Given the delay at the beginning of the season it is estimated that diving operations will end around Oct 27, 2018. It is anticipated that by the end of the 2018 dive season, a full two laps around the lake as well as additional work in the south and around the resorts will be completed.



Significant Issues and Trends:

There are a number of new aquatic invasive species showing up in Christina Lake, for example, a non-native water lily. Many residents, particularly owners of lake front property have requested that the milfoil crews do control work on the non-milfoil species. This request has regulatory and legal issues as well as practical considerations (species identification and removal that does not harm native species).

In the fall of 2018, through the coordination with Provincial Government representatives and funding provided by FLNRORD Kootenay Region – Ecosystem Section, a pilot project is planned to be completed to test the effectiveness of removal of the non-native fragrant water lily using dive crew members. The results of this trial will aid in determining appropriate control methodologies and planning regarding potential future control work. It is anticipated that the issue of control of other aquatic invasive species will become a larger issue over the next few years.

Another consideration in the overall program funding is ensuring that sufficient monies are placed in reserve to allow for the replacement of the outboard motors that were transitioned to the new dive boat. It is anticipated that the replacement cost for these motors will be approximately \$30,000 and based on the number of hours used per year, the motors will require replacement within the 2019-

2023 budget timeframe. Currently this expense has been budgeted for 2020 with costs to be covered by reserve monies.

2019 Proposed Program / Projects

The program proposed for 2019 is similar to that completed in 2018.

In advance of the 2019 work season commencing, the RDKB will be applying for a 5 year Provincial authorization to work in and around water bodies. This authorization is required for the milfoil program and normally is issued on an annual basis. In special cases, the Province will consider multi-year permits of up to five years. Discussions with provincial officials suggest that the RDKB milfoil program is an ideal candidate for extended term permits. Acquiring a five year permit will streamline regulatory compliance.

**STAFF REPORT**

Date: May 8, 2019

Date:	May 16, 2019	File:	
To:	Electoral Area Services Committee		
From:	Tom Sprado, Manager of Facilities and Recreation – Grand Forks and District Recreation Department		
RE:	PROJECT STATUS REPORT – SERVICE 023, 024, 027		

Issue Introduction: Project/Status report.

Service Name	Project	Budget	Status
Christina Lake Recreation Commission - 023 – Program Services	No projects in this Service	N/A	N/A
Recreation Facilities Christina Lake - 024	Christina Lake Community Association – Completion of New Storage Building	\$25,000	Material Order – construction to start June, 2019
Christina Lake Regional Parks & Trails - 027	Christina Lake Pedestrian Bridge	\$1,628,000	Grant Application submitted – Canada-British Columbia, Investing in Canada Infrastructure – Rural and Northern Communities Program. Successful grant announcements expected in October 2019.
Christina Lake Regional Parks & Trails - 027	Pickle Ball Court Project	\$100,000	Gas Tax Application submitted for Board approval – May 8, 2019
Christina Lake Regional Parks & Trails - 027	Archeological Impact Assessment Study	\$50,000	Project (s) not identified or required for need of study. To be determine.
Christina Lake Regional Parks & Trails - 027	New Trail Development from Cove Bay to Brown Road - Planning	\$5,000	Volunteers Investigating and planning for possibilities that a trail can be develop. 5% completion
Christina Lake Regional Parks & Trails - 027	Christina Lake Community & Nature Park Viewing Deck/Board Walk Project – Planning Only	\$20,000	Environmental Application and a Tenure Agreement Amendment for the Dock Location is with Front Counter BC 60% of planning completed.

Recommendation: Received for Information

Respectfully submitted:



Christina Lake Parks & Recreation Commission – Program Service

2019 / 2020 Work Plan



CHRISTINA LAKE TRIATHLON EVENT

2019

Tom Sprado, Manager of Facilities & Recreation
(Updated April 10/19)



Christina Lake Parks & Recreation Commission – Program Service

2019 / 2020 Work Plan

Service Name: Christina Lake Recreation Commission “Program”

Service Number: 023

Committee Having Jurisdiction:

Electoral Area ‘C’ Parks & Recreation Commission – Bylaw No. 1429 - provides recommendations to Regional District of Kootenay Boundary Board of Directors

General Manager/Manager Responsible:

James Chandler, General Manager of Operations / Deputy CAO
Tom Sprado, Manager of Facilities & Recreation

Description of Service:

Establishing and funding a Recreation Commission with Electoral Area ‘C’ for the purpose of providing recreational programming within Electoral Area ‘C’.

Establishing Authority:

Section 323 RSBC, Local Government Act (formerly Section 796)
Supplementary Letters Patent dated July 16, 1971 amended by Supplementary Letters Patent dated May 15, 1978
Bylaw 767 adopted October 28, 1993
Bylaw 807 adopted April 28, 1994

Requisition Limit:

The maximum amount that may be requisitioned annually shall not exceed \$0.50 per \$1000.00 of net taxable assessed values

2018 Requisition / Budgeted Expenditures / Actual Expenditures:

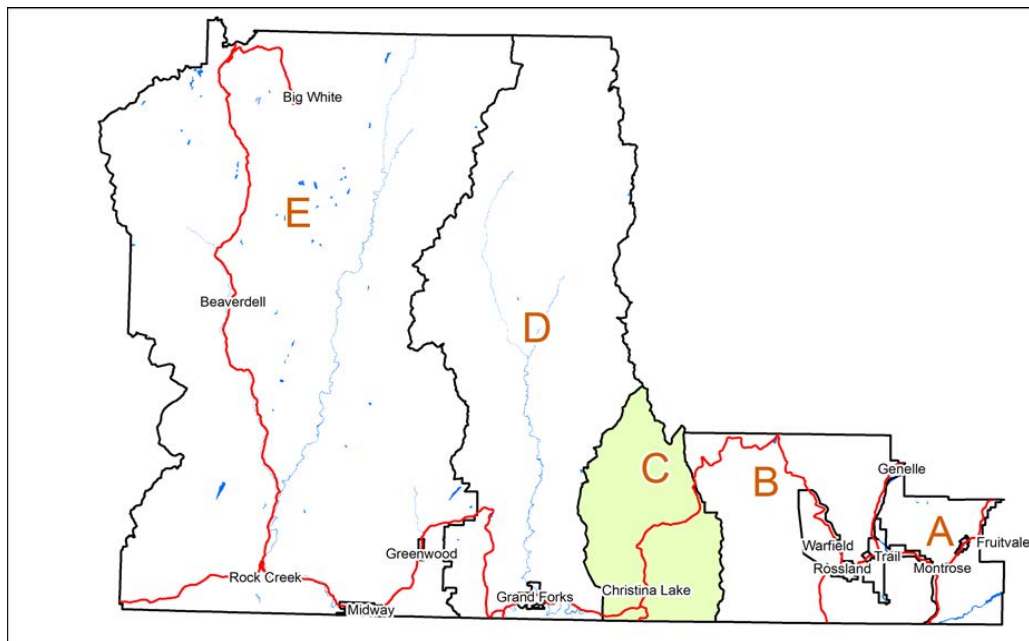
\$53,328 / \$80,719 / \$70,184 as of March 25, 2019

Regulatory or Administrative Bylaws:

N/A

Service Area / Participants:

All of Electoral Area 'C' of the Regional District of Kootenay Boundary.



Service Levels

The Christina Lake Parks & Recreation Commission meets the second Wednesday of the month (minimum of 8 meetings per year).

The role of the Commission is to encourage, assist and advise on the development of Community Recreation. Under the guidance of the Commission, Recreation Department staff are empowered with the following responsibilities:

- a) To organize and conduct a recreation program/s;
- b) to establish scales of admission charges;
- c) may conduct or have cause to conduct surveys of recreational facilities, areas and programs for the future;
- d) to ensure collection of all revenues accruing to the said operations and transmit said collections to the Regional District;
- e) to determine operational rules and procedures;
- f) prepare documents for tendering purposes and/or, request for proposals documents for special projects
- g) prepare and submit for grant applications
- h) any other responsibilities that may be delegated by resolution of the Regional District Board.

Administrative Services are provided to the Commission including keeping of Minutes and Preparing Budgets.

Human Resources:

Contracted services with Grand Forks & District Recreation Commission allows for the Manager of Facilities & Recreation and other GFREC support staff to assist with recreational programming and provide the administrative services for the Christina Lake Parks & Recreation Commission

2018 Accomplishments:

- Continue with the Stretching for Mobility & Morning Fitness programs
- Continue with the summer swim lessons at beach (31 participants) and school swim lessons (up to 75 participants)
- Successfully organized the 2018 Sand Sculpture Event. (60 people)
- Submitted an application to the UBCM Gas Tax Program Services – Strategic Priorities Fund for the construction of a pedestrian bridge across Christina Creek at Christina Lake in the amount of \$1,628,000 – Funding was not approved.
- The Christina Lake Triathlon Event was cancelled in 2018 due to high water.

Significant Issues and Trends:

Developing Parks and Trails in Area 'C' is challenging as Electoral Area "C" is consider a high archeological area. Projects like the Disc Golf Course and Kettle River Walk Trail are impacted as the two sites need an archeological impact assessments – Cost for one study is up to \$50,000 with no guarantee that the project can be develop.

Parks and Trail development will require assistance from the planning department to meet the regulatory requirements. Land to be developed is owned by the Province of BC- therefore requiring RDKB to attain a License of Occupation for any development.



STAFF REPORT

Date: 10 May 2019
To: Chair Worley and Electoral Area
 Services Committee Members
From: Mark Andison, Chief Administrative
 Officer
Re: Work Plan Update: Electoral Area
 Administration

File Work Plans

Issue Introduction

A staff report from Mark Andison, Chief Administrative Officer, providing an update on the status of projects and action items identified in the 2019 Electoral Area Administration Service Work Plan.

History/Background Factors

The 2019 Electoral Area Administration Service Work Plan identifies one project and one related action item to be pursued in 2019.

Project: Recruitment and Engagement of a Bylaw Enforcement Coordinator

Status: Funding has been included in the 2019 Electoral Area Administration Service budget to cover the costs associated with six months of the employee's time in the first year. At the April Electoral Area Services Committee, a staff report on this issue was discussed by the Committee. At that meeting, the Committee confirmed its desire to hire a bylaw enforcement coordinator as a term position for a two year term. Staff is in the process of developing a job description for the position and a meeting of the RDKB Joint Labour Management Committee has been scheduled for late May to discuss the position, the job description and the proposed wage rate, as per the requirements of the collective agreement with CUPE Local 2254. Once management has reached agreement with the union regarding the new term position job description and associated wage rate, staff will be in a position to begin advertising to recruit a bylaw enforcement coordinator.

Action Item: Undertake a Bylaw Enforcement Notice / Dispute Adjudication System (May 2016)

Status: The RDKB has applied for and been added to the Provincial regulation. Implementation of the new system will be undertaken by the new bylaw enforcement coordinator. The new bylaw enforcement coordinator will be charged with the responsibility of completing the required regulatory bylaw along with related policies, notices, procedures and materials associated with the new ticketing system.

Implications

It is hoped that a new bylaw enforcement coordinator will be in position to begin work in July, assuming a successful recruitment process with the availability of qualified candidates. The primary work associated with the position over the first several months will be establishing the new enforcement system (the bylaw, policies, procedures, materials, etc.).

Advancement of Strategic Planning Goals

Developing improved bylaw enforcement capacity within the RDKB advances the Board's strategic objective to focus on good management and governance.

Background Information Provided

2019 Electoral Area Administration Service Work Plan

Alternatives

1. That the staff report form Mark Andison, Chief Administrative Officer providing an update on the projects and action items identified in the 2019 Electoral Area Administration Service Work Plan be received.
2. That the staff report form Mark Andison, Chief Administrative Officer providing an update on the projects and action items identified in the 2019 Electoral Area Administration Service Work Plan be received and that the Electoral Area Services Committee provide additional direction.

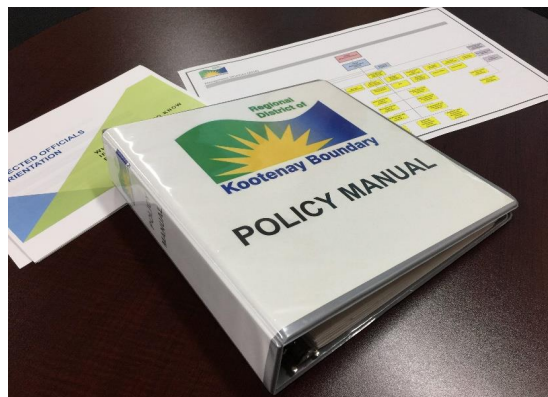
Recommendation(s)

That the staff report form Mark Andison, Chief Administrative Officer providing an update on the projects and action items identified in the 2019 Electoral Area Administration Service Work Plan be received.



Electoral Area Administration

2019 Work Plan



ELECTORAL AREA ADMINISTRATION

2018
Mark Andison, CAO



Electoral Area Administration

2019 Work Plan

Service Name: Electoral Area Administration

Service Number: 002

Committee having jurisdiction:
Electoral Area Services

General Manager/Manager Responsible:
Mark Andison, CAO / Theresa Lenardon, Manager of Corporate Administration

Description of Service:

1. Provision of broad legislative, legal, financial, and administrative support to Electoral Area Directors.
2. Corporate obligations are similar to those of a "clerk" and which are legislatively required for this position in relation to Electoral Area Administration include the following powers, duties and functions:
 - a. ensure meeting agendas and minutes are prepared
 - b. keeping bylaws
 - c. acts as Commissioner for taking Oaths and Affidavits
 - d. certifying documents and custody of the Corporate Seal
 - e. processes and manages official documents related to land transactions and property transfers
 - f. corporate legal matters
 - g. Chief Elections Officer
 - h. Freedom of Information Protection of Privacy Officer
 - i. Paper and electronic records management

Establishing Authority:

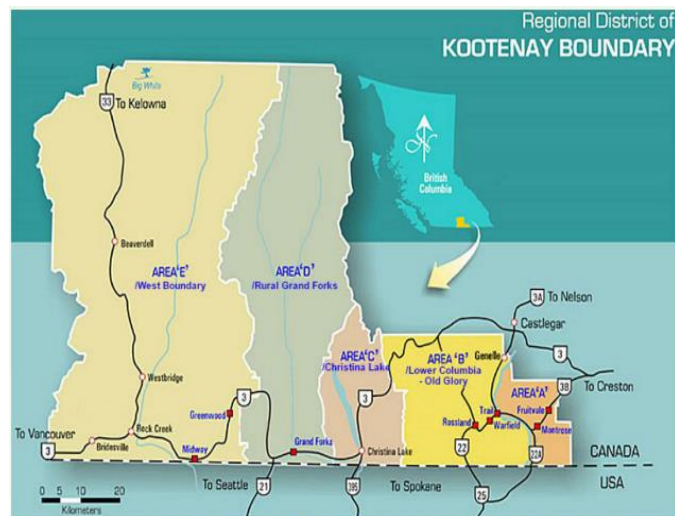
Local Government Act Sections 233, 234, 236, 263
 RDKB Officer Establishment Bylaw No. 1050, 1999

Requisition Limit:

Not applicable.

Regulatory/Administrative Bylaws:

- *Local Government Act*
- *Community Charter*
- RDKB Procedure Bylaw No. 1616, 2016
- *Freedom of Information and Protection of Privacy Act*
- RDKB Elections and Referendum Conduct Bylaw No. 1608

Service Area Map:**Service Participants:**

All electoral areas.

Service Levels:

1. Bylaws: Elections and Referendums Conduct Bylaw, Loan Authorization Bylaws, Member Municipality Security Issuing Bylaws, Conversion Bylaws (from SLPs to Establishment) Taxation Exemption Bylaws, Service Establishment and Service Establishment Amendment Bylaws.
2. Arrangement and management of Electoral Area Directors Travel and Registration for attendance at Conferences, Conventions, meetings etc. (e.g. Electoral Area Directors Forum AKBLG, LGLA, UBCM, FCM etc.).
3. Chief Elections Officer for General Local Government Elections, Bi-Elections, Alternative Approval Process and Referenda.

Human Resources:

1. CAO
2. Manager of Corporate Administration/Corporate Officer
3. Corporate Communications Officer
4. Executive Assistant
5. Clerk/Secretary Receptionist

2018 Requisition/Budgeted Expenditures:

\$191,646/\$622,518

2018 Significant Accomplishments:

1. The Chief Election Officer and staff administered 2018 electoral area election process.
2. The Chief Election Officer and staff administered two referendum processes:
 - a. The Boundary Integrated Watershed Service Establishment Bylaw referendum; and
 - b. The East End Sewer Assets Disposition referendum.

Significant Issues and Trends:

1. Ongoing improvement in efficiency and effectiveness of action items, tasks, duties, etc.
2. Increasing involvement with non-profit, cultural, social and natural resource planning and initiatives requiring efforts with more partnership agreements and grant opportunities.

2019 Projects:

Project: Recruitment and Engagement of a Bylaw Enforcement Coordinator

The Electoral Area Services Committee has expressed an interest in increasing the capacity of the Regional District to enforce its bylaws by adding a dedicated bylaw enforcement staff resource to the organization.

Current Regulatory Bylaws

The Regional District is entitled to enforce any regulatory bylaws that it has adopted, to levy penalties and/or require compliance with those bylaws. The regulatory bylaws currently in effect in the RDKB that are currently enforceable include:

- Electoral Area 'A' Zoning Bylaw No. 1460, 2014;
- Electoral Area 'B' Zoning Bylaw No. 1540, 2015;
- Electoral Area 'C' Zoning Bylaw No. 1300, 2007;
- Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1299, 2005;
- Electoral Area 'E'/ Big White Ski Resort Zoning Bylaw No. 1166, 2001;
- Electoral Area 'E'/Mount Baldy Ski Resort Zoning Bylaw No. 1340, 2010;
- Electoral Area 'E'/Jewel Lake Zoning Bylaw No. 855, 1995;
- Electoral Area 'E'/Bridesville Townsite Rural Land Use Bylaw No. 1485, 2012;
- Electoral Area 'A' OCP Bylaw No. 1410, 2010 (Development Permit Provisions);
- Electoral Area 'B'/Lower Columbia-Old Glory OCP Bylaw No. 1470, 2012 (Development Permit Provisions);
- Electoral Area 'C'/Christina Lake OCP Bylaw 1250, 2004 (Development Permit Provisions);
- Electoral Area 'E'/Big White Ski Resort OCP Bylaw No. 1125, 2001 (Development Permit Provisions);
- Electoral Area 'E'/Mount Baldy Ski Resort OCP Bylaw No. 1335, 2007 (Development Permit Provisions);
- Regional District of Kootenay Boundary Heritage Designation Bylaw No. 1236, 2004;
- Regional District of Kootenay Boundary Floodplain Management Bylaw No. 677, 1995;
- Regional District of Kootenay Boundary Building and Plumbing Bylaw No. 449, 1985;
- Regional District of Kootenay Boundary Mobile Home Park Bylaw No. 97, 1975;
- Regional District of Kootenay Boundary Electoral Area 'A' and 'B' Dog Control and Licensing Bylaw No. 1117, 2000;
- Regional District of Kootenay Boundary Boundary Animal Control Bylaw No. 1550, 2014;
- Big White Noise Control Bylaw No. 1431, 2009
- Solid Waste Management Facilities Regulatory Bylaw No. 1605, 2016

Most of the regulatory bylaws that the RDKB currently has in place are land use bylaws. Bylaw enforcement work is regularly undertaken by Planning Department staff with respect to the various land use bylaws that the department administers. Staff work with property-owners, on a complaint basis, to seek compliance relating to variety of land use matters. The legal tools currently available to

the RDKB to penalize non-confirming property-owners, or to achieve compliance, are either long-form prosecution or court-ordered injunction. The tool generally utilized, when all other avenues available to seek compliance have failed, is to pursue a court injunction. If successful, an injunction can result in the non-compliant situation being remedied, whereas a long-form prosecution may simply result in a fine to the property-owner. The threat of the costs and legal consequences associated with the RDKB initiating injunctive proceedings is often sufficient motivation for property-owners to comply with the bylaw.

The Building Inspection Department regularly enforces RDKB Building and Plumbing Bylaw No. 449, 1985. There is a statutory tool available to local governments under Section 57 of the Community Charter that provides authority for local governments to register a notice on the title of properties to warn prospective purchasers and interest holders that construction activity has occurred on the property in contravention of a building bylaw. While this tool is intended alert prospective purchasers of problems associated with a property, it also has the effect of facilitating compliance - as it makes it more difficult for the owner to sell the property as purchasers, and the financial institutions that provide mortgage funding to those purchasers, are often reluctant to invest in a non-conforming property.

The two animal control bylaws listed above are also a regular source of bylaw enforcement activity, through the RDKB's two contracted animal control service providers - the BC SPCA in the east end and the Commissionaires in parts of the Boundary. The main enforcement tool available to animal control officers is the impoundment of animals and the fees associated with impoundment. As with other types of regulatory bylaws, the implementation of the Bylaw Dispute Adjudication System will provide animal control officers with a significantly improved bylaw enforcement tool, as they will be able to issue "bylaw notices" with the associated fines for a range of offenses identified in the animal control bylaws (eg, having a dog off leash in a public space, not picking up after a dog).

Most of the other RDKB regulatory bylaws listed above have very little enforcement demand. The Big White Noise Bylaw is the exception, as there are regularly noise complaints during the winter season at Big White. The RDKB's current community security contractor appears to have been fairly successful in achieving compliance with noisy occupiers of residences simply by notifying them of the noise bylaw and requesting compliance. A regular security presence and monitoring appears to be working, in most cases.

Potential Regulatory Bylaws

There is a range of other regulatory bylaws that the RDKB may wish to consider adopting, if it is deemed that there is a need to regulate those issues. Many of these fall under Part 9, Division 6 of the Local Government Act - Noises, Nuisances, and Disturbances. For any of these issues to be regulated, the RDKB would first need to establish a service specifically for the control of those issues, as was done with the adoption of the Big White Noise Control Service Establishment Bylaw No 1386, 2008. Once a service establishment bylaw is adopted, the Regional District would have the authority to regulate and enforce bylaws enacted under that service. Typical bylaws would be noise control bylaws, unsightly premises bylaws, nuisance bylaws (controlling smoke, dust, odour, etc.), and fireworks bylaws. The assent of electors is required to establish any of these regulatory services. Once

a service establishment bylaw is adopted, the Board would then have to turn its attention to drafting and adopting a regulatory bylaw which, once adopted, would be enforceable.

The Bylaw Dispute Adjudication System as an Alternative Model of Bylaw Enforcement for the RDKB
Bylaw infractions are a common occurrence in any local government that enacts regulatory bylaws. Bylaw adjudication is an alternative to the Court-based model currently in place to enforce bylaw violations (e.g. long-form prosecution or injunctive proceedings). Through the *Local Government Bylaw Notice Enforcement Act*, bylaw adjudication provides a framework for a non-judicial system for local governments to deal with bylaw enforcement disputes. Under the Act, local governments may adopt a Bylaw Notice Enforcement Bylaw to establish a Bylaw Notice and Dispute Adjudication system which largely replaces the Provincial Court as a venue for resolving minor bylaw breaches and disputes.

Initiating formal court proceedings can be costly, and some municipalities choose to avoid these enforcement costs by abandoning enforcement if voluntary compliance is not forthcoming. The goal of the Bylaw Notice model is to create a simple, fair, and cost-effective system for dealing with minor bylaw infractions

There are a couple of key features of the Bylaw Notice Dispute Adjudication System:

1. It provides local government with authority to deal with bylaw contraventions by way of a bylaw. Authority is obtained from the Lieutenant Governor in Council.
2. It establishes the penalty as a debt owed to the local government.

There are three key components of the system:

- I) Bylaw Notices do not have to be delivered via personal service. The notice can be delivered via a "windshield" service, which allows delivery of the Bylaw Notice to be left on a vehicle, at a residence, or via Canada Post etc.
- II) A Screening Officer, who acts in a dispute resolution role facilitates compliance through various approaches and tools.
- III) Adjudications can be heard at arms-length by an "agent", in writing (including e-mail), in person, via telephone or via teleconference by experienced, professional Adjudicators who are appointed by the Attorney General. The Adjudicator bases decisions on a clearly written bylaw, whether or not a contravention did in fact occur and the balance of probability. The Adjudicator's decision is final and conclusive. Should the disputant still not pay the fine, the matter would be referred to a collection agency and should the fine not be collected for some reason by the collection agency, the debt would be registered as a lien against the disputant's property.

The enabling bylaw, the Bylaw Notice Enforcement Bylaw:

- designates the regulatory bylaws that may be dealt with by the Bylaw Notice,
- establishes penalties for violations,
- sets out staff positions for issuing a Bylaw Notice,
- establishes pay periods for violations,
- establishes a bylaw notice dispute adjudication system to resolve disputes, and

- establishes the position of Screening Officer, by class of person, powers, duties and functions, the power to enter into compliance agreements.

Summary - Benefits and Opportunities

In addition to the advantages noted above, further benefits of the Bylaw Enforcement Notice system for enforcing minor bylaw infractions include:

1. Improved Service to Citizens: The existing Court-based model is complicated, time consuming, costly and lengthy. Local governments that have adopted the Bylaw Notice Dispute Adjudication System have indicated that not only are citizens pleased with the flexibility of dispute scheduling (adjudication hearings may be held at various times of day in various locations), they see bylaw adjudication as being more credible and meaningful. Local governments that have implemented bylaw adjudication have found that the increased credibility leads to increased payment rates and reduced bylaw dispute rates (e.g. more people opt to pay without disputing).
2. Increased Revenue and Operating Efficiencies: Under this system, all penalties are due and payable upon receipt unless disputed. As such, the local government can proceed with the collection of all unpaid penalties, after specific steps are taken as defined by the *Local Government Bylaw Notice Enforcement Act* and the local government Bylaw Notice Enforcement Bylaw. Further, staff are not required to attend the adjudication hearings in person and therefore have more time to work on other projects and or daily operations.
3. Disputes can be resolved in one to two months as opposed to six months or longer in the Courts.
4. Partnerships: It is possible to partner with member municipalities, adjacent municipalities and or regional districts which may be using this model to share Screening Officers and adjudication hearings.
5. RCMP: It is also possible to include members of the RCMP with authority to issue the Bylaw Notices/tickets.

The Bylaw Dispute Adjudication System

Electoral Area Services Committee members have expressed an interest in improved bylaw enforcement. The Bylaw Dispute Adjudication System, when implemented, will provide the Regional District with a significantly improved tool for enforcing regulatory bylaws. But, the system will apply only to those regulatory bylaws that we currently have in place (above). If there is an interest in enacting additional regulatory bylaws that control noise, unsightly premises, and nuisances, the Board will be required to seek the assent of electors to adopt new service establishment bylaws relating to those new regulatory services.

The implementation of the Bylaw Dispute Adjudication System will provide significantly improved bylaw enforcement tool for all of the Regional District's regulatory services. The ability to issue bylaw notices, with the associated fines, will constitute a powerful bylaw enforcement tool. However, there

will need to be someone dedicated to coordinating the system (delivering notices, establishing timelines, acting as the screening officer, referring contested notices to an adjudicator, drafting compliance agreements, etc.).

Further information on the Bylaw Dispute Adjudication System:

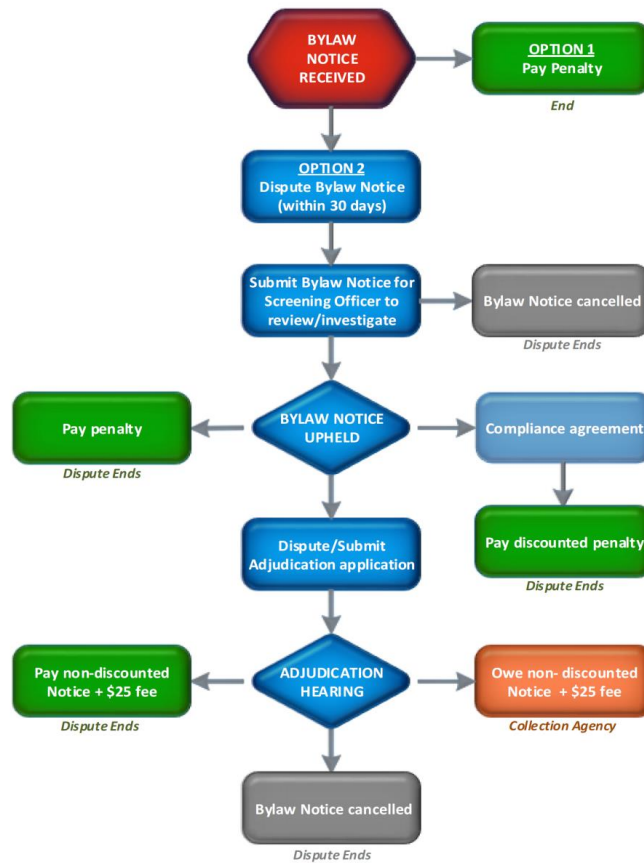
<https://www.ubcm.ca/assets/library/Policy~Topics/Governance/Bylaw~Dispute~Adjudication/Bylaw%20Adjudication%20Toolkit%202005.pdf>

2019 Work Plan Objectives Related to Bylaw Enforcement Coordinator Position

The objectives with respect to the Bylaw Enforcement Coordinator position in 2019 are as follows:

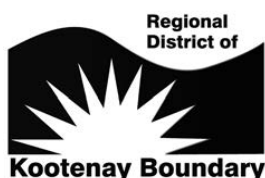
1. Include all costs associated with a new Bylaw Enforcement Coordinator in the Electoral Area Administration annual budget and five-year financial plan;
2. Recruit an individual to assume the bylaw enforcement responsibilities that are currently being undertaken by Planning Department staff;
3. Upon filling the new position, the Bylaw Enforcement Coordinator will pursue two primary functions:
 - a. Coordinating day-to-day bylaw enforcement activities currently undertaken by Planning Department staff; and
 - b. Developing a Bylaw Dispute Adjudication System for the Regional District of Kootenay Boundary through the drafting of a "Bylaw Enforcement Notice and Dispute Adjudication System Bylaw", as well as the establishment of the associated bylaw notice, screening, and adjudication process. Once the system is established, the Bylaw Enforcement Coordinator will be responsible for coordinating the new system under the supervision of the Manager of Planning and Development, similarly to the process shown below.

Bylaw Notice Dispute Adjudication Process



Action Items:

ELECTORAL AREA ADMINISTRATION			
Initiation Date	Action / Issue	Staff Resources	Comments
May 2016	<u>Bylaw Enforcement:</u> Undertake a Bylaw Enforcement Notice / Dispute Adjudication System as a means of implementing bylaw enforcement for minor infractions. Further, that staff be directed to apply to the Lieutenant Governor in Council to enact a regulation to include the RDKB in Schedule 1 of the Bylaw Notice Enforcement Regulation. Further, that upon inclusion in the Regulation that staff draft a Bylaw Notice Enforcement Bylaw for the Board's consideration.	Administration Staff	The RDKB has applied for and been added to the Provincial regulation. Electoral area directors have directed that a Bylaw Enforcement Coordinator position be included in the 2019 budget to complete the required bylaw and implement the enforcement program.



Electoral Area Services (EAS) Committee Staff Report

RE:	Development Variance Permit - Wallis		
Date:	May 16, 2019	File #:	D-700-03668.020
To:	Chair Worley and members of the EAS Committee		
From:	Elizabeth Moore, Planner		

Issue Introduction

The RDKB has received an application for a development variance permit from Ian and Susan Wallis for a variance in a setback in Electoral Area 'D'/Rural Grand Forks (see Attachments).

Property Information	
Owner(s):	Ian and Susan Wallis
Location:	7265 Ranken Rd.
Electoral Area:	Electoral Area 'D'/Rural Grand Forks
Legal Description(s):	Lot 1, Block 10, Plan EPP 86067, DL 700, SDYD
Area:	0.30 ha (0.733 acr)
Current Use(s):	Single Family Dwelling
Land Use Bylaws	
OCP Bylaw No. 1555:	Rural Residential
DP Area:	NA
Zoning Bylaw No. 1299:	Estate Lot Residential 3 (R3)
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	Sion Possible Future Service Area
Planning Agreement Area:	Grand Forks

History / Background Information

The subject property has a single family dwelling and two small accessory buildings (9.09 m² and 12.4 m² in size). The property is designated as Rural Residential in the Electoral Area 'D'/Rural Grand Forks Official Community Plan and zoned as Estate Lot Residential 3 in the Zoning Bylaw. Surrounding properties have the same OCP designation and zoning.

In the Electoral Area 'D' Zoning Bylaw, the setback from the front and rear parcel lines is 7.5 m, the setback from interior parcel lines is 3 m, and the setback from exterior side parcel lines is 4.5 m. The dwelling on the property meets the setback requirements. Note that the parcel lines shown on the Subject Property Map are

Page 1 of 3

P:\PD\EA_'D'\D-700-03668.030 Wallis\2019-May-DVP\EAS\2019-04-24_DVP_EAS.docx

misaligned with the aerial imagery and thus does not accurately represent the position of the dwelling.

Proposal

The applicants propose to build a garage as an addition to the single family dwelling on the subject property. The addition is proposed to be adjacent to the north east side of the dwelling and will have the dimensions 10.4 m by 11.04 m for an area of 114.8 m² (see applicants' submission). To be built at these dimensions, the northeast corner of the proposed garage would be 6.5 m from the front parcel line at the closest point.

The application is for a variance in the front parcel line setback from 7.5 m to 6.5 m for a variance of 1 m.

Implications

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

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

The applicants assert that in order to build the garage economically, the proposed position for the garage is the best option. The applicants state that if they built the garage within the setbacks it would require them to build it at an angle to their house. This would require them to excavate a hillside and build a retaining wall which would add a large expense to their building project.

The applicants' assert that the variance would improve the development as it will be more architecturally pleasing for the garage to be in the proposed positioning with regard to the existing house.

Regarding negative impacts to neighbouring properties, if the application proceeds, letters will be sent to neighbouring property owners advising them of the proposal and providing opportunity to comment.

Advisory Planning Commission (APC)

The Electoral Area 'D' / Rural Grand Forks APC supported this application at their May 7, 2019 meeting. The APC included the following:

- There was a question as to whether or not the neighbors were notified about the application

Planning and Development Comments

A sign detailing the nature of their application was given to the applicants to post in a visible location on their property. Confirmation of sign posting has been requested by Planning Staff.

Notification letters will be sent to neighbours within 60 m of the subject property ten (10) days prior to the Board of Directors meeting.

Recommendation

That the Development Variance Permit application submitted by Ian and Susan Wallis, to allow for a reduced front parcel line setback from 7.5 m to 6.5 m – a 1.0 m variance to construct a garage on the property legally described as Lot 1, Block 10, Plan EPP86067, DL 700, SDYD, Electoral Area 'D'/Rural Grand Forks, be presented to the Regional District of Kootenay Boundary Board of Directors for consideration, with a recommendation of support.

Attachments

Site Location Map

Subject Property Map

Applicants Submission

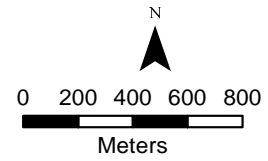


Regional District of
Kootenay Boundary

Date: 24/04/2019

Site Location Map

Lot 4, Block 10, Plan KAP38,
DL 700, SDYD



1:24,000



Document Path: H:\2019-04-24_SLM_Wallis.mxd

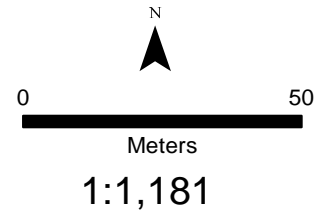


Regional District of
Kootenay Boundary

Date: 24/04/2019

Subject Property Map

Lot 4, Block 10, Plan KAP38,
DL 700, SDYD



1:1,181



Document Path: H:\2019-04-24_SPM_Wallis.mxd

Applicant Submission

RDKB Planning and Development Department

Re: Application for Development Variance Permit

Dear Sir/Madam:

Ten years ago, our house was built on property with no survey requirement. At considerable expense, a property survey was done (attached) and so we are able to make this application.

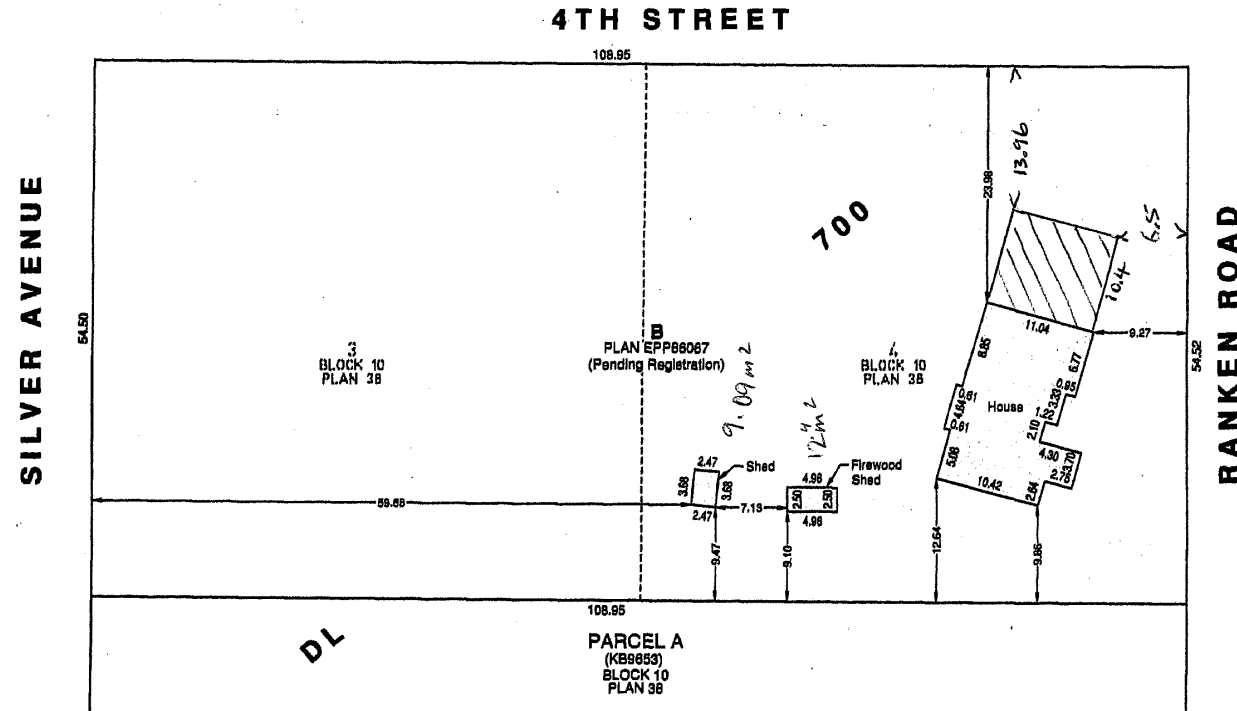
The siting of our house, being on an angle to the front property line, is well within the surveyed boundary line with the required setback, but with the addition of the proposed garage, it would mean the North East corner would be 1.0 metre closer to the surveyed front property line and also this proposed positioning would be architecturally pleasing with the existing house. We have looked at all the alternatives and have concluded this positioning of the proposed garage makes the most sense, architecturally and economically.

Should the above variance application be denied, the proposed garage addition would need to be built on an angle to the existing house. Excavation of the hillside and consequent retaining wall would be a large financial burden in addition to the cost of the build.

Thanking you for your consideration,
Ian and Susan Wallis

**B.C. LAND SURVEYOR'S CERTIFICATE OF LOCATION OF BUILDINGS ON LOT B
DISTRICT LOT 700 SIMILKAMEEN DIVISION YALE DISTRICT PLAN EPP86067**

Parcel Identification No: 012-788-057 and 012-788-031
Civlo Address: 7285 Ranken Road, Grand Forks, BC
Client: Ian Wallis
WSP file number: 181-09403-00-000-00-BSULC001-R0
Date of Field Survey: August 15, 2018



NOTES

All distances are in metres and decimals thereof.

Parcel dimensions are derived from field survey and land title office records.

This plan is not suitable for mortgage purposes. It was prepared for municipal purposes and is for the exclusive use of our client.

Clearances shown are measured to the exterior of the main walls.

This document shows the relative location of the surveyed structures and features with respect to the boundaries of the parcel described above. This document shall not be used to define property lines or property corners.

All rights reserved. No person may copy, reproduce, transmit or alter this document in whole or in part without the consent of the signatory.

The signatory accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

This certificate has been prepared in accordance with the Association of B.C. Land Surveyors' Professional Reference Manual, Land Title & Survey Authority Records and Field Surveys. Unregistered interests have not been included or considered.

Certified Correct on this 29th day of August, 2018.

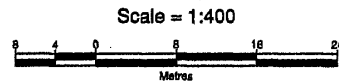
Jennifer Ashton

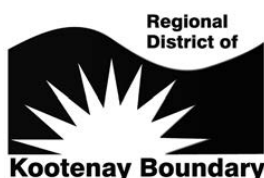
BCLS
© WSP

This document is not valid unless digitally signed and sealed

WSP

WSP Canada Inc.
5-2114 Columbia Ave, PO Box 89,
Rossland, BC





Electoral Area Services (EAS) Committee Staff Report

RE:	Development Permit - Hudson		
Date:	May 16, 2019	File #:	C-3989s-09104.110
To:	Chair Worley and members of the EAS Committee		
From:	Elizabeth Moore, Planner		

Issue Introduction

We have received an application for a development permit from Kyle Phillips, acting as an agent for Casey and Lori Hudson, to relocate the existing dwelling, construct a single family dwelling, and install a septic system on a waterfront property on West Lake Drive in Electoral Area 'C'/Christina Lake (see Attachments).

Property Information	
Owner(s):	Casey and Lori Hudson
Agent:	Kyle Phillips and/or Raymond Calabro
Location:	2122 West Lake Drive
Electoral Area:	Electoral Area C / Christina Lake
Legal Description(s):	Block B, DL 3989s, SDYD
Area:	0.92 ha (2.27 acr)
Current Use(s):	Single-family dwelling
Land Use Bylaws	
OCP Bylaw No. 1250:	Waterfront Residential
DP Area:	Environmentally Sensitive Waterfront
Zoning Bylaw No. 1300:	Waterfront Residential 2 (R2)
Other	
ALR:	NA
Waterfront / Floodplain:	Partial
Service Area:	NA
Planning Agreement Area:	NA

History / Background information

This parcel is accessed along West Lake Drive and is split into two portions by the road. The lakeside portion is on the east side of West Lake Drive. There is currently a single-family dwelling on the property and a pit privy. The dwelling is 384 square feet (35 m²).

The whole parcel is within the Waterfront Environmentally Sensitive Development Permit Area. A small piece of the property, on the eastern edge, is within the 200-yr floodplain, though the location of the current dwelling and the proposed building site are not within the floodplain.

The property is designated as Waterfront Residential in the Electoral Area 'C'/Christina Lake OCP and zoned as Waterfront Residential 2 in the Electoral Area 'C'/Christina Lake Zoning Bylaw. Surrounding properties to the north and south share the same OCP designation and Zone. To the west, the land is designated as Natural Resource and zoned as Natural Resource 1.

Proposal

The applicants propose to move the existing dwelling and to construct a new single family dwelling in its place. The existing and proposed dwellings are sited on the eastern or lakefront side of the parcel (see Applicants Submission). The proposed dwelling is 2800 square feet (260 m²). The existing dwelling, referred to in the application as a cabin, will be relocated further south on the parcel, but will not have plumbing.

A septic system will be connected to the new dwelling and will also be located on the lakefront side of West Lake Dr. It is understood from the septic system drawings included in the application that the original cabin will not be connected to the septic system and the pit privy will remain on the property.

The applicant has retained Paul Kernan, P. Eng. of Highland Consulting Ltd. to provide a report on the proposed septic system and its compliance with the RDKB Development Permit guidelines. The applicant also provided the footprint of the proposed single family dwelling, the proposed placement for the relocated building, and the proposed septic system with the setbacks from parcel lines.

The professional report submitted by Highland Consulting Ltd. recommends the installation of a Type 2 treatment and disposal system as the most suitable sewerage system, based on a potential 3 bedroom dwelling. The report and recommendations are based on the review of soil logs and an independent site visit by Paul Kernan, P. Eng. of Highland Consulting Ltd. This system has been selected to meet requirements of the Province of British Columbia with regard to design flows, soil conditions, slope grade, surrounding water features and set backs as outlined in the *Sewerage System Standard Practices Manual, Version 3 September, 2014* (SSPM).

Implications

The OCP outlines guidelines for applications for development permits. Before construction takes place, the owner must submit a professional report that demonstrates, to the Board's satisfaction, that the method of sewage treatment and disposal for the subject parcel is adequate to avoid undue impacts on the quality of water in adjoining lakes and watercourses. The professional report will suggest a method of sewage treatment that, wherever possible, exceeds the minimum standards required by Provincial regulation.

The level of detail provided in all segments of the report is sufficient to demonstrate how the recommendation was arrived at and that the recommendation is based upon the unique characteristics of the parcel. The report demonstrates that a Type 2 system would be the best option for this parcel.

This report does not establish how this sewerage system will exceed the minimum standards of provincial regulation, but it does demonstrate that the recommended system meets requirements. The report states that once installed, monitoring needs to occur monthly within the first six months and bi-annually following that to ensure requirements are being met.

With regard to zoning requirements, the application states that the existing cabin is to be moved and a new single family dwelling constructed. The site plan for the proposed single family dwelling and the site for the relocated cabin meet all setback requirements outlined in the Waterfront Residential 2 Zone. In this zone a single family dwelling is permitted. A secondary suite, a sleeping quarter, and accessory buildings and structures are all secondary permitted uses. The existing cabin at 384 square feet (35 m²) in size is too large to be considered a sleeping quarter (limited to a 20 m² maximum size).

The original cabin fits the permitted size for a secondary suite, however, through discussions with the applicants, it was determined that they do not intend to install plumbing nor a bathroom nor kitchen in the relocated dwelling. By definitions in the current zoning bylaw, this cannot be considered a secondary. The applicants have decided to use the relocated cabin as an accessory building and are amending their site plans accordingly.

Advisory Planning Commission (APC)

The Electoral Area 'C'/Christina Lake APC meeting was held on May 7, 2019 meeting. Quorum was not made at the meeting. The APC members present included the following comments and questions for consideration:

Please ensure maps and diagrams need to be readable.

Are privies still permitted?

How does the cabin comply with the Secondary Suite by-law?

Is there plumbing in the existing cabin?

Is the well that's currently being drilled on the property 100' from the subject property septic system and any neighboring septic systems?

The APC has reservations about supporting this application due to incomplete information.

Planning and Development Comments

Privies are not regulated by Interior Health. They provide non-enforceable guidelines to prevent health hazards caused by the proximity of privies to sources of drinking water and dwellings, including a 30 m setback from wells and natural waterbodies.

Section 314 of the Electoral Area 'C' Zoning Bylaw establishes a setback distance of 30m for pit privies from the natural boundaries of any watercourse. The existing pit privy is within 30 m of the proposed well site, but is a distance greater than 30 m from the natural boundary of Christina Lake.

Page 3 of 4

P:\PD\IEA_C\3989s-09104.110 Hudson\2019-May-DP\EAS\2019-04-11_DP_EAS_Hudson.docx

The proposed septic system is at a distance greater than 100 ft. (30.5 m) from the well site, as shown on the Site Plan titled Proposed Plan for Relocation of Current Dwelling and Construction of New Dwelling, provided as part of the Applicant Submission. Paul Kernan, P.Eng. for Highland Consulting states that the closest diversion and well location is greater than 30 m from the proposed septic system's dispersal area.

The discussions with the applicants mentioned above in the Implications section occurred following the APC meeting. The owners will use the original dwelling as an accessory building now that they have been made aware of the requirements for a secondary suite. The applicant has confirmed that the building would have electrical service, but no plumbing.

Recommendation

That the staff report regarding the Development Permit application submitted by Kyle Phillips on behalf of Casey and Lori Hudson to construct a single-family dwelling in the Environmentally Sensitive Waterfront Development Permit area on the parcel legally described as Block B, DL 3989s, SDYD, Electoral Area 'C' / Christina Lake, be received.

Attachments

Site Location Map

Subject Property Map

Applicants Submission

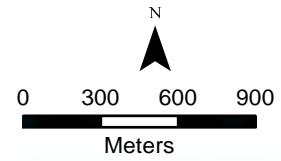


Regional District of
Kootenay Boundary

Date: 11/04/2019

Site Location Map

Block B, District Lot 3989s, SDYD



1:25,485



Document Path: H:\2019-04-11_Hudson_DV_SLM.mxd

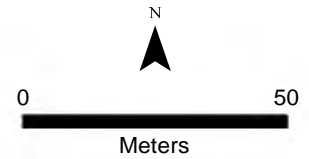


Regional District of
Kootenay Boundary

Date: 11/04/2019

Subject Property Map

Block B, District Lot 3989s, SDYD



1:1,250



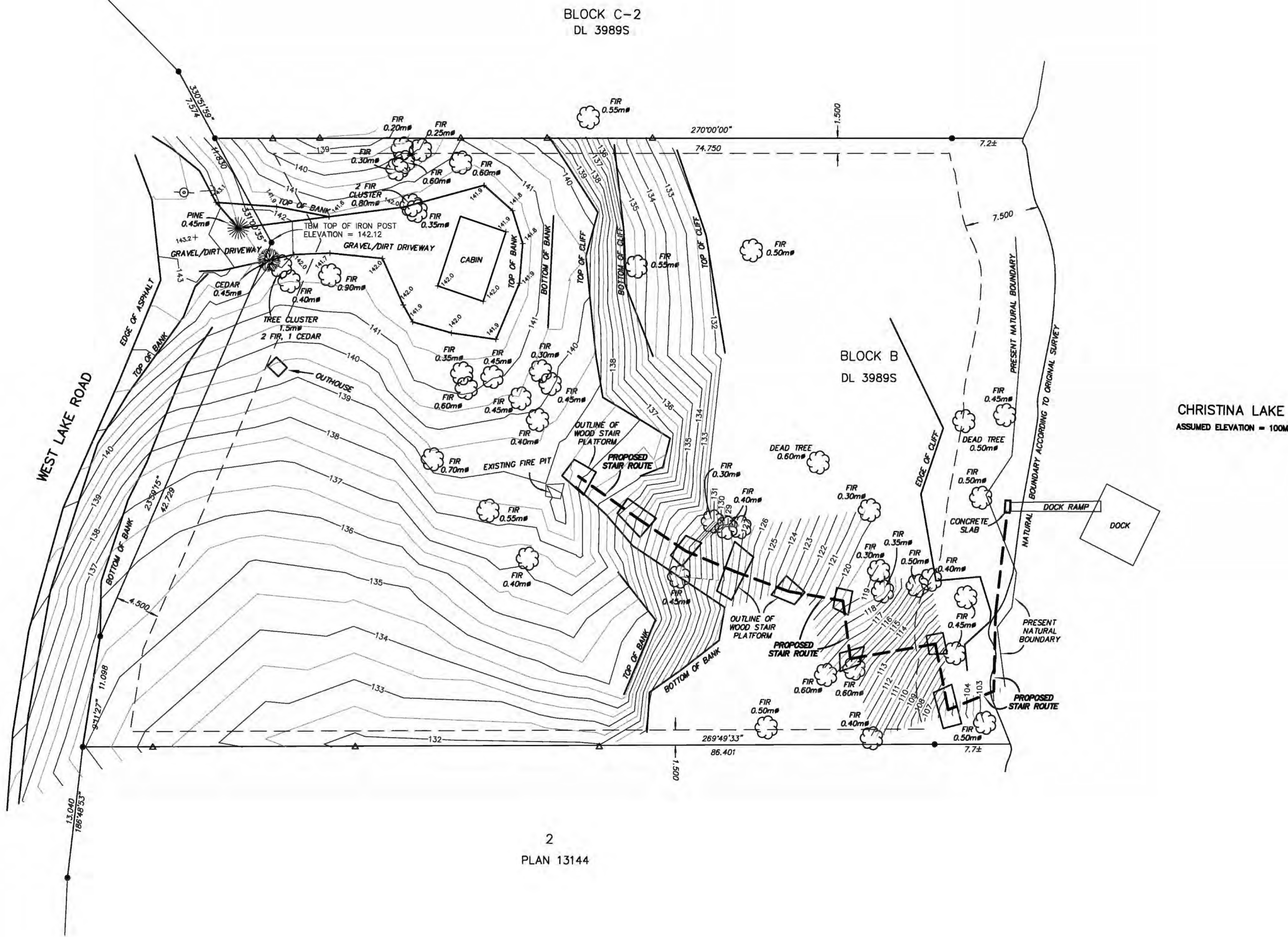
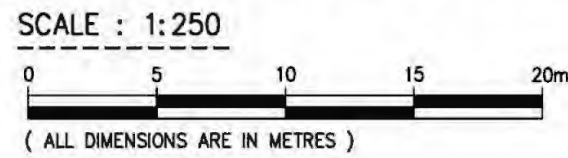
Document Path: H:\2019-04-11_Hudson_DV_SPM.mxd

Applicant Submission

The space below is provided to describe the proposed development. Additional pages may be attached.

Installation of improved asphalt driveway, access gate and parking. Relocation of existing cabin on new foundation within same property, including new electrical service. Construction of new 2800 square foot residence and related utilities and landscaping. Installation of new septic system and well serving new residence. Removal of select trees. Construction of new landscape stair to lake shore (improvements to occur outside of natural lake boundary).

TOPOGRAPHIC SURVEY PLAN OF BLOCK B, DISTRICT LOT 3989S, SDYD.



ALLTERRA
LAND SURVEYING LTD.
264 WESTMINSTER AVENUE W.
PENTICTON, B.C. V2A 1J9
TEL: 250-492-5903
WWW.ALLTERRASURVEY.CA

OUR FILE NO. 200109-0
OUR DRAWING NO. 200109-0_TOPO_R1.DWG

Applicant Submission

SEPTIC SITE INVESTIGATION

HCL Project # 18360

Tax Role # 17-712-09104.110

2122 West Lake Drive
Christina Lake, BC



#

Prepared By:

Highland Consulting Ltd

#210 – 601 Front Street,

Nelson, BC

V1L 4B6

#

#

Revision

Rev A - Draft

Date Submitted

14th November, 2018

HIGHLAND CONSULTING LTD
CIVIL ENGINEERING





Applicant Submission

HIGHLAND CONSULTING LTD
CIVIL ENGINEERING

- 1. PROJECT BACKGROUND**
- 2. OBSERVATIONS**
- 3. EXISTING SEWAGE SYSTEM REVIEW**
- 4. FLOW RATES**
- 5. SEWAGE SYSTEM DESIGN**
 - 5.1. Hydraulic Loading Rate*
 - 5.2. Design Calculations*
 - 5.3. Critical Standards*
 - 5.4. Design Rational*
 - 5.5. Well Locations*
 - 5.6. Linear Loading Rate*
 - 5.7. Performance Based Approach*
- 6. SOIL PROFILES**
- 7. CONSTRUCTION NOTES**
- 8. CLOSURE**

APPENDICES

APPENDIX A – Drawings/Design Sketch

APPENDIX B - Soil Logs

APPENDIX C - Legal Information



HIGHLAND CONSULTING LTD CIVIL ENGINEERING

1. PROJECT BACKGROUND

It is Highland Consulting Ltd's (HCL) understanding that the owner is proposing to construct a 3 bedroom dwelling (< 280 sq.m) on the subject property Block B District Lot 3989S Land District 54, PID: 028-916-697. The design is to meet Interior Health Authority (IHA) guidelines as defined in the Standard Practice Manual (SPM) under the Sewerage System Regulation. In addition, as the subject property is classified as 'Environmentally Sensitive Waterfront' the system must comply with the Christina Lake 'Area 'C' Official Community Plan-Bylaw No. 1250, 2004.'

2. OBSERVATIONS

An initial site assessment was completed by Mr Paul Kernan, P.Eng of Highland Consulting Ltd on 18th July, 2018. The assessment consisted of two test pits at 150 below ground level and two permeameter tests. A full set of soil logs and associated percolation results can be found in appendix B. The location map (Appendix A) indicates the test pit locations. In addition to the above, assessment on slope grade, surrounding surface water features and relevant features such as buildings, existing septic systems, bedrock crops, potential break out points and existing/proposed wells were undertaken.

A site investigation report, soil assessment and detailed design of system is also required to be filed with IHA, prior to construction.

3. EXISTING SEWAGE SYSTEM REVIEW

There are no existing septic systems in the subject property.

4. FLOW RATES

The following flow rates are obtained from the Sewerage System Regulation, Standard Practice Manual Version 3.

Accommodation Type/Phase	#Units	Estimated Daily Design Flow
3 bedroom dwelling	1300 L/day	1300
		= 1300 L/day

Figure 1. Estimated Maximum Daily Flow



5. SEWAGE SYSTEM DESIGN

5.1. Hydraulic Loading Rate

The soil stratum predominantly consists of a silt soils with poor (P) structure consistence category in the north area (please refer to Appendix B for soil data).

A HLR for the native soils are selected from a soil analysis of Favorable Loamy Sand for the soil within 30cm below the planned sand media to native soil infiltrative surface.

Treatment Standard	HLR
Type 2 (10/10 w/ nutrient removal)	30 L/sq.m/d
Type 3	50 L/sq.m/d

Figure 2. Hydraulic Loading Rates

Table II- 22. Maximum allowable HLR based on soil type

SOIL TEXTURE GROUP	STRUCTURE AND CONSISTENCE CATEGORY	TYPE 1 (L/DAY/M ²)	TYPE 2 (L/DAY/M ²)	TYPE 3 (L/DAY/M ²)
Very or Extremely Gravelly Sands	F or P	45	65	150
Gravelly Sands and Coarse Sand	F	40	65	130
	P	35	65	120
Sand, Loamy Sand	F	30	60	90
	P	27	50	80
Fine Sands, Loamy Fine Sands, Sandy Loams	F	27	50	80
	P	23	45	70
	VP	17	40	50
Loam, Silt Loam, Silt	F	23	40	70
	P	15	30	50
	VP	12	25	35
Clay Loam, Sandy Clay Loam, Silty Clay Loam	F	15	25	40
	P	12	15	20
	VP	NA	NA	NA
Sandy Clay, Silty Clay, Clay	F	12	15	20
	P	NA	15	15
	VP	NA	NA	NA



Applicant Submission

HIGHLAND CONSULTING LTD

CIVIL ENGINEERING

Table II- 23. Maximum allowable HLR based on permeability or percolation rate

KFS RANGE (MM/DAY)	PERCOLATION TEST RANGE (MIN/INCH)	TYPE 1 (L/DAY/M ²)	TYPE 2 (L/DAY/M ²)	TYPE 3 (L/DAY/M ²)
> 8000	< 1.0	45	65	150
4000 – 8000	1 – 2	45	65	130
2000 – 4000	2 – 4	35	65	100
1000 – 2000	4 – 7.5	30	60	90
550 – 1,000	7.5 – 15	27	50	80
300 – 550	15 – 30	23	40	70
150 – 300	30 – 60	15	25	40
75 – 150	60 – 120	12	15	20
< 75	> 120	NA		

At 40cm bgl.

Table II- 4. Soil structure and consistence categories

MOIST CONSISTENCE	LOOSE TO FRIABLE	FIRM	VERY FIRM OR STRONGER
OR CEMENTATION	NON CEMENTED EXTREMELY WEAKLY CEMENTED	VERY WEAKLY CEMENTED	WEAKLY CEMENTED OR STRONGER
OR DRY CONSISTENCE	LOOSE TO SLIGHTLY HARD	MODERATELY HARD	HARD OR STRONGER
STRUCTURE			
Single grain (structure-less) soils	F	P	NA
Strong or moderate grade: Granular, Blocky or Prismatic	F	P	NA
Weak grade: Granular, Blocky or Prismatic	P	VP	NA
Weak grade Platy structure and Sandy Loam or Loam	P	VP	NA
Weak grade Platy structure and other soils	VP	VP	NA
Moderate or Strong grade Platy structure	NA	NA	NA
Massive (structure-less) soils	VP	VP	NA
F=Favorable, P=Poor, VP=Very Poor, NA=Not allowed.			

5.2. Design Calculations

The Hydraulic Loading Rate (HLR) of the native soils with proposed septic are selected as 30 L/sq.m/day for treated type 2 effluent, requiring a basal infiltration area of 43.33 sq.m. Based on the native soil HLR, the design consists of a Type 2 Waste Water Treatment Plant (WWTP) or Intermittent Sand Filter (ISF) with an area of 3m x 2 m. The vertical separation (VS) requirements are defined in the SPM as **45cm for Minimum VS in native soil** and **60 cm Minimum as constructed**, based on **timed dosing**.



Applicant Submission

HIGHLAND CONSULTING LTD

CIVIL ENGINEERING

In general, the design will consist of:

- (i) 1125 Igal septic tank;
- (ii) 500 Igal pump tank;
- (iii) 600mm depth ISF sand media seepage bed. 3m x 20m;
- (iv) Drainage solutions above seepage bed area. Nilex Multiflow or similar;

The attached sewerage system design is based on a 1.3 m³/day. There will be no garburators, water softener or commercial operations. Waste water is residential type only

Plan set is based upon the expected flows and waste strengths provided herein for the purpose of serving 1300 L/DAY. Any change in usage that would affect flows or waste strength requires a review by the designer. Once a facility is placed into operation, the flows and waste strengths to the facility should be monitored to standard Practice Manual criteria. If flow or any of the effluent waste strengths exceed those listed in the design, measures should be taken to reduce these parameters to those listed on the plan set. Otherwise additional treatment capacity and plant expansion will be necessary.

The internal home plumbing system is to have water conservation devices in order to reduce flow rates, such as low flush toilets and flow restrictions on showers and faucets. The main water valve is to be turned off at the home when it is not occupied for extended periods, which is the case if the property is for recreation or seasonal use. Leaky faucets and toilets often cause premature failure of onsite disposal systems.

5.3. Critical Standards

The critical Standards are highlighted in the Standard Practice Manual (SPM) version 3.

MINIMUM HORIZONTAL DISTANCE TO	FROM DISPERSAL SYSTEM	FROM WATERTIGHT TREATMENT OR PUMP TANK
	METERS	METERS
Drinking water supply well ¹	30	30
High pumping rate Water Supply System well ¹	60	30
High pumping rate Water Supply System well in unconfined aquifer ²	90	30
Source of drinking water or water suction lines	30	15
Irrigation well	15	7.5
Monitoring well or geothermal well	3	3
Permanent fresh water body ⁴	30	10
Seasonal fresh water body ⁵	15	10
Break out point or downslope drain ¹	7.5	0
Marine water body ¹	15	10
Water lines (under pressure)	3	3



Applicant Submission

HIGHLAND CONSULTING LTD CIVIL ENGINEERING

5.4. Design Rational

Due to the size of the lot, shallow soil depth and location of the lake, an area has been identified on the west side of property at the toe of slope of west lake drive. As the soil type is silt with poor structure it is recommended to time dose effluent over an intermittent sand filter bed (ISF). This will treat effluent type 2 standard prior to infiltration to native soils. In addition drainage solutions are to be implemented around the ISF. Sewerage from the proposed development will typically be residential strength only.

5.5. Well Location

The closest point of Diversion and Wells Location is greater than 30 m from proposed dispersal area.

5.6. Linear Loading Rate (LLR)

The required LLR from SPM version 3 Table 27 is 1300/65 equating to 20m which can be met.

5.7. Performance Based Approach

As per *section 7.3 of the APEGBC Professional Practice Guidelines Onsite Sewerage Systems* a performance based approach should be used when a reduced separation distance is proposed. As defined in APEGBC guidelines 'Modern systems are designed following a performance based approach rather than the more traditional prescriptive approaches, and design is related to treatment and dispersal in the soil component rather than to "disposal" "to soil."'

The treatment selection has a dual barrier approach which includes primary treatment, advanced treatment and combined treatment and dispersal system (CTDS). Effluent will be treated to type 2 standards (45 mg/L BoD/TSS). The system will perform with a variation of flows and does not require a start-up period, therefore consistently meeting the effluent standards.

. The actual Constructed VS is 120cm with a minimum of 60cm. (refer to sketch).





Applicant Submission

HIGHLAND CONSULTING LTD

CIVIL ENGINEERING

Pathogen reduction will be accomplished by the criteria being met for VS of native soils (and additional safety factory depth) as described and documented in the SPM 3. Nutrient attenuation is performed by the treatment process using the intermittent sand filter. ISF treatment technologies have been successful in the field and have documentation supporting the reliability of performance. Interceptor drains above the proposed discharge area are also to be implemented.

Monitoring

Monitoring to commence monthly for first 6 months of operation and bi-annually thereafter. It is recommended to establish a back ground receiving environment prior to discharge as a baseline.

	Parameter	Max Value
Monitoring - WWTP	TSS	<45mg/L
	BoD	<45mg/L
	Sludge levels	<80% of water level

6. SOIL PROFILES

Please refer to Appendix B for further details.

7. CONSTRUCTION NOTES

Construction of sewerage system is to comply with Standard Practice Manual, Version 3 and is required to be installed by a qualified Registered Onsite Wastewater Practitioner (ROWP) with the Installer designation. Installation must meet the requirements of the Standard Practice Manual, Version 3 and is solely the responsibility of the Installer. In addition please refer to design drawings for specific construction methods.

8. CLOSURE

This report has been prepared by Highland Consulting Ltd (HCL) for use by *the client* and includes distribution or reproduction as may be required for their purposes. The review, assessments, and evaluations contained herein have been carried out in accordance with generally accepted engineering practice. Engineering judgment based on similar experience has been applied in developing recommendations and conclusions. No other warranty is made, either expressed or implied. The disclosure of any information contained within report is the sole responsibility of the client. Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. HCL accepts no responsibility for damages, if any, suffered by a third party as a result of decisions made or actions based on this report.

Highland Consulting Ltd trusts that this report meets your requirements, however if you have any questions or require further information, please do not hesitate in contacting the undersigned.

Yours sincerely,

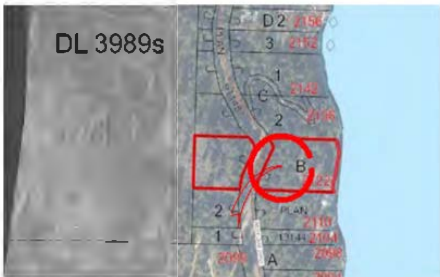
HIGHLAND CONSULTING LTD

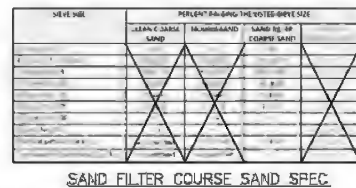
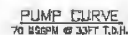
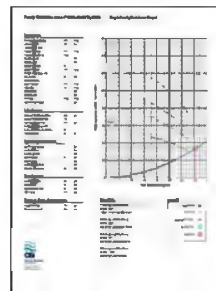
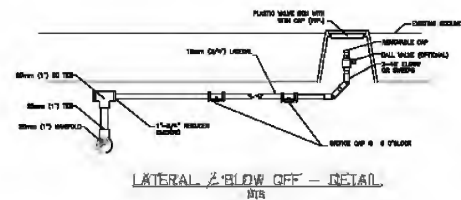
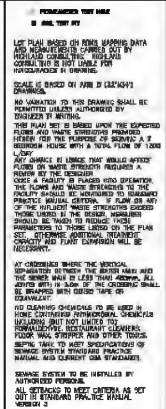
Paul Kernan, P.Eng, Civil Engineer

Applicant Submission

APPENDIX A

- *Drawings*

[illegible]



Applicant Submission

APPENDIX B
**- *Soil Logs/
Influent Specifications***

Applicant Submission

Observed Soil Conditions

Test Pit Logs

Date*:18 July 2018		Site: 2122 West Lake Drive		Logged by: PK		HLR				
TP#01		Pit Location: 409697 / 5435329		Slope:5%		T1/T2				
Soil Horizons (depths measured in cm)										
Depth		Colour	Texture	Structure	Rupture resistance (or density)	Coarse gravel (%)	Roots depth & quantity	Mottles depth & quantity	Moisture seepage	
from	to									
		No Top soil								
0	10	Tan	Organics							
10	47	Tan	Sandy Loam	Blocky Weak	Mod-Firm	5	C/F	--	--	23/45
47	112	Tan	V.Grav Loam	Structurless	Firm	35	F/F	--	--	23/40
112	150	Tan	Silt	Structurless	V.Firm	5	--	--	--	15/30
Notes										
TP#02		Pit Location: 409713/5435330		483m +/-		Slope:5-8%				
Depth		Colour	Texture	Structure	Rupture resistance (or density)	Coarse gravel (%)	Roots depth & quantity	Mottles depth & quantity	Moisture seepage	
from	to									
3	0		Top Soil							
0	15	Tan	Silt Loam	Structurless	Friable	5	--	--	--	15/30
15	85	Tan	Silt	Blocky/wk	V.Firm	10	F/F	--	--	15/30
85		Hard Pan	Silt Clay		Ex. dense					
Notes										

Based on USDA *Field Book for Describing and Sampling Soils* (2002).

* Date water table measured

Applicant Submission

Percolation Tests

Civic Address: 2122 West Lake Drive _____ Date: 18th July 2018 __

Legal Address: _____

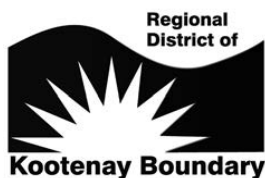
Holes pre-soaked for __0.5__ hrs.

Perc. hole # 01
Location: near TP 1
32 min. / inch
min. / inch
min. / inch
min. / inch
Depth: ____ inches, 40 cm

Perc. hole #02
Location: near TP 2
29 min. / inch
min. / inch
min. / inch
min. / inch
Depth: ____ inches, 45 cm

Perc. hole #
Location:
min. / inch
min. / inch
min. / inch
min. / inch
Depth: ____ inches, 45 cm

Perc. hole #
Location:
min. / inch
min. / inch
min. / inch
min. / inch
Depth: ____ inches, 45 cm



Electoral Area Services (EAS) Committee Staff Report

RE:	Ministry of Transportation and Infrastructure – Subdivision – DeCicco - Jaehrlick		
Date:	May 16, 2019	File #:	C-316-02534.010
To:	Chair Worley and members of the EAS Committee		
From:	Elizabeth Moore, Planner		

Issue Introduction

The RDKB has received a referral from the Ministry of Transportation and Infrastructure (MOTI) regarding a subdivision application in Electoral Area 'C'/Christina Lake (see Attachments).

Property Information	
Owner(s):	Donna DeCicco and Monica Jaehrlick
Agent:	Hedzer Vanderkooi
Location:	1325 and 1338 Thompson Road
Electoral Area:	Electoral Area 'C'/Christina Lake
Legal Description(s):	That portion of DL 316 which lies west of the westerly boundary of Plan H746, except plans KAP72166
Area:	6.95 ha (17.173 acres)
Current Use(s):	Single family dwellings
Land Use Bylaws	
OCP Bylaw: 1250	Future Residential Area
DP Area:	NA
Zoning Bylaw: 1300	Rural 1
Minimum Parcel Size	10 ha
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	NA

History / Background Information

The subject property is located between Highway 3 and Thompson Rd., south of Christina Lake. There are two dwellings located on the property.

Page 1 of 6

P:\PD\IEA_ 'C'\C-316-02534.010 DeCicco_Jaehrlick\2019-May-MOTI Subdivision\EAS\2019-04-18_DeCicco-Jaehrlick_MOTI_EAS.docx

This parcel was created by subdivision in 2001. The property at 1338 Thompson Road was a new parcel created as well as the parcel to the west, where two parcels were joined across Thompson Road.

Proposal

The applicants have proposed to subdivide the subject property into two lots, one lot at 11.45 acres (4.63 ha) and a second lot at 5.72 acres (2.31 ha). Each proposed lot would have one of the current dwelling units located on the parcel.

Implications

Minimum parcel size requirements are not met with this proposed subdivision, however there is a Minimum Parcel Area Exception which applies. Section 306.4 of *Electoral Area 'C' Zoning Bylaw No. 1300, 2007* states that for a parcel, which was in existence at the time the bylaw was adopted, where two buildings containing dwelling units were legally established, the parcel may be subdivided to locate these buildings on separate parcels. This section of the zoning bylaw requires that new parcels created through this provision, which are not connected to a community water system, must have a minimum parcel size of 1 ha.

The proposed parcels for this subdivision meet the size requirements of the Minimum Parcel Area Exception in Section 306.4. Both proposed parcels will be larger than one hectare and the applicants have stated that each dwelling has its own septic, water, and power.

There is some evidence that the dwellings on the property pre-date the zoning bylaw for Electoral Area 'C'. On the map provided for the 2001 subdivision application, there are buildings shown in the general locations of where the dwellings are said to be located in this subdivision application. From a review of our files, we found no building permits or definitive evidence of when the dwellings were established.

In communication with the agent and through reviewing photos from a site visit made by planners in 2018, staff were able to verify the age of one of the dwellings on the subject property. The dwelling located on the southern portion of the property at 1325 Thompson Rd was confirmed to have been established prior to the introduction of the first Zoning Bylaw in Electoral Area 'C'/Christina Lake in 1978. The property owners showed planners on their site visit a series of photos of the dwelling as it was being constructed. Figure 1 below is an image of one of these photos, showing the residence in conjunction with a car. The script on the car's license plate is difficult to read, however planning staff determined that this style of plate was issued in 1963. Figure 2, is a 2018 photo of the front of the house, during planning staff's site visit.



Figure 1 Photo shown to Planners by property owners: Dwelling at 1325 Thompson Rd in background and car with license plate issued in 1963

Page 3 of 6

P:\PD\EA_ 'C'\C-316-02534.010 DeCicco_Jaehrlick\2019-May-MOTI Subdivision\EAS\2019-04-18_DeCicco-Jaehrlick_MOTI_EAS.docx



Figure 2 Photo taken during 2018 site visit by Planners: dwelling at 1325 Thompson Rd.

Planning staff has requested further information from the applicant to establish whether the house at 1338 Thompson Rd. was constructed prior to the 1978 Electoral Area 'C' Zoning Bylaw. Photos taken during the 2018 site visit were less definitive as to when the dwelling was established. The dwelling has design features and materials used in its construction that would suggest it pre-dates 1978, but the planning department cannot ascertain for certain its age. Figure 1 below shows the wall of the front porch with an old method of electrical wiring displayed and "Insulbrick" siding on the wall. Insulbrick was used as a siding material on the outside of homes, by most accounts, from the 1920's until the 1960's. However, it is unclear how long it was available on the market. Neither the wiring nor the siding provides a definitive date for dwelling construction. Further information from the property owners has not been received at the writing of this report.



Figure 3 Photo from 2018 site visit: Front porch of 1338 Thompson Rd., exposed wiring and Insulbrick siding

Page 5 of 6

P:\PD\EA_C\316-02534.010 DeCicco_Jaehrlick\2019-May-MOTI Subdivision\EAS\2019-04-18_DeCicco-Jaehrlick_MOTI_EAS.docx

Advisory Planning Commission (APC)

The Electoral Area 'C'/Christina Lake APC meeting was held on May 7, 2019. Quorum was not made at the meeting, however the APC members present commented that they would support this application.

Recommendation

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as that portion of DL316 which lies west of the westerly boundary of Plan H746, except plan KAP72166, SDYD, Electoral Area 'C'/Christina Lake, be received.

Attachments

Site Location Map
Subject Property Map
Applicants Submission

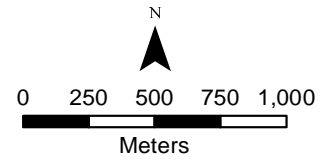


Regional District of
Kootenay Boundary

Date: 23/04/2019

Site Location Map

That portion of DL 316 which lies
west of the westerly boundary of
Plan H746, except plans KAP72166



1:25,000



Document Path: H:\2019-04-10_SLM_DeCicco_Jaerlich.mxd

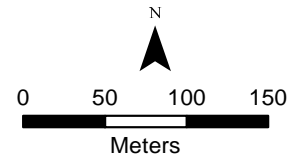


Regional District of
Kootenay Boundary

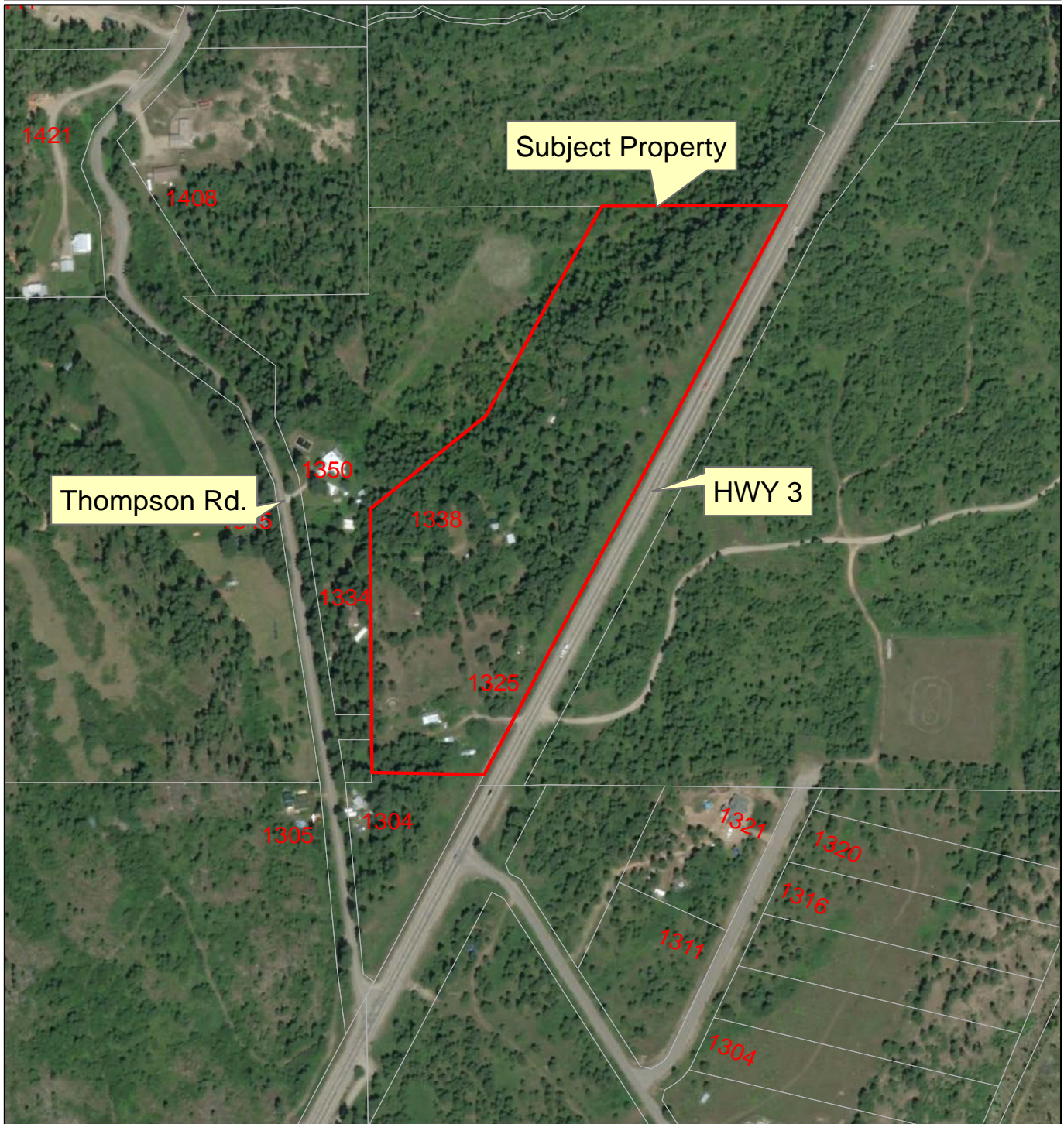
Date: 09/05/2019

Subject Property Map

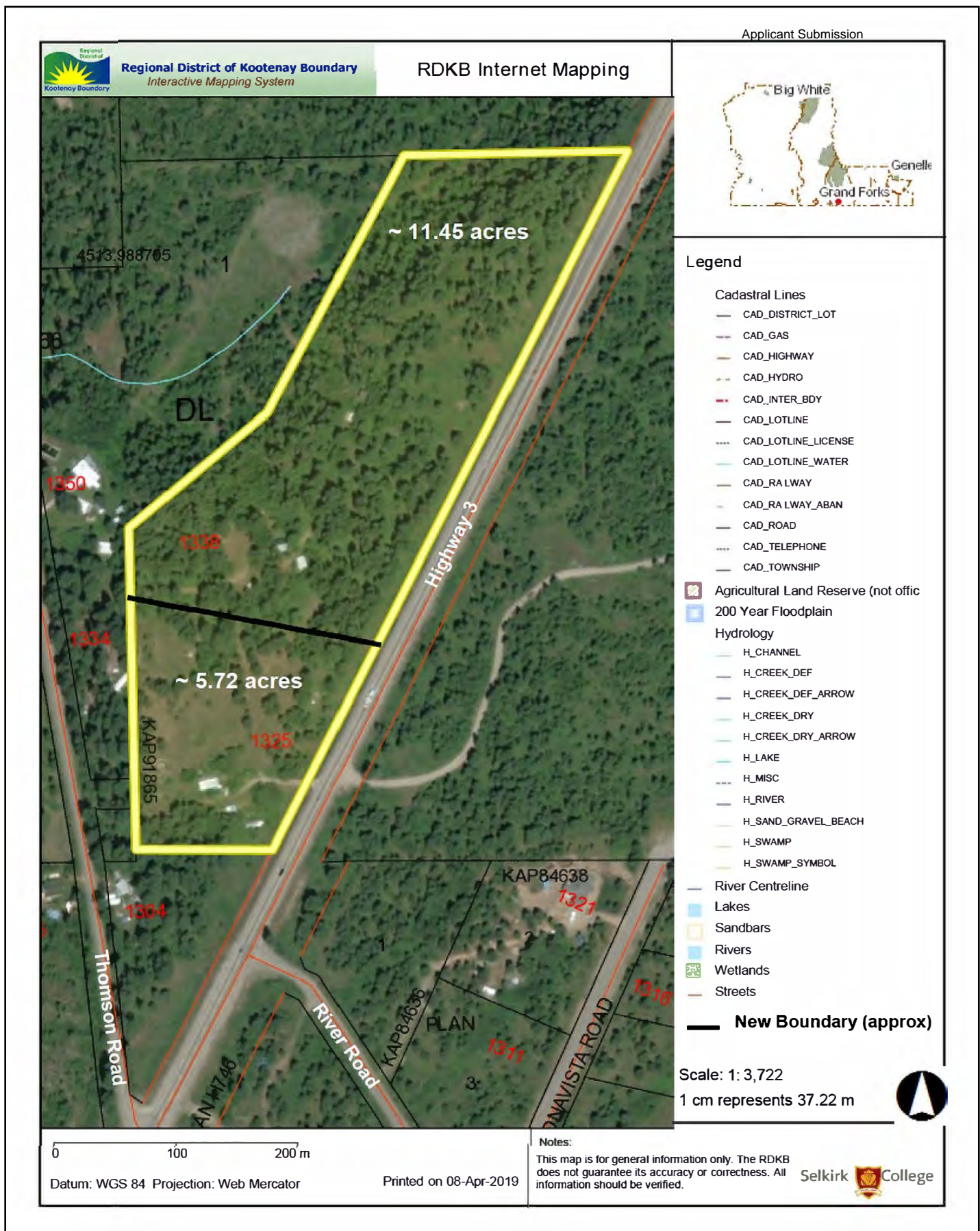
That portion of DL 316 which lies
west of the westerly boundary of
Plan H746, except plans KAP72166



1:4,026



Document Path: H:\2019-04-10_SPM_DeCicco_Jaerlich.mxd



Applicant Submission

BRITISH
COLUMBIAMinistry of Transportation
and Infrastructure

Application Summary

eDAS File Number: 2019-01824

Subdivision Application:

Subdivision Type: Conventional
Selected Office: West Kootenay District
Applicant File Number:

No. of Lots: 2

Land Use:

Local Government: Regional District of Kootenay Boundary
Property Zoning: RUR 1
Existing Land Use: Residential **Intended Land Use:** Residential

Surrounding Land Use:

North:
Residential

South:
Residential

East:
Highway 3

West:
Residential

Services:

Proposed Sewage Disposal: Septic Tank (if other)
Proposed Water Supply: Community System (if other)

Location:

Order Location

Legal Description: PID 017-458-803, That Portion of DL 316, Similkameen Division of Yale, Which Lies to the West of the Westerly Boundary of Plan H746, Except Plans KAP72166 and KAP91865

Map: 1568639,477131

Property Address: 1338 Thompson Road, Christina Lake

Subdivision Application Details:

Required items include:

- ☒ An authorization letter from the owner if someone else, such as an agent, is applying on the owner's behalf
- ☒ Original plus five copies of a scaleable sketch plan of proposed layout.
The sketch must include the approximate grades and widths of roads and a design profile, preferably including a cross-section of the proposed road.
Properly engineered drawings will be required for final approval. The sketch should contain:
 - ☐ The date it was drawn
 - ☐ The scale
 - ☐ North arrow
 - ☐ Legal description of the property being subdivided, and its adjacent properties
 - ☐ Outline of the subdivision in red or heavy black line
 - ☐ All proposed lots, remainders, parks, rights of way, easements and roads showing dimensions and areas
 - ☐ Any existing property lines or roads proposed to be removed, closed or relocated
 - ☐ All steep banks or slopes exceeding 2 m high and all slopes of 25% or greater, within or adjacent to the proposal area
 - ☐ Location of existing buildings and structures on the property and adjacent properties within 30m of property boundaries
 - ☐ Location of any onsite water sources to be developed
 - ☐ Approximate location of all existing and proposed utility services
 - ☐ Existing access roads and other roads and trails on the property (state names of roads)
 - ☐ Site locations of the soil inspection test holes and the percolation tests on each parcel
 - ☐ Approximate extent of area available for sewage disposal surrounding the test holes
 - ☐ Location of sewage disposal system and wells on adjacent properties within 30 m of property boundaries

Page 1 of 2

Applicant Submission

Application Summary

eDAS File Number: 2019-01824

- ☒ One copy of the current State of Title Certificate so that property encumbrances can be checked
 - ☒ Copies of any covenants, easements, rights-of-way or other charges registered against the title. These are available through the Land Title Office
 - ☐ A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed
- Include these items as well, where applicable**
- ☐ A copy of the Provincial Agricultural Land Commission application (if located within ALR). While a developer can apply for subdivision approval before he or she receives permission to proceed from the Agricultural Land Commission or the local government if it has been delegated the authority, the Provincial Approving Officer can only give approval if the property has cleared the Land Commission process in the meantime.
 - ☐ One copy of any test required by the Regional Health Authority
 - ☐ A Development Permit and plan where applicable.
 - ☐ A copy of BC Assessment Authority Tax Notice showing property tax classification.

Attachments:

Filename	File Description	Classification
FW Subdivision Application- Application Docs		Communication
Application 2018-05987.pdf	Application from 2018-05987	Application

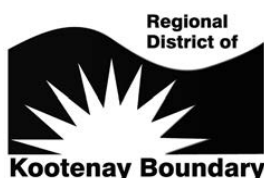
Subdivision Application Project Details:

Project Description: 2 Lot Subdivision in Christina Lake

Other Information: Lot currently has 2 dwellings. Plan is to divide property so each dwelling is on its own lot. Each dwelling has septic, water license, and power. This application was originally submitted under 2018-05987 but was closed due to lack of documents and contact information.

Subdivision Application Parties:

Type	Name/Company	Address	Role
Applicant	Vanderkooi, Hedzer	[REDACTED]	
Owner	DeCicco, Donna	[REDACTED]	
Owner	Jaehrllick, Monica	[REDACTED]	



Electoral Area Services (EAS) Committee Staff Report

RE:	Ministry of Transportation and Infrastructure – Subdivision – Feeney		
Date:	May 16, 2019	File #:	B-Twp28-10995.000
To:	Chair Worley and members of the EAS Committee		
From:	Elizabeth Moore, Planner		

Issue Introduction

The RDKB has received a referral from the Ministry of Transportation and Infrastructure (MOTI) regarding a subdivision application in Electoral Area 'B'/Lower Columbia-Old Glory (see Attachments).

Property Information	
Owner(s):	Thomas and Maureen Feeney
Agent:	Joshua Hango, Jerome Hango Land Surveying Inc.
Location:	4095 Feeney's Road E
Electoral Area:	Electoral Area 'B'/Lower Columbia-Old Glory
Legal Description(s):	Plan NEPX60, Sublot 29, Township 28, KD
Area:	8.3 ha (20.5 acres)
Current Use(s):	Single family dwelling
Land Use Bylaws	
OCP Bylaw: 1470	Black Jack Rural Residential
DP Area:	NA
Zoning Bylaw: 1540	Rural Residential 1 (RR1)
Minimum Parcel Size	1.8 ha
Other	
ALR:	NA
Waterfront / Floodplain:	NA
Service Area:	NA
Planning Agreement Area:	Rossland

History/Background Information

The subject property is located east of Red Mountain Resort in the Lower Topping Creek Community Watershed. There is access to the property along Feeney's Road at the southern end of the property and Richie Road at the northern end. A single family dwelling is located on the southern portion of the parcel.

In the applicant's submission, it is mentioned that to the south of the subject property is a planned subdivision within the City of Rossland. The applicant states that it is a

requirement for that subdivision to dedicate road up to the southern limit of the subject property.

The subject property is designated as Black Jack Rural Residential in the *Electoral Area 'B'/ Lower Columbia-Old Glory Official Community Plan Bylaw No. 1470, 2013*. Within the *Electoral Area 'B'/Lower Columbia-Old Glory Zoning Bylaw No. 1540, 2015*, the subject property is zoned Rural Residential 1 (RR1). The permitted uses in this zone are agriculture and a single family dwelling. The minimum parcel size created by subdivision is 1.8 ha.

Proposal

The applicant has proposed a subdivision of the subject property into 2 parcels: Lot 1 at 1.8 ha and the remainder with 6.5 ha. The remainder is accessed along Feeney's Road and the proposed Lot 1 would be accessed along Richie Rd (see Attachments).

Implications

The land use designation in the OCP and the zoning bylaw for Rural Residential 1, state that parcels to be created by subdivision must not be less than 1.8ha. This proposal is consistent with the OCP designation and zoning bylaw.

Advisory Planning Commission (APC)

The Electoral Area 'B'/Lower Columbia-Old Glory APC supported this application at their May 6, 2019 meeting.

Recommendation

That the staff report regarding the Ministry of Transportation and Infrastructure referral for a proposed subdivision, for the parcel legally described as NEPX60, Sublot 29, Township 28, KD, Electoral Area 'B'/Lower Columbia-Old Glory, be received.

Attachments

Site Location Map
Subject Property Map
Applicant Submission

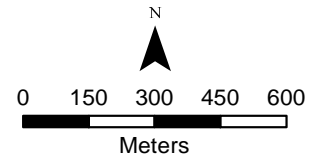


Regional District of
Kootenay Boundary

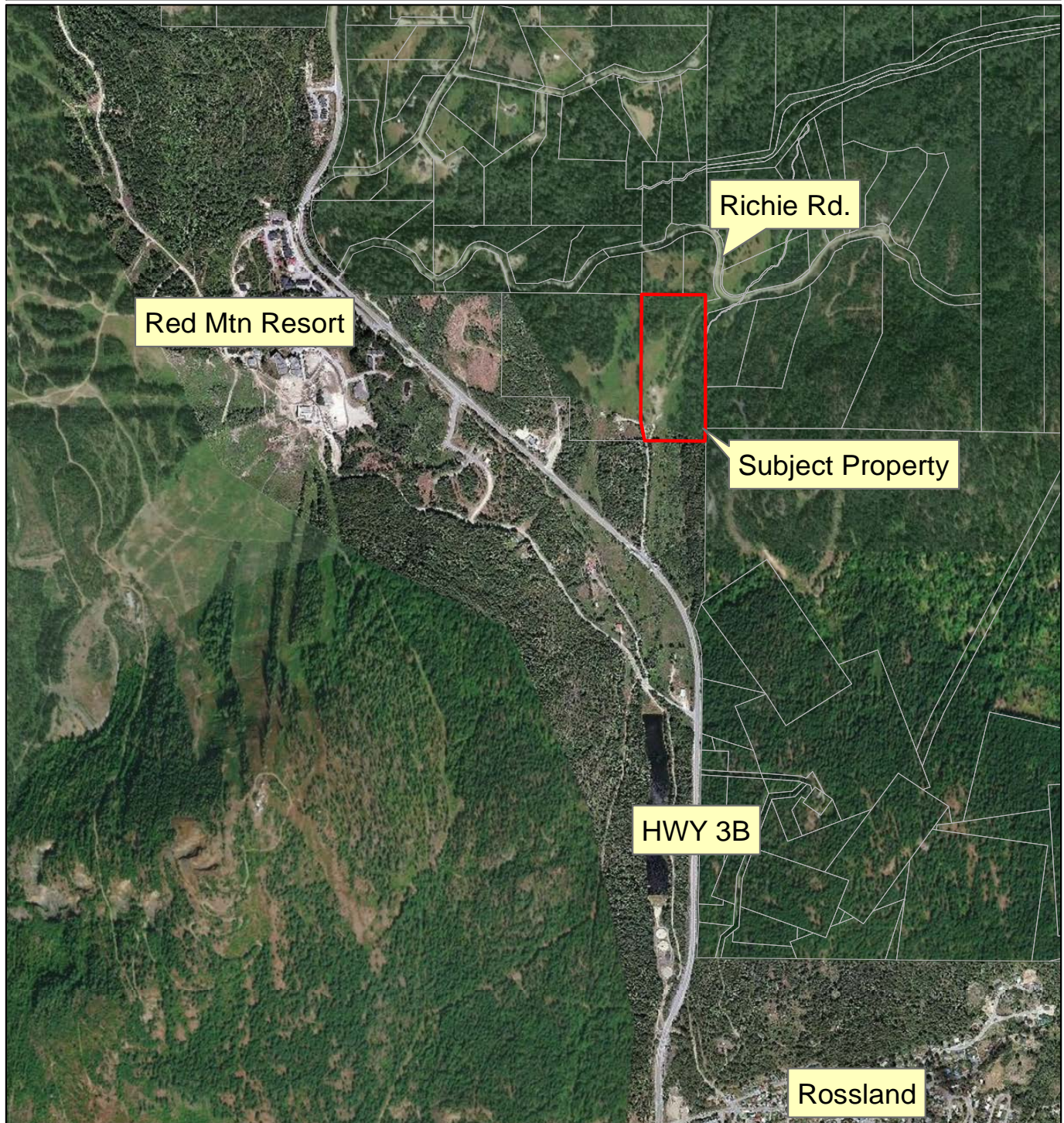
Date: 10/04/2019

Site Location Map

Plan NEPX60, Sublot 29, Township 28, KD



1:15,000



Document Path: H:\2019-04-10_SLM_Feeney.mxd

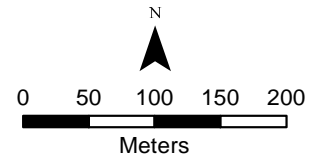


Regional District of
Kootenay Boundary

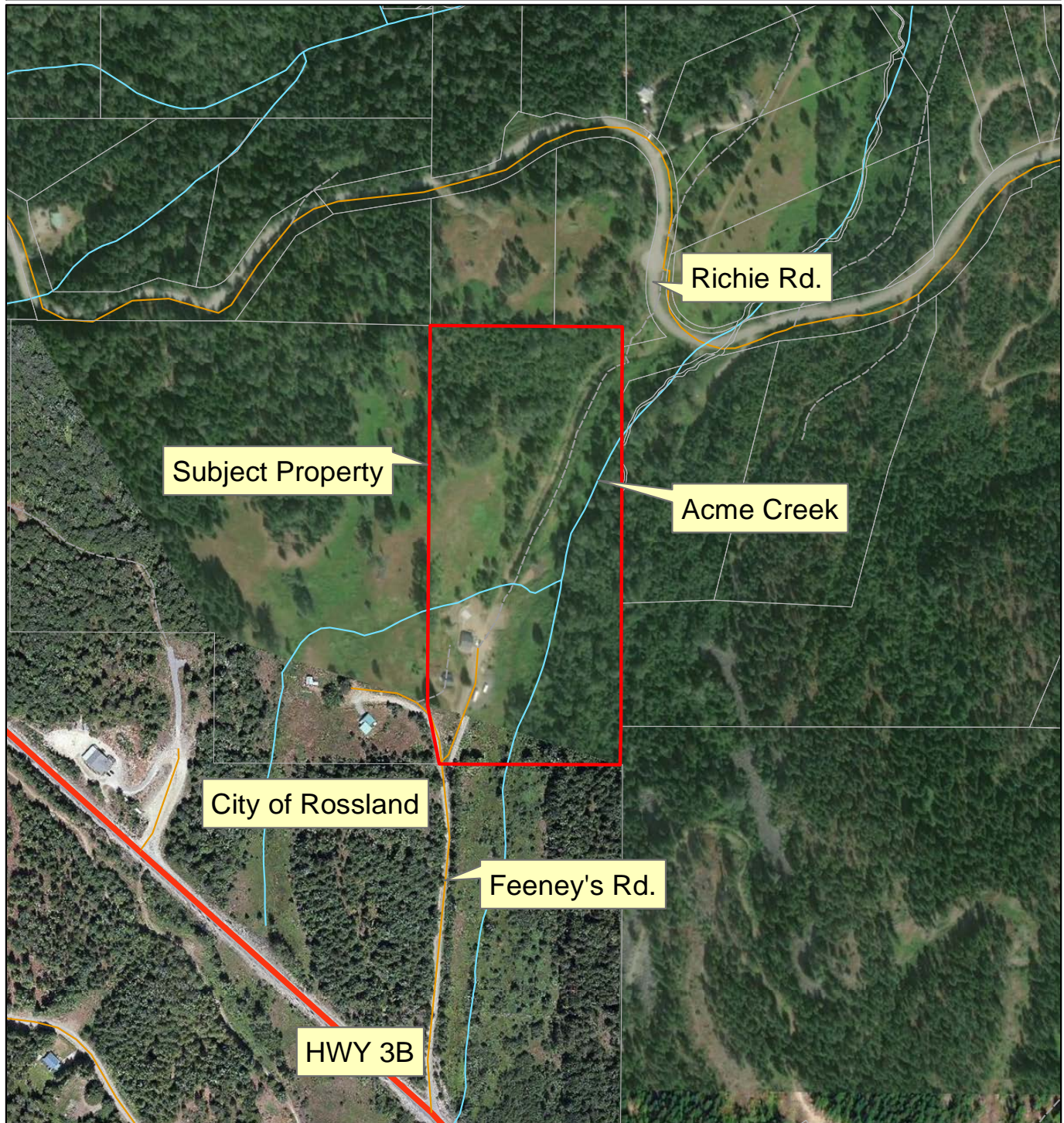
Date: 09/05/2019

Subject Property Map

Plan NEPX60, Sublot 29, Township 28, KD



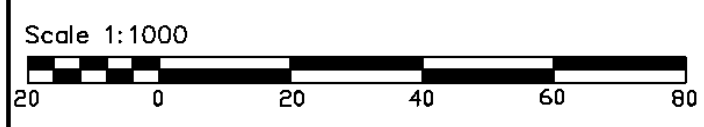
1:5,000



Document Path: H:\2019-04-10_SPM_Feeney.mxd

PROPOSED SUBDIVISION PLAN OF A
PORTION OF THAT PART OF SUBLLOT
29 TOWNSHIP 28 KD PLAN X60,
SHOWN ON SKETCH PLAN 22209A.

Applicant Submission



LEGEND
Dimensions are derived from Plan NEP69912.
All dimensions are in metric.

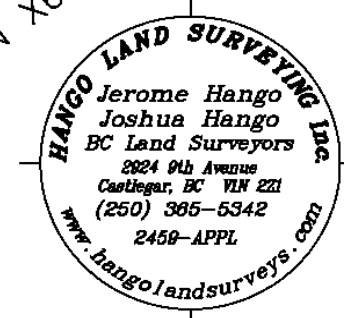
Rem. PARCEL A
(REFERENCE PLAN 20300A)
SUBLLOT 29
PLAN X60

1
1.80 ha
4.45 ac
PART SUBLLOT 29
PLAN X60
SHOWN ON
SKETCH PLAN 22209A

Rem. PART SUBLLOT 29
PLAN X60
SHOWN ON
SKETCH PLAN 22209A

Rem. PARCEL A
(SEE 212981)
SUBLLOT 22
PLAN X60

Rem. SUBLLOT 6
PLAN X60



NOTE: This owner has
preliminary approval for
subdivision of this parcel,
with required dedication up
to this northerly boundary

Drawing date: October 5, 2018.

TOWNSHIP

ROSSLAND CITY LIMIT

CITY LIMIT

B
PLAN 14045

7
PLAN

8
NEP 77083

RICHELIE ROAD

28

1
EPP 77192

3
PLAN

161.15

189.02

20.23

25.00

90.85

132.55

PLAN NEP69912

RW280

EASEMENT

PLAN

EASEMENT PLAN NEP69912
PLAN RW280

Proposed
dedication

30.60

Applicant Submission

BRITISH
COLUMBIAMinistry of Transportation
and Infrastructure**PRELIMINARY
SUBDIVISION APPLICATION**

Submit this application to the Ministry of Transportation and Infrastructure District Office in your area.			
A. PROPOSAL <i>This is an application for preliminary layout approval for all properties involved</i>			
Applicant File Number 2459		Ministry File Number	
Subdivision Type	<input checked="" type="checkbox"/> Conventional (fee simple) Subdivision <input type="checkbox"/> Bare Land Strata <input type="checkbox"/> Other (Specify)		No. of Lots including remainder 2
Full Legal Description(s) per State of Title Certificate(s)	That part of subplot 29 township 28 kootenay district plan X60, shown on sketch plan 22209A		
Full Civic Address	4095 Feeney Road		
Property Location	2.5 Kilometres <input checked="" type="checkbox"/> North <input type="checkbox"/> South <input type="checkbox"/> East <input type="checkbox"/> West from <u>Rossland</u> Local Gov't <u>RDKB</u>		
	Access Road Feeney Road		Property Zoning rural residential 1
	Existing Land Use residential		Intended Land Use residential
Surrounding Land Use	North res	South res	East res West res
Proposed Sewage Disposal	<input checked="" type="checkbox"/> Septic Tank <input type="checkbox"/> Community System <input type="checkbox"/> Other (specify)		
Proposed Water Supply	<input checked="" type="checkbox"/> Well <input type="checkbox"/> Community System (name of existing system)		
	<input type="checkbox"/> Water Licenses (License #)		<input type="checkbox"/> Other (specify)

B. APPLICATION INFORMATION *Incomplete applications will not be accepted***Required items include:**

- ☒ Subdivision application form.
- ☒ The Preliminary Subdivision Application fee. Please make cheques payable to the Minister of Finance. (see page 2)
- ☒ An authorization letter from the owner(s) if someone else is applying on the owner's behalf. (Permission to Act as an Agent H1275)
- ☒ A copy of BC Assessment Authority Property Assessment Notice showing property tax classification.
- ☒ All new lots MAY require a sewage report—please contact your local Transportation office for clarification.
- ☒ One copy of the current State of Title Certificate so that property encumbrances can be checked.
- ☒ Copies of any covenants, easements, rights-of-way or other charges registered against the title. These are available through the Land Title Office.
- ☒ A copy of Contaminated Sites Profile form or Contaminated Sites declaration statement, duly completed and signed.
- ☒ Original copy and a .PDF file of a scaleable sketch plan of proposed layout with metric dimensions.

Properly engineered drawings will be required for final approval. The sketch must contain:

- ☒ the date it was drawn
- ☒ the scale
- ☒ north arrow
- ☒ legal description of the property being subdivided, and its adjacent properties
- ☒ outline of the subdivision in heavy black line
- ☒ all proposed lots, remainders, parks, rights-of-way, easements and roads showing metric dimensions and areas
- ☐ any existing property lines or roads proposed to be removed, closed or relocated
- ☐ all steep banks or slopes exceeding 2 m high and all slopes of 25% or greater, within or adjacent to the proposal area
- ☐ location of existing buildings and structures, wells and sewage disposal fields on the property, as well as adjacent properties within 30 m of property boundaries
- ☐ location of any onsite water sources to be developed (wells, surface)
- ☐ approximate location of all existing and proposed utility services
- ☐ existing access roads and other roads and trails on the property (state names of roads)
- ☐ location of all water courses (seasonal or otherwise) and water bodies

Include these items as well, where applicable

- ☐ A copy of the Provincial Agricultural Land Commission application (if located within ALR). While a developer can apply for subdivision approval before he or she receives permission to proceed from the Agricultural Land Commission or the local government if it has been delegated the authority, the Provincial Approving Officer can only give approval if the property has cleared the Land Commission process in the meantime.
- ☐ One copy of any test required by the Regional Health Authority.
- ☐ A Development Permit and plan where applicable.

H0164 (2013/06)

1

Applicant Submission

C. SUBDIVISION APPLICATION FEES		Make cheques payable to the Minister of Finance	PAYABLE UPON (see below)
1. Preliminary Subdivision Application	\$350.00	Per lot or shared interest, including remainders, to a maximum of \$70,000	Application
2. Final Conventional Plan Exam	\$50.00	Per examination	Final Subdivision Plan Submission
	\$100.00	Per lot, including remainders, on the final plan	
3. Final Strata Plan Examination	\$100.00	Per examination	
	\$100.00	Per lot, including remainders, on the final plan	
4. Other Strata Fees	\$100.00	To examine Form P for any phased development	Application
	\$100.00	Approval (Form Q) for each phase of a phased building strata plan	Application for phase approval

Note: These fees may change without notice or amendment on this form. There may be other provincial and local government fees associated with your subdivision. To find out more, contact the local government in which the land is located, or contact the Islands Trust if located on the Gulf Islands.

D. FURTHER INFORMATION AND COMMENTS (Attach a separate sheet if more space is required)

At the south end of this property is an ongoing subdivision within the City of Rossland. They have as a requirement for their applicant that they dedicate road up to the southerly limit of this parcel. That subdivision is at the stage of subdivision plan being sent to lawyers for signatures and final approval with the City.

E. OWNER(S)/APPLICANT INFORMATION

Property Owner(s) Full Name(s) Thomas David Feeney, Maureen Ann Feeney		Home Telephone
Address [REDACTED]		Business Telephone
[REDACTED]	E-Mail [REDACTED]	Fax
Agent Full Name Joshua Hango		Home Telephone
Address 2924 9th ave, castlegar, bc		Business Telephone 365 5342
v1n 2z1	E-Mail josh@hangolandsurveys.com	Fax

I certify that all the information about and on all plans and other attachments is true, correct and complete.

I understand that this submission constitutes a preliminary application only.

No approvals are implied prior to receipt of written preliminary approval from the Ministry of Transportation and Infrastructure.

Applicant/Agent Signature

Date (yyyy/mm/dd)

Joshua Hango**2019/03/07**

COLLECTION INFORMATION

The personal information on this form is collected under the authority of the Land Title Act. The information collected will be used to process your preliminary subdivision application, and it may be necessary for the ministry to provide this information to other agencies involved in the review and approval process. If you have any questions about the collection, use and disclosure of this information, contact District Development Technician at the nearest Ministry of Transportation and Infrastructure Office.

The information in this application may be subject to disclosure under the Freedom of Information and Privacy Act.

Further information can be found at <http://www.gov.bc.ca/citz/lao/foi/submit/general/>



Electoral Area Services Committee Staff Report

Prepared for meeting of May 2019

Revised Electoral Area 'D'/Rural Grand Forks – Zoning Bylaw	D-13
--------------------------------------------------------------------	-------------

<i>Report Prepared by:</i> Donna Dean, Manager of Planning and Development

ISSUE INTRODUCTION

The review of the Electoral Area 'D'/Rural Grand Forks Zoning bylaw is complete. At their February 2019 Advisory Planning Commission meeting the APC recommended that the revised bylaw be forwarded to the Electoral Area Services Committee for consideration.

HISTORY / BACKGROUND FACTORS

The current Electoral Area 'D'/Rural Grand Forks Zoning Bylaw (Bylaw No. 1299) was adopted in 2005 and has been amended 9 times.

The review process included the following steps:

November 2016 to September 2017	Staff met regularly with the Steering Committee to review the bylaw in the context of the revised Official Community Plan, which was adopted in October 2016.
February 2018	An Open House was held to present a draft revised Zoning Bylaw
February 2018	The Draft Zoning Bylaw was forward to our lawyer for review. Some changes were also made following this. The changes were based on recent case law, structure and organization of the bylaw, definitions, and consistent use of terms.
July 2018	The Draft Zoning Bylaw was referred to a number of agencies including: Interior Health; various Provincial Ministries; the Agricultural Land Commission; First Nations; the City of Grand Forks; School District #51; and the RDKB Environmental Services and RDKB Building Departments.

Page 1 of 3

P:\PD\General Files\D-13 Area D Zoning Bylaw Review 1299\EAS and Board\2019-05-16 EAS Report.docx

January 2019	Staff met with the APC and previous members of the APC to go over revisions that were made after the referrals and legal review.
February 2019	<p>Staff met with the APC to further discuss revisions to the document and the APC recommended that the revised Zoning Bylaw be forwarded to the Electoral Area Services Committee for consideration.</p> <p>A number of changes were made to the Agricultural Land Commission Act and Regulation in February that have an impact on land use planning for residential uses in the Agricultural Land Reserve. While the zones that were created in the past to allow dwelling units for farm labour and manufactured homes for an owner's immediate family were retained, the policy direction to consider adding more parcels to those zones has been modified.</p>

Comments on the referral were received from the Interior Health Authority and Ministry of Transportation and Infrastructure as outlined below:

Agency	Comment and Follow Up Actions
IHA – Environmental Health Officer	<p>Recommended approval subject to the following comments for consideration:</p> <ul style="list-style-type: none"> • suggested adding wording to the Subdivision Regulations Section 5c). "the alteration does not reduce the site area required for a type 1 sewage disposal system and a back up system on any parcel being altered as demonstrated by an Authorized Person under the BC Sewerage System Regulation" • the point was made that secondary suites and some home based businesses require compliance with the BC Sewerage System Regulation • reference to Seasonal Farm Labour. This point is no longer relevant since this is no longer a permitted use in the Agricultural Land Reserve • reference to the BC Industrial Camps Regulation, which is not relevant because none are permitted in Electoral Area 'D'/Rural Grand Forks <p>No changes were made to the draft zoning bylaw based on the comments from IH</p>
Ministry of Transportation and Infrastructure	No issues of concern in the text of the bylaw.

IMPLICATIONS

The new Zoning Bylaw will replace the current Zoning Bylaw once adopted by the Board of Directors. Before adoption we will need to hold a public hearing and have sign off from the Ministry of Transportation and Infrastructure.

RECOMMENDATION

That the Electoral Area 'D'/Rural Grand Forks OCP amendment Bylaw No. 1674, and that the new Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1675 be supported, and further that staff be directed to present the bylaws to the Regional District of Kootenay Boundary Board of Directors for first and second readings; that to schedule and hold a public hearing on proposed amendment Bylaw No. 1674 and Zoning Bylaw No. 1675.

ATTACHMENTS

OCP Amendment Bylaw #1674

Zoning Bylaw #1675

**REGIONAL DISTRICT OF KOOTENAY BOUNDARY
BYLAW NO. 1674**

A Bylaw to amend Electoral Area 'D'/Rural Grand Forks Official Community Plan
Bylaw No. 1555, 2016 of the Regional District of Kootenay Boundary

WHEREAS the Regional District of Kootenay Boundary may amend the provisions of its Official Community Plans pursuant to the provisions of the *Local Government Act*;

AND WHEREAS the Regional District of Kootenay Boundary Board of Directors believe it to be in the public interest to amend the Electoral Area 'D'/Rural Grand Forks Official Community Plan;

AND WHEREAS the Regional District of Kootenay Boundary has considered the requirements under Section 475 of the *Local Government Act* with respect to early and ongoing consultation;

NOW THEREFORE the Regional District of Kootenay Boundary Board of Directors, in open and public meeting assembled, enacts the following:

1. This Bylaw may be cited as Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1674, 2019.
2. Replace the definition of 'Agritourism' with the following: "AGRI-TOURISM means an activity defined in the Agricultural Land Reserve Regulation;"
3. Remove the definition of Immediate Family.
4. Replace bullet d) in Policy #19.4.9 with the following:
d) the provision of a guarantee (for example covenant undertaking with security), by the owner that may include, but not necessarily be limited to the requirement that the structure will be removed or decommissioned should it no longer be required for agricultural purposes, may be considered.
5. Add the following bullet to Policy #19.4.9:
e) approval from the Agricultural Land Commission for a non-adhering residential use.
6. Replace Policy #19.4.10 with the following:
Notwithstanding the above, consideration may be given to permitting a second dwelling upon an application for a zoning bylaw amendment. Such applications will be evaluated on criteria that includes, but is not necessarily limited to the following:
a) the size and location of the subject property;
b) the provision of a guarantee (for example a covenant, housing agreement), that may include, but not necessarily be limited to a description of who may occupy the residence and what would trigger removal or decommissioning of the residence in the future, may be considered.
c) the submission of supporting information that demonstrates that the second dwelling

is required to support a farm operation

d) approval from the Agricultural Land Commission for a non-adhering residential use.

8. Map 1 (Land Use Designations) of the Electoral Area 'D'/Rural Grand Forks Official Community Plan, Bylaw No. 1555, 2016 is amended to re-designate the following property, from the current 'Rural Resource 2' to 'Rural Resource 1':

District Lot 860s, SDYD.

as shown outlined in red on the **Schedule X** attached hereto and forming part of this Bylaw.

READ A FIRST AND SECOND TIME this day of , 2019.

PUBLIC HEARING held on this day of , 2019.

READ A THIRD TIME this day of , 2019.

ADOPTED this day of , 2019.

Manager of Corporate Administration

Chair

I, Theresa Lenardon, Manager of Corporate Administration of the Regional District of Kootenay Boundary, hereby certify that this is a true and correct copy of Bylaw No. 1674, cited as "Regional District of Kootenay Boundary Official Community Plan Amendment Bylaw No. 1674, 2019".

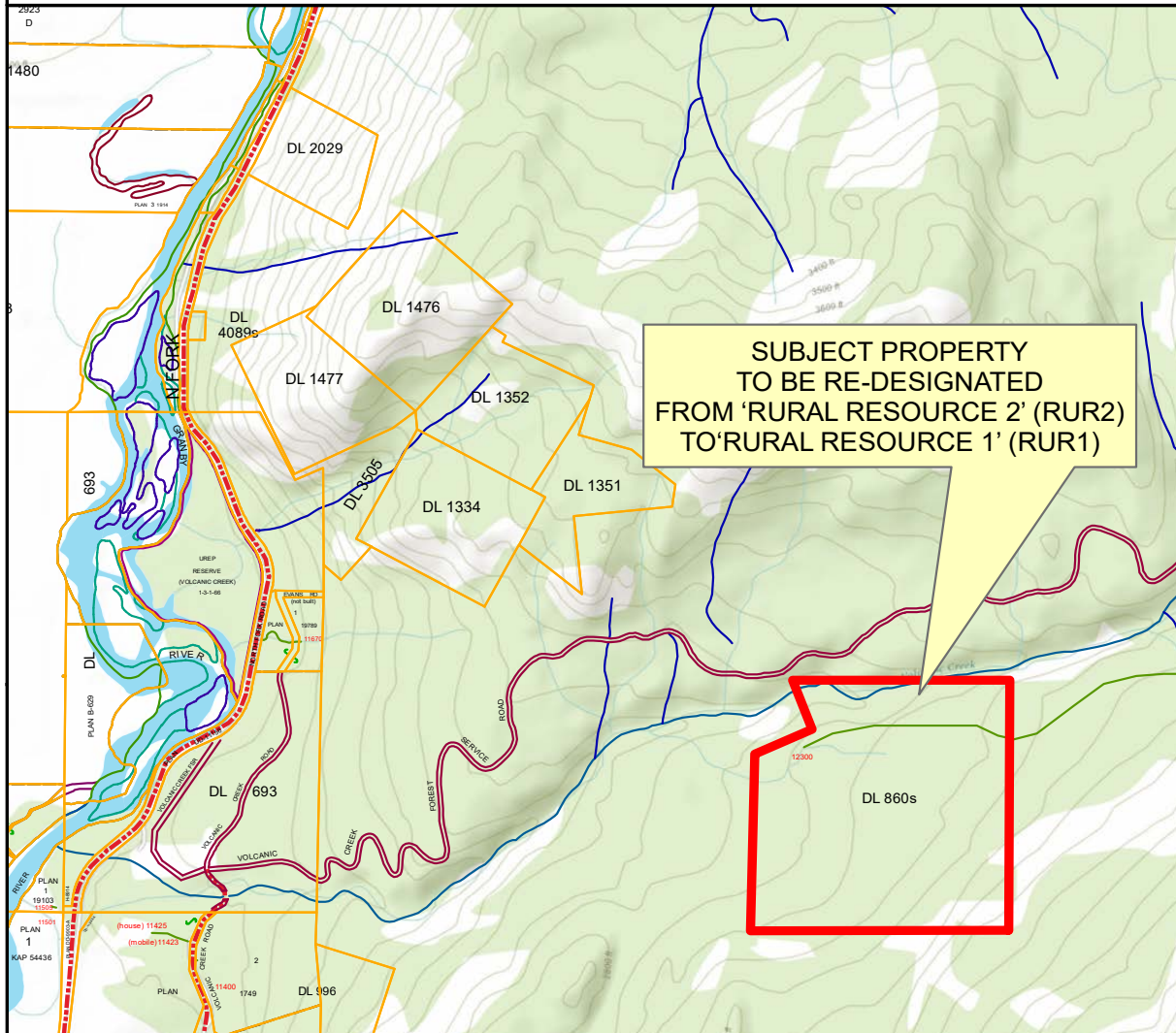
Manager of Corporate Administration



Date: 05/07/2018

Schedule X

0 200 400
Meters
Scale 1:20,000



I hereby certify this Schedule X to be a true and correct copy and that this Schedule X correctly outlines the property to be redesignated by "Regional District of Kootenay Boundary Bylaw No. 1674."

Manager of Corporate Administration

Date



Regional District of
Kootenay Boundary

Electoral Area 'D'/Rural Grand Forks

Zoning Bylaw No. 1675

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

Adopted by
The Regional District of Kootenay Boundary Board of Directors
()

Draft #9 Prepared for May 2019 Electoral Area Services meeting

REGIONAL DISTRICT OF KOOTENAY BOUNDARY

Electoral Area 'D' / Rural Grand Forks Zoning Bylaw No. 1675,
passed on the __ day of ____, 2019

Draft #9

REGIONAL DISTRICT OF KOOTENAY BOUNDARY
Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1675

The Regional District of Kootenay Boundary Board of Directors in open meeting assembled enacts as follows:

Draft #9

TABLE OF CONTENTS

Part 1: Interpretation	1
101. Title.....	1
102. Application.....	1
103. Definitions	1
104. Interpretation	6
105. Provincial and Federal Jurisdiction.....	6
Part 2: Administration.....	7
201. Enforcement.....	7
202. Prohibition.....	7
203. Violation.....	7
204. Penalty.....	7
205. Severability.....	7
206. Effective Date and Repeal	8
Part 3: General Regulations.....	9
301. Permitted and Prohibited Uses	9
302. Siting Requirements and Exceptions	10
303. Height and Width.....	11
304. Density.....	11
305. Subdivision Regulations.....	12
Part 4: Supplemental Regulations for Certain Uses and Circumstances.....	14
401. Home-Based Businesses.....	14
402. Secondary Suites	14
403. Bed and Breakfasts and Boarding Use	15
404. Campgrounds	15
405. Guest Ranch Density	15
406. Seasonal Farm Labour Dwelling	15
407. Screening and Fencing.....	16
408. Sign Regulations	16
Part 5: Parking and Loading.....	17
Part 6: Zones 20	
602. Residential 1 Zone R1	21
603. Residential 2 Zone R2	22
604. Manufactured Home Park Residential 3 Zone R3	23
605. Residential 4 Zone R4	24
606. Agricultural Resource 1 Zone AGR1	26
607. Agricultural Resource 2 Zone AGR2	28
608. Agricultural Resource 3 Zone AGR3	30
609. Agricultural Resource 4 Zone AGR4	32
610. Agricultural Resource 5 Zone AGR5	34
611. Rural Resource 1 Zone RUR1	36
612. Rural Resource 2 Zone RUR2	38
613. Rural Resource 3 Zone RUR3	40
614. Drinking Water Resource Zone DWR	41
615. Commercial 1 Zone C1	42
616. Commercial 2 Zone C2	44
617. Industrial 1 Zone IN1.....	46
618. Industrial 2 Zone IN2.....	48

619. Industrial 3 Zone IN3.....50

620. Recreational Resource 1 Zone REC151

621. Recreational Resource 2 Zone REC252

622. Conservation Zone CONS.....53

623. Parks Zone P54

624. Rail Corridor Zone RC55

625. Institutional and Community Facilities Zone ICF.....56

Map 1. Electoral Area 'D'/Rural Grand Forks Zoning Map

Draft #9

Part 1: Interpretation

101. Title

This Bylaw may be cited as “Regional District of Kootenay Boundary Electoral Area ‘D’/Rural Grand Forks Zoning Bylaw No. 1675, 2019” or “Rural Grand Forks Zoning Bylaw”.

102. Application

This Bylaw applies to all lands, including the surface of water and all uses, **buildings** and **structures** located within Electoral Area ‘D’/Rural Grand Forks, whose boundaries are described in the letters patent of the Regional District of Kootenay Boundary.

103. Definitions

In this Bylaw, all words and phrases have their normal or common meaning with the exception of those that have been changed, modified or expanded by the definitions below. Note that terms for which a definition has been provided are in **bold italic** text throughout the Bylaw, as a convenience only.

ACCESSORY BUILDING AND STRUCTURE means a **building** or **structure** which is customarily incidental to and clearly subordinate to a principal permitted use situated on the same **parcel**;

ACCESSORY USE means the use of land which is customarily incidental to and clearly subordinate to a principal permitted use situated on the same **parcel**;

AGRICULTURE means farm use as defined in the Agricultural Land Commission Act, but excludes **intensive agriculture**;

AGRI-TOURISM means an activity defined in the Agricultural Land Reserve Regulation;

ANIMAL SHELTER means a **building**, **structure**, compound or group of pens or cages where dogs, cats, other domestic pets or exotic pets are, or are intended to be, cared for;

BED AND BREAKFAST means the **accessory use** of a **single family dwelling** primarily used as a home and used incidentally by the home’s residents to provide, for compensation, **temporary accommodation** and morning meals to the travelling public;

BEDROOM means a room used for sleeping, and for the purposes of this bylaw includes other rooms such as a den or living room which have been approved for sleeping purposes by the Building Official in an occupancy permit;

BOARDING USE means the **accessory use** of a **single family dwelling** for rental of sleeping accommodation without individual cooking facilities, and excluding **temporary accommodation** of the travelling public;

BUILDING means a **structure** wholly or partly enclosed by a roof or roofs supported by air, walls, or columns and used for the shelter or accommodation of persons, animals, chattels or things; excluding: tents, trailers, and **recreational vehicles**;

CAMPGROUND means any land where sites are provided for the **temporary accommodation** of the travelling public in tents or **recreational vehicles** and includes, as accessory to campsites:

- (a) recreational and amusement facilities intended for the use of overnight guests only;
- (b) one eating establishment for overnight guests only;
- (c) common washrooms and laundry facilities;
- (d) one **office**; and
- (d) **accessory buildings and structures**.

COMMUNITY CARE FACILITY means one residential dwelling in which room, board and continuous supervision is provided for six or more **people with special needs**, but does not include **boarding use, hotels, motels** or halfway houses;

COMMUNITY WATER SYSTEM means a water supply system within the meaning of the *Drinking Water Protection Act* that is owned, operated and maintained by local government, improvement district, irrigation district, utility or an incorporated entity, where the owner is responsible to manage and monitor to current best water management practices and has the ability to set rates, invoice or has taxation ability to collect fees or revenue to ensure the viability of the water supply system to provide potable water;

CONCEALED means located within the footprint of a **building**, underground or wholly enclosed by a **solid screen**, stone or brick wall, or a dense **landscape screen**, a minimum of 1.5 metres in **height**;

CONVENIENCE STORE means a retail business no greater than 200 m² in **gross floor area**, excluding storage area, which sells groceries and household items and caters to the day-to-day needs of the local neighbourhood; Excluding the retail or other sale of cannabis, and similar plants, products, or derivatives.

DERELICT VEHICLE means any vehicle which has not been licensed for a period of one (1) year and which is not **concealed**, excluding farm machinery in working condition;

DISTRIBUTION FACILITY means a warehouse or **storage** facility, including both indoor and **outdoor storage yard**, where the emphasis is on processing and moving goods;

DWELLING UNIT means one or more rooms used or capable of being used for the residential accommodation of an individual or one **family** and contains sleeping, cooking and washroom facilities;

DWELLING, SINGLE FAMILY means any detached **building** consisting of one **dwelling unit**, except where a **secondary suite** is permitted as a secondary use under this bylaw;

FAMILY means two or more persons related by blood, marriage, adoption or foster parenthood, or five or fewer unrelated persons;

GOLF COURSE means the use of land, **buildings** or **structures** for the purpose of playing golf and includes, as **accessory uses**, a clubhouse, eating and drinking establishment, facilities for the sale, repair and storage of golf equipment and similar **accessory uses**;

GROSS FLOOR AREA means the sum of the areas of each **storey** in each **building** on a **parcel** measured between the exterior of the exterior walls of such **buildings**;

GUEST CABIN means a **building** with a maximum floor area of 50 m² containing sleeping, and washroom facilities for a maximum of six (6) individuals, but not containing kitchen or cooking facilities;

GUEST RANCH means the **accessory use** of land, **buildings** and **structures**, for attached **sleeping units** or detached **guest cabins**, or combination, providing **temporary accommodation** for the travelling public in conjunction with a principal agricultural use;

HEIGHT of a **building** or **structure** means the vertical distance measured from the finished grade at the exterior perimeter of the **building** or **structure** to its highest point, determined by averaging the height of each exterior face of the **building**, with each exterior face height being the average of the heights at each corner of the face;

HIGHWAY includes a street, road, **lane**, bridge, viaduct and any other way open to public use, but does not include a private right of way on private property or a private or public recreational trail;

HOTEL means a **building** or part thereof used to provide **temporary accommodation** for the

travelling public in which the **building** entrance and exit ways are shared and may include: public areas such as a lobby, eating and drinking establishment, assembly, entertainment and recreation facilities, and individual cooking facilities;

IMMEDIATE FAMILY means, with respect to an owner, the owner's (a) parents, grandparents and great grandparents, (b) spouse, parents of spouse and stepparents of spouse, (c) brothers and sisters, and (d) children or stepchildren, grandchildren, and great grandchildren;

INSTITUTIONAL USE includes the use of land for: day care centres, customs houses, art galleries, religious institutions, schools, government offices, community halls, libraries and similar uses;

INTENSIVE AGRICULTURE means feedlots, fur farms, **poultry farms**, pig farms and mushroom farms;

INTERPRETIVE CENTRE means the use of land and **buildings** for the purpose of educating the public about the natural environment and cultural history, or either, of the local area;

KENNEL means a **building, structure**, compound or group of pens or cages where dogs, cats, other domestic pets, or exotic pets are, or are intended to be, trained, cared for, bred, boarded or kept for commercial purposes;

LANDSCAPE SCREEN means a continuous evergreen hedge or other compact plant material that may only be broken for access driveways and walkways;

LANE means a **highway** not less than 3 metres nor more than 8 metres in width which provides secondary access to any abutting **parcel**;

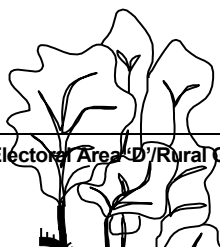
LIGHT MANUFACTURING means processing, fabricating, assembly, or disassembly of items that takes place entirely within an wholly enclosed **building**, and includes, but not limited to, manufacturing of: apparel, home accessories, clothing accessories, jewellery, instruments, computers, and electronic devices; cannabis processing, food processing, meat processing limited to pre-dressed and government inspected meats and eviscerated poultry and excluding fish processing and other meat processing; and excluding forging, casting, punch presses or drop forges;

MANUFACTURED HOME means a factory built dwelling, intended to be occupied in a place other than its place of manufacture and conforming to the CSA Z240 or CSA A277 certified standard, but does not include travel or tourist trailers, campers or other vehicles exempt from the definition of "manufactured home" under the *Manufactured Home Act* and its regulations;

MANUFACTURED HOME PARK means a **parcel** used for the purpose of providing spaces for the accommodation of **manufactured homes** on land zoned for **manufactured home park** use, with not more than one **single family dwelling** that is not a **manufactured home**;

MOTEL means a **building** or group of **buildings** used to provide **temporary accommodation** for the travelling public with each unit having its own individual outside access and parking space conveniently located on the **parcel** and each unit being self-contained, with or without cooking facilities, but having its own washroom;

NATURAL BOUNDARY means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the lake, river, stream, or other body of water a character distinct from that of the banks thereof, in respect to vegetation, as well as in respect to the nature of the soil itself, and also includes the best estimate of the edge of dormant or old side channels and marsh areas;



OFFICE means the occupancy or use of a **building** or portion of a **building** for the purpose of carrying out business or professional activities;

OPEN FENCING means fencing which is constructed of chain linking, or other material which is transparent;

OUTDOOR RECREATION FACILITIES means the use of land, building, or other structures, which are available to the public at large for sports and active recreation conducted outdoors and includes playing fields, running tracks, and bicycle tracks, but excludes **campgrounds** and motor sports;

OUTDOOR STORAGE YARD means the **storage** of equipment, goods, and materials in the open air or partially concealed, and does not include the **storage of derelict vehicles**;

PARCEL means any lot, block, or other area in which land is held, or into which land is subdivided but does not include a **highway**;

PARCEL AREA means the total horizontal area within the **parcel lines** of a **parcel**;

PARCEL COVERAGE means the horizontal area of all the **buildings** and **structures** on a **parcel**, expressed as a percentage of the **parcel area**;

PARCEL LINE, EXTERIOR SIDE means the **parcel** line(s) not being the front or **rear parcel line** and common to the **parcel** and a **highway**;

PARCEL LINE, FRONT means the **parcel** line(s) common to the **parcel** and a fronting **highway**, or where there is more than one fronting **highway**, the **parcel** line common to the **parcel** and the fronting **highway** towards which the majority of the **buildings** on adjacent **parcels** are faced;

PARCEL LINE, INTERIOR SIDE means the **parcel** line(s), not being the front, rear or **exterior side parcel** line;

PARCEL LINE, REAR means the **parcel** line opposite to and most distant from the **front parcel line**, but where the rear portion of the **parcel** is bounded by intersecting side **parcel** lines, means the point of such intersection;

PASSENGER TERMINAL means a station or depot to load or unload passengers, where **accessory uses** may include ticket offices, luggage checking facilities, eating and drinking establishments, parcel services and similar uses;

PASSIVE RECREATION means non-motorized recreation not requiring facilities and may include but not be limited to wildlife observation, picnicking, walking, biking and canoeing;

PEOPLE WITH SPECIAL NEEDS means people who require additional or specialized services or accommodations by reason of one or more difficulties such as physical, emotional, behavioural, developmental, or otherwise, as evidenced in writing by the appropriate Federal or Provincial ministry or agency

PIT PRIVY means a small **structure** containing one or more toilets with no plumbing;

POULTRY FARM means a commercial poultry rearing or egg production enterprise of a scale requiring a quota from the applicable marketing board;

PRINCIPAL BUILDING means the main **building** on a **parcel** where at least 75% of the **gross floor area** is used for a permitted principal use;

PUBLIC UTILITY USE means a use which provides services such as water, sewer, electrical, telephone, and similar services where such use is established by a government body, or by a company operating under the *Utilities Commission Act*;

RECREATIONAL VEHICLE means a vehicle intended as a **temporary accommodation** for travel, vacation, or recreational use and includes travel trailers, motorized homes, slide-in campers, chassis-mounted campers, and tent trailers;

RECYCLING DEPOT means a use that entails the buying, collecting, sorting and temporary storage of bottles, cans, newspapers, and similar household goods for reuse and recycling;

RESOURCE USE means a use providing for the conservation, and management of natural resources and extraction and processing of primary forest materials, and the extraction, grading, crushing, and processing of mineral resource;

RETREAT CAMP means a use that provides for a group camping experience with the participants sleeping in tents, **recreational vehicles**, **guest cabins**, or dormitories for periods of less than three (3) months per calendar year and includes accessory facilities for the preparation and consumption of food, first aid, accommodation of camp councillors, accommodation of a caretaker, recreation, washrooms, study, and worship if used in conjunction with camping;

SEASONAL FARM LABOUR DWELLING means a detached dwelling unit located on a **parcel** classified as "farm" under the *Assessment Act*, which is used for the **temporary accommodation** of seasonal farm workers who are employed by the owner of the **parcel** to work in the owner's agricultural operation.

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

SERVICE STATION means a use providing for the sale of motor fuels and minor automobile repairs and service, or either;

SKI LODGE includes ski ticket sales, ski school, ski equipment and ski accessory sales and rentals, change areas and lockers, administration offices, first aid stations, day care, meeting rooms, and eating and drinking establishments;

SLEEPING UNIT means one or more rooms used for the accommodation of one **family** when such unit contains no cooking facilities;

SOLID SCREEN means a continuous opaque fence, wall, or combination made of wood or vinyl or similar materials but not plywood, corrugated metal, or **open fencing**, and includes gates on all access points made of similar materials;

STORAGE means the action of storing or laying up a thing or things in reserve, where reserve means that there are no immediate plans to move it to another location, or display it for sale;

STORAGE SHED means an accessory detached non-residential **building** no greater than 10 m² in **gross floor area** and not higher than 3m;

STOREY means that portion of a **building** which is situated between the top of any floor and the top of the floor next above it, and if there is no floor above it, that portion between the top of such floor and the ceiling above it;

STRUCTURE means any construction fixed to, supported by, or sunk into land or water;

TEMPORARY ACCOMMODATION means occupancy of a **building** or **structure**, tent, or **recreational vehicle** for a period not exceeding 90 continuous days;

TRADESPERSON means a person who is skilled in and follows a trade or skilled handicraft, an artisan, a craftsman, and may include carpenters, electricians, bricklayers, mechanics, painters, printers, glaziers, plumbers, wall coverers, flooring installers, convention and trade show decorators, sign and display workers, drywall finishers and other similar professions;

WATERCOURSE means any natural or man-made depression with well-defined banks and a bed zero point six (0.6) metres or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of two (2) square kilometres or more up stream of the point of consideration;

104. Interpretation

The Regional District of Kootenay Boundary is comprised of multiple Electoral Areas, and the Board of Directors have adopted several zoning bylaws, each at different times and of varying detail. This Electoral Area 'D'/Rural Grand Forks Zoning Bylaw, as all Regional District of Kootenay Boundary zoning bylaws, is intended to be interpreted in its entirety, but solely within its provisions and not in reference to the zoning bylaws of other Electoral Areas.

105. Provincial and Federal Jurisdiction

This Zoning Bylaw is not intended to be inconsistent with any matter under exclusive Provincial or Federal jurisdiction (see Section 1.4 of the Electoral Area 'D'/Rural Grand Forks Official Community Plan).

Part 2: Administration

201. Enforcement

1. The Manager of Planning and Development, Senior Planner, Planner, and Building and Plumbing Official, or other such person that may be appointed by the **Board of Directors**, may enforce this Bylaw.
2. Persons appointed under subsection (1) above are authorized to enter on or into property pursuant to Section 16 of the *Community Charter* and Sections 284 and 419 of the *Local Government Act*.

202. Prohibition

1. Land must not be used contrary to the provisions of this Bylaw.
2. **Buildings** or **structures** must not be used, constructed, reconstructed, altered, moved, placed or extended contrary to the provisions of this Bylaw.
3. No subdivision may be approved contrary to the provisions of this Bylaw, in particular to create **parcels** less than the minimum permissible **parcel area**, and other regulations as identified in this Bylaw.
4. Every use of land, **building** and **structure** permitted in each zone must conform to all the regulations of the applicable zone and all other regulations of this Bylaw.
5. No land, **building** or **structure** may be used or occupied, or left with no use, except in conformity with this Bylaw.

203. Violation

A person is deemed to have committed an offence who:

- a) Violates any of the provisions of this Bylaw;
- b) Causes or permits, any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
- c) Neglects or omits to do anything required under this Bylaw;
- d) Carries out, causes or permits to be carried out any use, construction or subdivision in a manner prohibited by or contrary to any of the provisions of this Bylaw;
- e) Fails to comply with an order, direction or notice given under this Bylaw; or
- f) Prevents, obstructs or attempts to prevent or obstruct the authorized entry on property of a person authorized to enforce this Bylaw under Section 201.

204. Penalty

Any person who violates any of the provisions of this Bylaw is, upon summary conviction, liable to the maximum fine provided in the *Offence Act*, plus the cost of prosecution for each offence.

205. Severability

If any portion of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, that portion is severed and the remaining portions of this Bylaw continue with full force and effect.

206. Effective Date and Repeal

1. This Bylaw is effective upon adoption.
2. Regional District of Kootenay Boundary Electoral Area 'D' Zoning Bylaw No. 1299, 2005 inclusive of all amendments thereto, is hereby repealed.

Part 3: General Regulations

301. Permitted and Prohibited Uses

1. No land, **building** or **structure** may be used for a use that is not specifically listed under the heading “Permitted Principal Uses” or “Permitted Secondary Uses” in the Zone that 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 a specifically permitted use in that Zone. Furthermore,
 - a) A use listed under “Permitted Secondary Uses” is only permitted if a use under “Permitted Principal Uses” is lawfully established and ongoing.
 - b) A use is only permitted if lawfully established and ongoing in accordance with:
 - (i) The applicable regulations and conditions of use as identified in each Zone; and
 - (ii) Such further general regulations applicable to the use, as identified throughout this Bylaw.
 - c) A use not specifically permitted in a Zone is prohibited from that Zone.
 - d) A use not specifically permitted in this Bylaw is prohibited from the Electoral Area.
 - e) Except where specifically permitted within a zone established by this Bylaw, no **parcel** may be used for the **storage** of **derelict vehicles(s)**.
 - f) Residential occupancy for a period exceeding 180 days per calendar year of **accessory buildings**, tents, **recreational vehicles**, and similar shelters is prohibited in the following zones: Residential 1, Residential 2, Residential 3, Residential 4, Agricultural Resource 1, Agricultural Resource 2, Agricultural Resource 3, Agricultural Resource 4, Industrial 1, Industrial 2 and Industrial 3 Zones except where:
 - (i) The residential occupancy of an **accessory building** conforms with the **secondary suite** provisions of this Bylaw;
 - (ii) The occupancy has been approved under Section 301.2(h) of this Bylaw.
 - g) The unloading, **storage** and loading of special wastes (as defined in the *Environmental Management Act* and regulations thereto) and other similar hazardous products are specifically prohibited.
2. Except as otherwise stated in this Bylaw, the following uses are permitted in all zones:
 - a) **Highways**;
 - b) **Landscape screens** and fences;
 - c) Parks, playgrounds, and similar active or **passive recreation** areas including **buildings** and **structures**;
 - d) Churches, cemeteries, libraries, museums, community halls, fire halls, police and ambulance stations, schools and similar uses;
 - e) Utility uses and **structures** and **buildings** associated therewith, excluding **offices**, maintenance garages and **storage** areas;
 - f) Railroad tracks, except private sidings;
 - g) **Storage buildings**, including garages, may be located on a **parcel** that does not have a principal use or **principal building** provided they are only to be used for the non-commercial/industrial **storage** of goods or vehicles belonging to the owner. Such **buildings** are be subject to the regulations for **accessory buildings** in the zone within which they are located and must not exceed 60 m² in floor area;
 - h) Residential occupancy (maximum of two years) in a **manufactured home** or

recreational vehicle for the property owner while a **dwelling unit** is under construction, provided the owner first signs a notarized statement of intent to cease occupying and remove the **manufactured home** within 30 days after the **dwelling unit** has been completed;

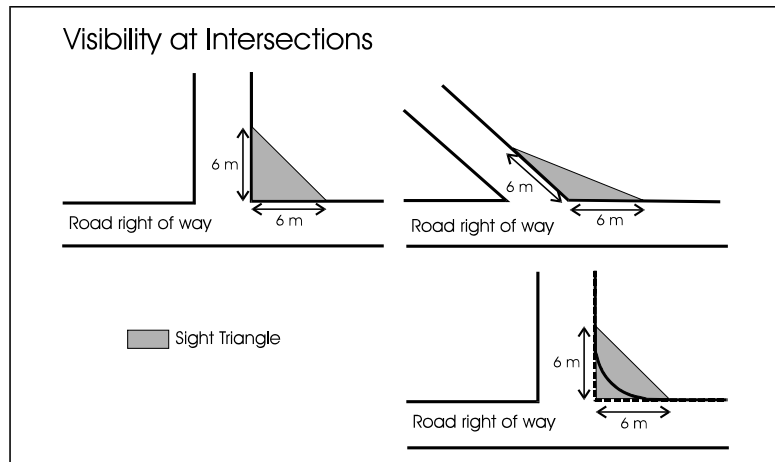
- i) Temporary **buildings, structures** and **storage** of materials required for an approved construction project on the same **parcel** provided such temporary **buildings, structures** and **storage** are removed within 30 days of completion of the approved construction;
- j) A facility for composting of organic waste operated by or with the consent of the Regional District of Kootenay Boundary pursuant to an approved Solid Waste Management Plan;
- k) A **recycling depot** pursuant to an approved Stewardship Plan under the *Environmental Management Act* and associated Recycling Regulation.

302. Siting Requirements and Exceptions

Where a Zone includes a regulation entitled "Setbacks", or where this Bylaw otherwise makes reference to a minimum setback, no **building** or **structure** may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged nearer to the **parcel** line, natural boundary or the other point of reference than the distance so specified, and for certainty:

1. Setbacks may vary according to any combination of use, **building, structure** or location within a Zone or adjacent Zone, or by **parcel** dimensions, or to a specific **highway, natural boundary** or other point of reference, and the provisions of this Bylaw must be interpreted accordingly;
2. 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 or that are otherwise applicable;
3. The minimum setback distance for a **pit privy** is 30m from the **natural boundary** of any **watercourse**.
4. Selected **structures** are excluded from the setback requirements of this Bylaw however, a separate approval from the Ministry of Transportation and Infrastructure may be required where the setback is adjacent to a **highway**. The exceptions are regulated as follows:
 - a) Unenclosed steps, eaves, sunlight control projections, canopies, chimneys, bay windows, balconies, porches and other similar projections may project:
 - i) 2 metres within a required **front parcel line, rear parcel line, or exterior side parcel line** setback; and
 - ii) 0.6 metres within a required **interior side parcel line** setback.
 - b) An underground **structure** may be sited on any portion of a **parcel** provided that the top surface of such **structure** at no point extends more than 0.5 metres above the average finished ground elevation within the relevant setback area of the zone in which it is located.
 - c) Free standing lighting poles, warning devices, antennas, masts, utility poles, wires, flag poles, **signs** and **sign structures**, except as otherwise limited in this or other bylaws may be sited on any portion of a **parcel** at the sole responsibility of the owner and utility company.
5. No person being the owner, occupier or lessee of any **parcel** located at the intersection of any two **highways**, may, without the consent of the Ministry of Transportation and

Infrastructure or his designate, place or permit to be placed or grow any tree, shrub, plant, fence or other **structure** with a horizontal dimension exceeding 0.6m within the sight triangle an elevation such that an eye 0.9m above the surface elevation of one **highway** cannot see an object 0.9m above the surface elevation of the other **highway**.



303. Height and Width

1. Where a Zone includes a regulation entitled "Height", or where this Bylaw otherwise makes reference to a maximum **height**, no **building** or **structure** may be placed, constructed, sunk into, erected, moved, sited, altered or enlarged in a manner that exceeds the **height** specified for the Zone in which the **building** or **structure** is located. For certainty, maximum **height** in a Zone may vary according to the use or location of the **building** or **structure**.
2. The following exceptions to the **height** regulations apply:
 - a) **Height** restrictions do not apply to the following, except in accordance with subsection (b): industrial cranes; grain elevators; silos; windmills; solar panels; towers; tanks; radio and television antennas; church spires, belfries and domes; monuments; chimney and smoke stacks; flag poles; lighting poles; and elevator shafts.
 - b) Where such **structures** are located on top of a **building** they must not occupy more than 10% of the horizontal plane of the roof area.

304. Density

1. Where a Zone includes a density regulation expressed as an absolute number of parcels, units, buildings, use or similar figure, no **parcel** may be subdivided and no **parcel** may be developed with more than the number identified for the Zone in which the **parcel** is located.
2. Where a Zone includes a density regulation expressed as a per hectare figure, no parcel may be subdivided and no parcel may be developed with more than the number of parcels, units, sites or other figure(s), per hectare as determined by applying the figure for the Zone in which the parcel is located to the area of the parcel.

3. For certainty, where more than one of the above density regulations apply to any particular **parcel**, the most restrictive governs but all remain applicable.

305. Subdivision Regulations

1. Where a Zone includes a regulation entitled "Parcel Area", or this Bylaw otherwise refers to a minimum **parcel area**, then no **parcel** may be created by subdivision that has an area less than the figure specified for the Zone in which the **parcel** is located.
2. A **parcel** which is reduced in size by the dedication of land to a public body in order to accommodate a necessary public service, utility, facility or **highway**, subsequent to the approval date of this Bylaw is deemed to be in conformity with the minimum **parcel area** requirements of this Bylaw.
3. Where as a result of land acquisition for a public use after this Bylaw comes into force by:
 - a) The Regional District;
 - b) A municipality;
 - c) The Provincial Government;
 - d) The Federal Government;
 - e) An Improvement District;
 - f) The Board of School Trustees; or
 - g) A Public Utility,
 - i) The **parcel** of land that could have been subdivided into two or more **parcels** under this Bylaw when the land was acquired, and
 - ii) The **parcel**, as a result of the acquisition, can no longer be subdivided into the same number of **parcels**,

the **parcel** is deemed to conform to this Bylaw for the purposes of subdivision as though the land acquisition had not occurred, but only to the extent that none of the **parcels** that would be created by the subdivision would be less than 90% of the area that would otherwise be permitted by this Bylaw.
4. The minimum **parcel area** requirements of this Bylaw do not apply to the consolidation of existing **parcels** or the addition of closed **highways** to an existing **parcel**, except that where a consolidation of existing **parcels** would include lands located within the Rail Corridor 1 (RC1) Zone the minimum **parcel area** requirement under this bylaw shall apply.
5. The alteration of one or more **interior parcel lines** between two or more **parcels** is permitted provided that:
 - a) no additional **parcels** are created upon completion of the alteration;
 - b) the alteration does not infringe within the required setbacks for an existing **building** or **structure** located on the **parcel**;
 - c) the alteration does not reduce the site area required for a sewage disposal system on any **parcel** being altered; and
 - d) if the alteration applies to land within the 'Rail/Trail Corridor 1 (RTC1) Zone', a corridor must be maintained within that zone that is a minimum of 30 metres wide and is suitable for the possible reestablishment of a railway.
6. The minimum size for a **parcel** of land that may be subdivided pursuant to Section 514 (Subdivision for a relative) of the *Local Government Act* is 20 hectares. This regulation does not apply within the **Agricultural Land Reserve**.

7. New **parcels** created after the adoption of this bylaw must not be separated by an existing **highway** or railway right of way unless each portion of the **parcel** separated by a **highway** or railway right of way meets the minimum **parcel** area requirement of the zone.
8. The minimum **parcel** area at subdivision in any zone established under this bylaw does not apply where all of the following conditions are satisfied:
 - a) the **parcel** being created is to be used solely for the unattended equipment necessary for operation of
 - i) **public utility uses** with no exterior **storage** of any kind;
 - ii) radio or television broadcasting antennae, or other similar communications infrastructure;
 - iii) air or marine navigation aids;
 - b) no sewage is generated, and
 - c) the owner agrees in writing to registering a covenant pursuant to section 219 of the *Land Title Act* in favour of the Regional District of Kootenay Boundary at the time the subdivision is registered, and such covenant shall be satisfactory to the approving officer and shall restrict the use of the **parcel** in accordance with the applicable exception under this provision.
9. **Parcels** that are split into more than one zone may be subdivided along the zone boundary provided:
 - a) the minimum **parcel** area requirement for new **parcels** created by subdivision can be achieved in at least one of the zones; and
 - b) no **parcel** created pursuant to this section may be less than:
 - i) 2000m² when connected to a **community water system**,
 - ii) 1 hectare when not connected to a **community water system**.

Part 4: Supplemental Regulations for Certain Uses and Circumstances

401. Home-Based Businesses

Where the home-based business use is expressly permitted, the following regulations apply:

1.
 - a) the home-based business may only be carried out by the property owner solely as an **accessory use** within the **single family dwelling** or wholly enclosed **accessory building**;
 - b) the maximum number of non-resident employees is two;
 - c) off-street parking must be provided in accordance with parking regulations as shown in Part 5 of this bylaw, with the most similar use to the home-based business being the applicable parking requirements for the home-based business;
 - d) the home-based business use must not involve salvage and **storage of derelict vehicles** and equipment, nor a **kennel**;
 - e) the home-based business use must not give an exterior indication that the **building** is being used for any purpose other than that of a residential use;
 - f) the home-based business use must not produce any odorous, toxic or noxious matter, noise, vibration, smoke, heat, dust, litter, glare or radiation other than that normally associated with the dwelling and must not create or cause any fire hazard, electrical interference or traffic congestion on the **highway**;
 - g) the only external display or advertisement permitted is one non-illuminated sign no larger than 1 m²;
 - h) all **storage** of materials, equipment, containers or finished products must be **concealed**;
 - i) the home-based business use, including all **storage sheds and areas**, must not exceed:
 - i) 60 m², if located in the Residential 1, Residential 2, or Residential 4 Zones,
 - ii) 100 m² if located in the Agricultural Resource 1, Agricultural Resource 2, Agricultural Resource 3, Agricultural Resource 4, Agricultural Resource 5, Rural Resource 1, or Rural Resource 2 Zones.

regardless of the number of home-based businesses on the **parcel**.
2. Except for the use and density provisions of Subsection 401.1(a) and 401.1(b), it is the Board's intent that the provisions of Section 401.1 are integral to the definition of the Home-Based Business use and therefore cannot be varied except through an amendment to this Zoning Bylaw.

402. Secondary Suites

1. Where a **secondary suite** is expressly permitted as a secondary use within a zone, the following regulations apply:
 - a) The floor area of the **secondary suite** must not exceed 90m² or 40% of the floor area of the **single family dwelling building**, whichever is less;

- b) Prior approval of the authority responsible for liquid waste disposal, pursuant to the relevant Provincial legislation, must be obtained before issuance of building permit;
 - c) For **parcels** located within an area served by a **community water system**, prior approval of the water purveyor must be obtained before issuance of a building permit;
 - d) No **secondary suite** may be stratified, subdivided, or otherwise legally separated from the principal **single family dwelling** use to which it is considered a secondary use, except where the subdivision is in conformity with the minimum **parcel area** requirements of this bylaw; and
 - e) A new **secondary suite** must not be connected to a **community water system** which is subject to a Drinking Water Notification pursuant to the *Drinking Water Protection Act* under an order of the Drinking Water Protection Officer.
2. Except for the floor area provisions of Subsection 402.1(a), it is the Board's intent that the provisions of Section 402.1 are integral to the definition of the Secondary Suite use and therefore cannot be varied except through an amendment to this Zoning Bylaw.

403. Bed and Breakfasts and Boarding Use

- 1. For zones in which **bed and breakfast** or **boarding use** are a permitted use, not more than three (3) **bedrooms** or **sleeping units** inside a **dwelling unit** on a single **parcel** of land may be used, at the same time, for the accommodation of the travelling public; and
- 2. All **bedrooms** or **sleeping units** must be contained inside a **single family dwelling**.
- 3. The accessory use must be operated by the permanent resident(s) of the single family dwelling.
- 4. Except for the use and density provisions of Subsection 403.1(1), it is the Board's intent that the provisions of Section 403.1 are integral to the definition of the Bed and Breakfasts and Boarding Use use and therefore cannot be varied except through an amendment to this Zoning Bylaw.

404 Campgrounds

In addition to other density regulations of this Bylaw, a **campground** must not exceed 50 campsites per hectare of **parcel area**.

405. Guest Ranch Density

In addition to other density regulations of this Bylaw, a **guest ranch** must not exceed, whichever is less:

- (a) one (1) **sleeping unit** or detached **guest cabin** or combination per hectare of **parcel area**, or
- (b) ten (10) attached **sleeping units** or detached **guest cabins** or combination, per parcel.

406. Seasonal Farm Labour Dwelling

- 1. Where a **Seasonal Farm Labour Dwelling** is expressly permitted as a secondary use within a zone, the following regulations apply:

- a) The **seasonal farm labour dwelling** shall have a floor area that does not exceed 50m²;
 - b) Prior approval of the authority responsible for liquid waste disposal, pursuant to the relevant Provincial legislation, shall be obtained before issuance of a building permit; and
 - c) For **parcels** located within an area serviced by a **community water system**, confirmation from the water purveyor that the water service has sufficient capacity to serve the **seasonal farm labour dwelling** shall be obtained before issuance of a building permit.
2. Except for the floor area provisions of Subsection 406.1(a), it is the Board's intent that the provisions of Section 406.1 are integral to the definition of **seasonal farm labour dwelling** and therefore cannot be varied except through an amendment to this Zoning Bylaw.

407. Screening and Fencing

Except where provided otherwise in this Bylaw:

- a) **Solid screens** 1.3 m or less in **height** may be sited on any portion of a **parcel**;
- b) **Solid screens** 2 m or less in **height** may be sited on any portion of a **parcel** provided that they are located to the rear of the front face of a **principal building** on a **parcel**;
- c) **Solid screens** greater than 2 metres in **height** must be sited in accordance with the required setbacks from a **parcel** line for a **principal building** located within the same zone;
- d) **Open fencing** is not restricted as to **height** or location;
- e) The use of barbed wire for fencing in or abutting on the following zones is prohibited: Residential 1, Residential 2, Manufactured Home Park Residential 3, Residential 4, Commercial 1, Commercial 2, Recreational Resource 1, Recreational Resource 2, Parks 1, Conservation 1, and Institutional and Community Facilities 1.

408. Sign Regulations

1. With the exception of regulations to the contrary within any particular zone or in the **home-based business** regulations under this Bylaw, no **parcel** may be used for the display of any exterior **signs** on a permanent basis other than:
 - a) Those advertising a permitted use on a **parcel** of land;
 - b) Those for a **building** or facility permitted pursuant to Section 301 of this Bylaw;
 - c) Temporary **signs** such as election; 'For Sale'; and 'For Rent' **signs**;
 - d) Advisory **signs** such as 'No Trespassing', 'No Hunting', and 'Beware of Dog', not limited as to number, provided each sign does not exceed 0.3 m² in size on any one side.
2. Unless otherwise permitted or restricted elsewhere in this bylaw, the maximum visible surface area of a **sign** is 3 m² per side.
3. Unless otherwise permitted or restricted elsewhere in this bylaw, not more than two **signs** may be located on a **parcel** of land.
4. No **sign** may be equipped with motion or flashing lights or a mechanical device which causes the **sign** to move.

5. When a sign remains in place after the activity, business, product or service the sign advertises is no longer conducted or available on the premises on which the sign is located, such sign and any supporting sign structure is considered to have been abandoned, and the owner of the premises in question shall remove the sign within ninety (90) days from the date that the activity, business, product or service is no longer conducted or available or within thirty (30) days from the date written notice from the Regional District to remove the sign or sign structure has been received.

Part 5: Parking and Loading

1. Minimum off-street parking spaces, design standards and facilities must be provided in accordance with the following:

TYPE	USE	REQUIREMENT
Residential	Single family dwelling	2 spaces per dwelling unit . A maximum of two spaces may be in tandem
	Manufactured Home Park	1.5 spaces per dwelling unit
	Bed and Breakfast and Boarding Use	In addition to the parking requirement for the principal residential use, one space per bedroom used for bed and breakfast /boarding use purposes must also be provided
	Secondary Suite	In addition to the parking requirement for the principal residential use, 1 space per secondary suite
Commercial	Retail stores, including convenience stores ; service stations ; passenger terminals	1 space per 20 m ² of gross floor area
	Animal shelters, kennels , veterinary clinic, offices	1 space per 30 m ² of gross floor area
	Building and contracting supply establishment; rental, sales and associated service facilities for vehicles and light equipment	1 space per 90 m ² of covered sales & storage area
	Eating and drinking establishment	1 space per 3 seats (at capacity)
	Hotels and Motels	1 space per unit
	Greenhouse	1 space per 14 m ² of gross floor area used for display and sales
	Produce stand, farm stand or similar roadside display stand	1 space per 20m ² of floor area
Industrial	Light manufacturing, tradespersons shop	1 space per 3 employees on a maximum working shift but not less than 5 spaces per establishment
	All industrial uses unless listed elsewhere	1 space per 3 employees on a maximum working shift but not fewer than 5 spaces per establishment

TYPE	USE	REQUIREMENT
Institutional	Community hall; church and church hall; lodge and similar fraternal organizations, library, art gallery; museum and similar facility	1 space per 4 seats or 1 space per 35 m ² available for patrons, whichever is greater
	Schools where the student body is entirely younger than the legal driving age	10 spaces plus 1 additional space per employee
	Other schools	10 spaces plus 1 space per employee, plus 1 space per 10 students, plus 1 space per 3 beds in an associated dormitory or residential facility
	Utility uses and maintenance facilities	1 space per 3 employees on a maximum working shift
Recreational	Arena, rink; swimming pool; tennis court; bowling green; ski area; stadium; golf course and driving range; rodeo and gymkhana ground	1 space per 4 seats plus 1 space per 4 players or participants
	Playing field; campground and day camp; fairgrounds and amusement parks; park; trail and similar land extensive recreational uses	Off-street parking spaces will be provided at the discretion of the owner

2. Where a **building** or **parcel** contains more than one use, the required number of parking spaces is the sum of the requirements of each use.
3. Where a use is not specifically mentioned, the parking requirement will be the same as for a similar use mentioned in this Section.
4. Required spaces must be provided on the same **parcel** as the **building** or use for which they are required.
5. Each parking space must be at least 2.5 metres wide, 5.5 metres long and 2.5 metres high and the width of each parking space must be increased to 3 metres where such a space is adjacent to any side wall, post, pillar or other such obstruction.
6. Each parking space must be so located as to permit unobstructed access to and egress from that space to a **highway** at all times.
7. Required off-street parking areas to accommodate three or more vehicles must have a surface which is continually dust free. Individual parking spaces, maneuvering aisles, entrances and exits must be clearly marked.
8. The number of access points from each parking area to a **highway** must not exceed two.
9. The parking requirements established in Part 5 of this Bylaw do not apply to a **building** or use existing prior to the adoption date of this Bylaw provided the building or use complied with parking standards then applicable. However, if there is an expansion or addition to an existing use or **building**, the provisions of Part 5 will apply to such expansion or addition.
10. Off-street loading facilities for commercial or industrial uses involving the receipt and delivery of goods or materials by vehicles must include 1 space for the first 12,000 m² of **gross floor area** or fraction thereof, plus 1 additional space for each additional 2,000 m² of **gross floor area** or fraction thereof.

11. Off-street loading facilities must:

- a) be provided on the same **parcel** as the use it serves;
- b) be set back a minimum of 6 metres from the designated fronting **highway**;
- c) have a minimum of 30 m² area, at least 3 metres in width and 4 metres in **height** for each space;
- d) not project into any **highway**;
- e) have unobstructed vehicular access to a **highway**;
- f) have a durable dust free surface.

Part 6: Zones

601. General Information on Zones

1. For the purpose of this Bylaw, Electoral Area 'D'/Rural Grand Forks is classified and divided into the following zones:

Zone Names	Short Form
Residential 1	R1
Residential 2	R2
Manufactured Home Park Residential 3	R3
Residential 4	R4
Agricultural Resource 1	AGR1
Agricultural Resource 2	AGR2
Agricultural Resource 3	AGR3
Agricultural Resource 4	AGR4
Agricultural Resource 5	AGR5
Rural Resource 1	RUR1
Rural Resource 2	RUR2
Rural Resource 3	RUR3
Drinking Water Resource	DWR
Commercial 1	C1
Commercial 2	C2
Industrial 1	IN1
Industrial 2	IN2
Industrial 3	IN3
Recreational Resource 1	REC1
Recreational Resource 2	REC2
Conservation	CONS
Parks	P
Rail Corridor	RC
Institutional and Community Facilities	ICF

2. The extent and boundary of each zone is shown on the Zoning Map (Map 1), which is attached to and forms part of this Bylaw.
3. When a zone boundary is shown as following a **highway** (*but not a railway*), or **watercourse**, the centre-line of such feature is the zone boundary.
4. Where a zone boundary does not follow a legally defined line, the location of the zone boundary is determined by scaling from the Zoning Map (Map 1).

602. Residential 1 Zone**R1**

The following provisions apply to lands in the Residential 1 Zone:

1. Permitted Principal Uses

Only the following **principal uses** are permitted:

- a) **Single family dwelling.**

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 602.1 above:

- a) **Accessory buildings and structures;**
- b) **Bed and breakfast**, subject to Section 403;
- c) **Boarding use**, subject to Section 403;
- d) Home-based business, subject to Section 401; and
- e) **Secondary suite** on **parcels** one hectare or greater in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 4000 m² when connected to a **community water system**;
- b) 1 hectare when not connected to a **community water system**.

4. Density

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

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures	Storage sheds
Front	7.5	7.5
Exterior side	4.5	0.6
Interior side	1.5	0.6
Rear	4.5	0.6

6. Parcel Coverage

Maximum **parcel coverage** is 30%.

7. Height

- a) **Principal buildings** must not exceed 10 metres in **height**;
- b) **Accessory buildings and structures** must not exceed 5 metres in **height**.

8. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

603. Residential 2 Zone**R2**

The following provisions apply to lands in the Residential 2 Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Single family dwelling.*

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 603.1 above:

- a) *Accessory buildings and structures;*
- b) *Bed and breakfast*, subject to Section 403;
- c) *Boarding use*, subject to Section 403;
- d) Home-based business; subject to Section 401; and
- e) *Secondary suite* on *parcels* one hectare or greater in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2000 m² when connected to a *community water system*;
- b) 1 hectare when not connected to a *community water system*.

4. Density

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

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>	<i>Storage sheds</i>
<i>Front</i>	7.5	7.5
<i>Exterior side</i>	4.5	0.6
<i>Interior side</i>	1.5	0.6
<i>Rear</i>	4.5	0.6

6. Parcel Coverage

Maximum *parcel coverage* is 30%.

7. Height

- a) *Principal buildings* must not exceed 10 metres in *height*;
- b) *Accessory buildings and structures* must not exceed 5 metres in *height*.

8. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

604. Manufactured Home Park Residential 3 Zone**R3**

The following provisions apply to lands in the Manufactured Home Park Residential 3 Zone:

1. The provisions outlined in the applicable Regional District of Kootenay Boundary Mobile Home Park Bylaw apply to all **buildings, structures, manufactured homes** and uses, and where a regulation overlaps with this Bylaw, the more restrictive provision applies.
2. **Permitted Principal Uses**
Only the following principal uses are permitted:
 - a) **Manufactured home park.**
3. **Permitted Secondary Uses**
Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 604.2 above:
 - a) **Accessory buildings and structures;**
 - b) **Single family dwelling.**
4. **Parcel Area**
Parcels to be created by subdivision must not be less than 3 acres.
5. **Parcel Area for New Parcels Created by Subdivision**
Parcels to be created by subdivision must not be less than 1.2 hectares.
6. **Dwelling Units**
Not more than one **single family dwelling** that is not a **manufactured home** may be located within a **manufactured home park**.
7. **Setbacks**
 - a) twenty five (25) feet from the **natural boundary** of a lake;
 - b) one hundred (100) feet from the **natural boundary** of any other natural water course or source of water but not including wells;
 - c) thirty-five (35) feet from provincial highways; and
 - d) twenty-five (25) feet from all parcel lines;
8. **Parking**
Off-street parking must be provided in accordance with Part 5 of this Bylaw.

605. Residential 4 Zone**R4**

The following provisions apply to lands in the Residential 4 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Single family dwelling.**

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 605.1 above:

- a) **Accessory buildings and structures;**
- b) **Agriculture**, subject to Section 605.8;
- c) **Bed and breakfast**, subject to Section 403;
- d) **Boarding use**, subject to Section 403;
- e) Home-based business, subject to Section 401;
- f) **Secondary Suite**, on **parcels** one hectare or greater in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 1 hectare.

4. Density

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

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures	Storage sheds
Front	7.5	7.5
Exterior side	4.5	0.6
Interior side	3.0	0.6
Rear	7.5	0.6

6. Parcel Coverage

Maximum **parcel coverage** is 25%.

7. Height

- a) **Principal buildings** must not exceed 10 metres in **height**;
- b) **Accessory buildings and structures** must not exceed 5 metres in **height**.

8. Agricultural and Animal Restrictions

- a) No **intensive agriculture** is permitted;
- b) Animal density must not exceed 2.0 Animal Units (AU) per hectare of land, where:
 - (i) the table below contains Animal Unit equivalencies for a variety of typical farm

- animals;
- (ii) the 2.0 AU per hectare limit is the sum of all species kept on the land; and
 - (iii) where an animal is not specifically mentioned in the table, the Animal Unit equivalency is deemed to be that of the most similar animal listed in the table, based on species, then size.

Animal	AU	Animal	AU	Animal	AU
Ewe	0.14	Gilt	0.33	Turkeys, breeding	0.02
Yearling ewe	0.10	Bred gilt	0.33	Goose	0.02
Lamb ewe	0.07	Weaner pig (<18 kg)	0.10	Duck	0.015
Ram	0.14	Feeder pig (18-90 kg)	0.20	Horse	1
Yearling ram	0.10	Suckling pig	0.01	Foal, 1-2 years old	0.5
Lamb ram	0.07	Cow & calf	1	Pony	0.5
Nursing ram	0.05	2 yr. old cow/bull/steer	1	Llama	0.5
Feeder lamb	0.10	Yearling ox	0.67	Donkey	0.5
Breeding lamb	0.10	Calf	0.25	Goat	0.14
Sow	0.33	Bull	1	Mink	0.025
Boar 18-90 kg	0.20	Chicken	0.015	Rabbit	0.025
Boar >90 kg	0.33	Turkeys, raised	0.015		

9. **Parking**

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

606. Agricultural Resource 1 Zone**AGR1**

The following provisions apply to lands in the Agricultural Resource 1 Zone:

1. Permitted Principal Uses

Only the following uses are permitted:

- a) ***Agriculture;***
- b) ***Intensive agriculture;***
- c) ***Single family dwelling.***

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 606.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Agri-tourism;***
- c) ***Bed and breakfast,*** subject to Section 403;
- d) ***Boarding use,*** subject to Section 403;
- e) Home-based business, subject to Section 401;
- f) ***Secondary Suite,*** on ***parcels*** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

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

5. Setbacks

Minimum setbacks for ***buildings*** and ***structures***:

- (a) for ***parcels*** less than 1 hectare in area:
 - (i) 7.5 m from a ***front parcel line***;
 - (ii) 1.5 m from an ***interior side parcel line***;
 - (iii) 4.5 m from an ***exterior side parcel line***;
 - (iv) 4.5 m from a ***rear parcel line***.
- (b) for ***parcels*** 1 hectare or greater in area:
 - (i) 7.5 m from a ***front parcel line***;
 - (ii) 3 m from an ***interior side parcel line***;
 - (iii) 4.5 m from an ***exterior side parcel line***;
 - (iv) 4.5 m from a ***rear parcel line***.
- (c) Notwithstanding anything to the contrary in this Bylaw, the minimum required setback for ***buildings*** and ***structures*** from the north side of Jasper Avenue must be 15 metres.

6. **Parcel Coverage**

Maximum <i>parcel coverage</i>	Commodity
35%	<i>Buildings</i> and <i>structures</i> other than greenhouses
75%	<i>Buildings</i> and <i>structures</i> including greenhouses

7. **Parking**

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

607. Agricultural Resource 2 Zone**AGR2**

The following provisions apply to lands in the Agricultural Resource 2 Zone:

1. Permitted Principal Uses

Only the following uses are permitted:

- a) ***Agriculture;***
- b) ***Intensive agriculture;***
- c) ***Single family dwelling.***

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 607.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Agri-tourism;***
- c) ***Bed and breakfast,*** subject to Section 403;
- d) ***Boarding use,*** subject to Section 403;
- e) Home-based business, Subject to Section 401;
- f) ***Kenel;***
- g) ***Secondary Suite,*** on ***parcels*** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

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

5. Setbacks

Minimum setbacks for ***buildings*** and ***structures***:

- (a) for ***parcels*** less than 1 hectare in area:
 - (i) 7.5 m from a ***front parcel line***;
 - (ii) 1.5 m from an ***interior side parcel line***;
 - (iii) 4.5 m from an ***exterior side parcel line***;
 - (iv) 4.5 m from a ***rear parcel line***.
- (b) for ***parcels*** 1 hectare or greater in area:
 - (i) 7.5 m from a ***front parcel line***;
 - (ii) 3 m from an ***interior side parcel line***;
 - (iii) 4.5 m from an ***exterior side parcel line***;
 - (iv) 4.5 m from a ***rear parcel line***.

6. **Parcel Coverage**

Maximum <i>parcel coverage</i>	Commodity
35%	<i>Buildings</i> and <i>structures</i> other than greenhouses
75%	<i>Buildings</i> and <i>structures</i> including greenhouses

7. **Parking**

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

608. Agricultural Resource 3 Zone**AGR3**

The following provisions apply to lands in the Agricultural Resource 3 Zone:

1. Permitted Principal Uses

Only the following uses are permitted:

- a) ***Agriculture;***
- b) ***Intensive agriculture;***
- c) ***Single family dwelling.***

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 608.1 above:

- a) ***Accessory buildings and structures;***
- b) ***Agri-tourism;***
- c) ***Bed and breakfast,*** subject to Section 403;
- d) ***Boarding use,*** subject to Section 403;
- e) Home-based business, subject to Section 401;
- f) ***Manufactured home*** up to 9m in width for a member of the owners ***immediate family;***
- g) ***Secondary Suite,*** on ***parcels*** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

Maximum one ***single family dwelling,*** one ***secondary suite*** and one ***manufactured home*** for a member of the owner's ***immediate family*** per ***parcel.***

5. Setbacks

Minimum setbacks for ***buildings*** and ***structures:***

- (a) for ***parcels*** less than 1 hectare in area:
 - (i) 7.5 m from a ***front parcel line;***
 - (ii) 1.5 m from an ***interior side parcel line;***
 - (iii) 4.5 m from an ***exterior side parcel line;***
 - (iv) 4.5 m from a ***rear parcel line.***
- (b) for ***parcels*** 1 hectare or greater in area:
 - (i) 7.5 m from a ***front parcel line;***
 - (ii) 3 m from an ***interior side parcel line;***
 - (iii) 4.5 m from an ***exterior side parcel line;***
 - (iv) 4.5 m from a ***rear parcel line.***

6. **Parcel Coverage**

Maximum <i>parcel coverage</i>	Commodity
35%	<i>Buildings</i> and <i>structures</i> other than greenhouses
75%	<i>Buildings</i> and <i>structures</i> including greenhouses

7. **Parking**

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

609. Agricultural Resource 4 Zone**AGR4**

The following provisions shall apply in the Agricultural Resource 4 Zone:

1. Permitted Principal Uses

Only the following uses are permitted:

- a) **Agriculture;**
- b) **Intensive agriculture;**
- c) **Single family dwelling.**

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 609.1 above:

- a) **Accessory buildings and structures;**
- b) **Agri-tourism;**
- c) **Bed and breakfast**, subject to Section 403;
- d) **Boarding use**, subject to Section 403;
- e) Home-based business, subject to Section 401;
- f) **Seasonal farm labour dwelling**, subject to Section 406;
- g) **Secondary Suite**, on **parcels** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

Maximum one **single family dwelling**, one **secondary suite**, and one **seasonal farm labour dwelling** per **parcel**.

5. Setbacks

Minimum setbacks for **buildings** and **structures**:

- (a) for **parcels** less than 1 hectare in area:
 - (i) 7.5m from a **front parcel line**;
 - (ii) 1.5m from an **interior side parcel line**;
 - (iii) 4.5m from an **exterior side parcel line**;
 - (iv) 4.5m from a **rear parcel line**.
- (b) for **parcels** 1 hectare or greater in area:
 - (i) 7.5m from a **front parcel line**;
 - (ii) 3m from an **interior side parcel line**;
 - (iii) 4.5m from an **exterior side parcel line**;
 - (iv) 4.5m from a **rear parcel line**.

6. **Parcel Coverage**

Maximum <i>parcel coverage</i>	Commodity
35%	Buildings and structures other than greenhouses
75%	Buildings and structures including greenhouses

7. **Parking**

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

610. Agricultural Resource 5 Zone**AGR5**

The following provisions apply to lands in the Agricultural Resource 5 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Agriculture**;
- b) **Golf courses**, but if in the ALR, then only if approved by the Agricultural Land Commission;
- c) **Intensive agriculture**;
- d) **Single family dwelling**.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 610.1 above:

- a) **Accessory buildings and structures**;
- b) **Agri-tourism**;
- c) **Bed and breakfast**, subject to Section 403;
- d) **Boarding use**, subject to Section 403;
- e) **Campground**, subject to Section 404, and if in the ALR may require approval by the Agricultural Land Commission;
- f) **Guest ranch**, subject to Section 405, and if in the ALR may require approval of the Agricultural Land Commission;
- g) Home-based business, subject to Section 401;
- h) **Secondary Suite**, on **parcels** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 20 hectares.

4. Density

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

5. Setbacks

Minimum setbacks for **buildings and structures**:

- (a) For **parcels** less than 1 hectare in area:
 - (i) 7.5 m from a **front parcel line**;
 - (ii) 1.5 m from an **interior side parcel line**;
 - (iii) 4.5 m from an **exterior side parcel line**;
 - (iv) 4.5 m from a **rear parcel line**.
- (b) For **parcels** 1 hectare or greater in area:
 - (i) 7.5 m from a **front parcel line**;
 - (ii) 3 m from an **interior side parcel line**;

- (iii) 4.5 m from an ***exterior side parcel line***;
- (iv) 4.5 m from a ***rear parcel line***.

6. Parcel Coverage

Maximum <i>parcel coverage</i>	Commodity
35%	<i>Buildings</i> and <i>structures</i> other than greenhouses
75%	<i>Buildings</i> and <i>structures</i> including greenhouses

7. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

611. Rural Resource 1 Zone**RUR1**

The following provisions apply to lands in the Rural Resource 1 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Agriculture**;
- b) **Campground**, subject to Section 404;
- c) **Golf courses**;
- d) Conservation areas, ecological reserves, wildlife sanctuaries;
- e) **Interpretive centres**;
- f) Log home manufacturing;
- g) Portable shake, shingle and sawmills;
- h) Post and tie operations;
- i) **Resource Use**;
- j) **Single family dwelling**;
- k) Veterinary clinics excluding **kennels/animal shelters**.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 611.1 above:

- a) **Accessory buildings and structures**;
- b) **Bed and breakfast**, subject to Section 403;
- c) **Boarding use**, subject to Section 403;
- d) **Guest ranch**, Subject to Section 405;
- e) Home-based business, subject to Section 401;
- f) **Secondary Suite**, on **parcels** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

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

5. Setbacks

Minimum setbacks for **buildings and structures**:

- (a) for **parcels** less than 1 hectare in area:
 - (i) 7.5 m from a **front parcel line**;
 - (ii) 1.5 m from an **interior side parcel line**;

- (iii) 4.5 m from an **exterior side parcel line**;
- (iv) 4.5 m from a **rear parcel line**.

- (b) for **parcels** 1 hectare or greater in area minimum setback must not be less than 7.5 m from any **parcel** line.

6. Parcel Coverage

Maximum parcel coverage	Commodity
35%	Buildings and structures other than greenhouses
75%	Buildings and structures including greenhouses

7. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

612. Rural Resource 2 Zone**RUR2**

The following provisions apply to lands in the Rural Resource 2 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) ***Agriculture***;
- b) ***Campground***, subject to Section 404;
- c) ***Golf courses***;
- d) Conservation areas, ecological reserves, wildlife sanctuaries;
- e) ***Interpretive centres***;
- f) Log home manufacturing;
- g) Portable shake, shingle and sawmills;
- h) Post and tie operations;
- i) ***Resource Use***;
- j) ***Single family dwelling***;
- k) Veterinary clinics excluding ***animal shelters***.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 612.1 above:

- a) ***Accessory buildings and structures***;
- b) ***Bed and breakfast***, subject to Section 403;
- c) ***Boarding use***, subject to Section 403;
- d) ***Guest ranch***, Subject to Section 405;
- e) Home-based business, subject to Section 401;
- f) ***Kennel***;
- g) ***Secondary Suite***, on ***parcels*** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 10 hectares.

4. Density

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

5. Setbacks

Minimum setbacks for ***buildings*** and ***structures***:

- (a) for ***parcels*** less than 1 hectare in area:

- (i) 7.5 m from a **front parcel line**;
 - (ii) 1.5 m from an **interior side parcel line**;
 - (iii) 4.5 m from an **exterior side parcel line**;
 - (iv) 4.5 m from a **rear parcel line**.
- (b) for **parcels** 1 hectare or greater in area minimum setback must not be less than 7.5 m from any **parcel** line.

6. Parcel Coverage

Maximum parcel coverage	Commodity
35%	Buildings and structures other than greenhouses
75%	Buildings and structures including greenhouses

7. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

613. Rural Resource 3 Zone**RUR3**

The following provisions apply to lands in the Rural Resource 3 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Agriculture**;
- b) **Campground**, subject to Section 404;
- c) Conservation areas, ecological reserves, wildlife sanctuaries;
- d) **Interpretive centres**;
- e) Log home manufacturing;
- f) Portable shake, shingle and sawmills;
- g) Post and tie operations;
- h) **Resource Use**.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 613.1 above:

- a) **Accessory buildings and structures**.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 20 hectares.

4. Setbacks

Minimum setbacks for **buildings** and **structures**:

- (a) for **parcels** less than 1 hectare in area:
 - (i) 7.5 m from a **front parcel line**;
 - (ii) 1.5 m from an **interior side parcel line**;
 - (iii) 4.5 m from an **exterior side parcel line**;
 - (iv) 4.5 m from a **rear parcel line**.
- (b) for **parcels** 1 hectare or greater in area minimum setback must not be less than 7.5m from any **parcel** line.

5. Parcel Coverage

Maximum parcel coverage	Commodity
35%	Buildings and structures other than greenhouses
75%	Buildings and structures including greenhouses

6. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

614. Drinking Water Resource Zone**DWR**

The following provisions apply to lands in the Drinking Water Resource Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) *Resource use*, excluding processing.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 614.1 above:

- a) *Accessory buildings* and *structures*.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 25 hectares.

4. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings</i> and <i>structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5

In addition, *buildings* and *structures* must be setback a minimum of 30 metres from the *natural boundary* of any *watercourse*.

615. Commercial 1 Zone**C1**

The following provisions apply to lands in the Commercial 1 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) Agricultural product and farm machinery sales and service;
- b) Building supplies;
- c) **Campgrounds**, subject to Section 404;
- d) Eating and drinking establishments;
- e) Equipment sales, service and rentals;
- f) **Hotel**;
- g) Manufactured homes sales and service;
- h) **Motels**;
- i) Motor vehicle sales, service and rentals;
- j) **Offices**;
- k) **Passenger terminal**;
- l) **Recreational vehicle** sales and service;
- m) Retail stores;
- n) **Service Stations**.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 615.1 above:

- a) **Accessory Buildings** and **structures**;
- b) Warehousing;
- c) **Dwelling Unit**.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 4000 m² when connected to a **community water system**;
- b) 1 hectare when not connected to a **community water system**.

4. Density

Maximum one **dwelling unit** per **parcel**.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	4.5
<i>Interior side</i>	3.0
<i>Rear</i>	3.0

6. Parcel Coverage

Maximum ***parcel coverage***:

- a) 50% of the ***parcel area*** for ***parcels*** 5000 m² and less in area;
- b) 33% of the ***parcel area*** for ***parcels*** exceeding 5000 m² in area.

7. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

616. Commercial 2 Zone**C2**

The following provisions apply to lands in the Commercial 2 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) ***Agriculture***;
- b) ***Campground***, subject to Section 404;
- c) ***Intensive Agriculture***;
- d) ***Single family dwelling***.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a uses listed in subsection 616.1 above:

- a) ***Accessory buildings*** and ***structures*** ;
- b) ***Convenience store*** in conjunction with a ***campground***;
- c) ***Secondary Suite***, on ***parcels*** greater than 1.0 hectare in area, subject to Section 402.

3. Parcel Area for New Parcels Created by Subdivision

Parcels created by subdivision must not be less than 1 hectare.

4. Density

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

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<i>Buildings and structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5

6. Parcel Coverage

Maximum ***parcel coverage*** is 10%.

7. Screening

Where a parcel in this zone with a ***campground*** abuts any Agricultural Resource Zone, the owner of the Commercial 2-zoned land must, along that entire portion of the common property line that is being utilised for a recreational commercial use, install either:

- a) a ***solid screen*** not less than 1.8 metres in ***height***,
- b) a continuous evergreen hedge not less than 1 metre in ***height*** when planted, or

- c) a combination of the above.

8. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

617. Industrial 1 Zone

IN1

The following provisions apply to lands in the Industrial 1 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) Abrasives manufacturing and processing;
- b) Auction marts;
- c) Automobile and truck washes;
- d) Building supply and lumber yards;
- e) Contractors offices, shops and yards;
- f) ***Distribution facility***;
- g) Laundries, cleaners, dry cleaners;
- h) ***Light manufacturing***;
- i) Log home manufacturing;
- j) ***Passenger terminal***;
- k) ***Outdoor storage yards***, excluding land fill sites;
- l) Rental, repair, sales and servicing of vehicles, machinery and equipment including autobody repairs;
- m) Steel/metal fabricating and welding;
- n) Tire and wheel sales and repairs;
- o) ***Tradesperson Shop***;
- p) Warehouses and wholesale supplies.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 617.1 above:

- a) ***Accessory buildings and structures***;
- b) ***Dwelling Unit***;
- c) Sales ancillary to a permitted principal use.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 4,000 m².

4. Density

Maximum one ***dwelling unit*** per ***parcel***.

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	<i>Buildings and structures</i>
Front	7.5
Exterior side	7.5
Interior side	7.5
Rear	7.5

6. Parcel Coverage

Maximum **parcel coverage** is 40%.

7. Storage

Outdoor **storage** is not permitted within 7.5 metres of a **front parcel line** or an **exterior side parcel line**.

8. Screening

All **outdoor storage yards** must be wholly enclosed by a **solid screen** not less than 1.8 metres in **height**.

9. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

618. Industrial 2 Zone**IN2**

The following provisions apply to lands in the Industrial 2 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) Freight terminal.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 618.1 above:

- a) **Accessory buildings and structures;**
- b) **Dwelling unit,**
- c) Storage of fuel, not exceeding 2,000 litres.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 2 hectares.

4. Density

Maximum one **dwelling unit** per **parcel**.

5. Parcel Coverage

Maximum **parcel coverage** is 40%.

6. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	7.5
Exterior side	7.5
Interior side	7.5
Rear	7.5

Notwithstanding anything to the contrary in this Bylaw, the minimum setback for **buildings and structures** adjacent to the railway right of way is 0 m.

7. Screening

- (a) A **solid screen** not less than 2.5 metres high, must be located adjacent to, but not more than 3 metres from, the north-westerly boundary of the Industrial 2 Zone, commencing at the south-western corner of Lot A, Plan 32930, D.L. 362, S.D.Y.D. and continuing along the north-westerly lot line for a distance of 100 metres.
- (b) A maximum of two swinging or sliding gates may be incorporated into the **solid screen**, but only if constructed of the same or a similar material to the remainder of the **solid screen**, and neither is more than 12 metres wide.

8. Parking and Loading

- (a) Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

- (b) In addition, the entire surface of any areas used for loading, parking, **storage** and manoeuvring of vehicles must be surfaced with clean gravel.

619. Industrial 3 Zone**IN3**

The following provisions apply to lands in the Industrial 3 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) Concrete plants;
- b) Crushing/screening facilities;
- c) Gravel washing;
- d) Storage of gravel, sand and similar materials.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 619.1 above:

- a) **Accessory buildings and structures;**
- b) **Dwelling unit.**

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 2 hectares.

4. Density

Maximum one **dwelling unit** per **parcel**.

5. Parcel Coverage

Maximum **parcel coverage** is 40%.

6. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	7.5
Exterior side	7.5
Interior side	7.5
Rear	7.5

7. Screening

A **solid screen** not less than 1.8 metres in height, must be provided where a **parcel** is:

- being used for sand and gravel extraction, sorting, screening; or the manufacturing of concrete; and
- is adjacent to a **parcel** in the Residential 4 (R4) Zone, Agricultural Resource 1 (AGR1) Zone, or a **highway**.

8. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

620. Recreational Resource 1 Zone**REC1**

The following provisions apply to lands in the Recreational Resource 1 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Interpretive centre;**
- b) **Recreation facilities (indoor and outdoor);**
- c) **Retreat camp**, subject to Section 404 and 620;
- d) Ski lifts and tows;
- e) **Ski lodge.**

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 620.1 above:

- a) **Accessory buildings and structures;**
- b) Eating and drinking establishment;
- c) **Guest cabins;**
- d) Property maintenance facilities;
- e) **Dwelling unit.**

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 2 hectares.

4. Density

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

5. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	5
Exterior side	5
Interior side	5
Rear	5

6. Parcel Coverage

Maximum **parcel coverage** is 20%.

7. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

621. Recreational Resource 2 Zone**REC2**

The following provisions apply to lands in the Recreational Resource 2 Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) **Campground**, subject to Section 404;
- b) Downhill and Cross-country ski areas;
- c) **Outdoor recreation facilities**;
- d) Picnic sites;
- e) **Retreat camp**, subject to Section 404;
- f) Rodeo grounds and equestrian facilities;
- g) Ski lifts and tows.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 621.1 above:

- a) **Accessory buildings** and **structures**;
- b) **Dwelling unit**.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 20 hectares.

4. Density

Maximum one **dwelling unit** per **parcel**.

5. Parking

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

622. Conservation Zone**CONS**

The following provisions apply to lands in the Conservation Zone.

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) Conservation areas, ecological reserves, wildlife sanctuaries;
- b) Observation points.

2. Permitted Secondary Uses

Only the following secondary uses are permitted and only in conjunction with a use listed in subsection 622.1 above:

- a) **Accessory buildings and structures.**

3. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings and structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5

623. Parks Zone**P**

The following provisions apply to lands in the Parks Zone:

1. Permitted Principal Uses

Only the following *principal uses* are permitted:

- a) ***Agriculture***;
- b) Conservation areas, ecological reserves, wildlife sanctuaries;
- c) ***Passive recreation***;
- d) ***Single family dwelling***.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 623.1 above:

- a) ***Accessory buildings*** and ***structures***.

3. Dwelling Unit

Maximum one single family *dwelling* per *parcel*.

4. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 25 hectares.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel</i> Line	<i>Buildings</i> and <i>structures</i>
<i>Front</i>	7.5
<i>Exterior side</i>	7.5
<i>Interior side</i>	7.5
<i>Rear</i>	7.5

6. Parking and Loading

Off-street parking must be provided in accordance with Part 5 of this Bylaw.

624. Rail Corridor Zone**RC**

The following provisions apply to lands in the Rail Corridor Zone.

1. Permitted Uses

The following uses only shall be permitted in the Rail Corridor Zone:

- a) Railways;
- b) Recreational trails and similar transportation corridors.

2. Permitted Secondary Uses

Only the following secondary uses are permitted and only in conjunction with a use listed in subsection 624.1 above:

- a) **Accessory buildings and structures.**

3. Setbacks

Minimum setbacks measured in metres:

Parcel Line	Buildings and structures
Front	4.5
Exterior side	4.5
Interior side	4.5
Rear	4.5

4. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than 100 hectares.

5. Height

Maximum 4.5 metres for **buildings** and **structures**.

6. Parking and Loading

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

625. Institutional and Community Facilities Zone**ICF**

The following provisions apply to lands in the Institutional and Community Facilities Zone:

1. Permitted Principal Uses

Only the following principal uses are permitted:

- a) ***Agriculture***;
- b) Cemeteries and crematoriums;
- c) Clubs and lodges;
- d) ***Community Care Facility***;
- e) Cultural facilities;
- f) Emergency services;
- g) Hospitals, personal care homes, and intermediate care homes;
- h) ***Institutional use***;
- i) ***Intensive Agriculture***, provided the land is in the Agricultural Land Reserve;
- j) Museum;
- k) Nurseries, kindergarten and day care centres;
- l) Post offices;
- m) Tourist offices.

2. Permitted Secondary Uses

Only the following secondary uses are permitted, and only in conjunction with a use listed in subsection 625.1 above:

- a) ***Accessory buildings*** and ***structures***;
- b) ***Campground***, as a secondary use to a museum;
- c) Manse, as a secondary use to a religious institution.

3. Parcel Area for New Parcels Created by Subdivision

Parcels to be created by subdivision must not be less than:

- a) 2000 m² if connected to ***community water system***;
- b) 1 hectare if not connected to ***community water system***.

4. Density

Maximum of 40 units per hectare may be located on a ***parcel*** used for accommodation of residents in a ***community care facility***.

5. Setbacks

Minimum setbacks measured in metres:

<i>Parcel Line</i>	<i>Buildings and structures</i>
<i>Front</i>	7.5

<i>Exterior side</i>	4.5
<i>Interior side</i>	3
<i>Rear</i>	3

6. Parcel Coverage

Maximum ***parcel coverage*** is 30%.

7. Parking

Off-street parking and loading facilities must be provided in accordance with Part 5 of this Bylaw.

Introduced this day of .

Read a First and Second Time this day of .

Public Hearing held on this day of .

Read a Third Time this day of .

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 1675, cited as "Regional District of Kootenay Boundary Electoral Area 'D'/Rural Grand Forks Zoning No. 1675" as read a third time by the Regional District of Kootenay Boundary Board of Directors this day of 2019.

Manager of Corporate Administration

Approved by the Ministry of Transportation and Infrastructure Approving Officer this day of 2019.

Approving Officer

Reconsidered and Finally Adopted the day of 2019.

Manager of Corporate Administration

Chair

I, Theresa Lenardon, Manager of Corporate Administration, of the Regional District of Kootenay Boundary certify that this is a true and correct copy of Bylaw No. 1675 cited as "Regional District of Kootenay Boundary Electoral Area 'D'/Rural Grand Forks Zoning Bylaw No. 1675, 2019".

Manager of Corporate Administration

Map 1. Electoral Area 'D' / Rural Grand Forks Zoning Map (Bylaw No. 1675, 2019)

Draft Version
10 May 19

Legend

- Residential 1
- Residential 2
- Manufactured Home Park Residential 3
- Rural Residential 4
- Agricultural Resource 1
- Agricultural Resource 2
- Agricultural Resource 3
- Agricultural Resource 4
- Agricultural Resource 5
- Rural Resource 1
- Rural Resource 2
- Rural Resource 3
- Drinking Water Resource
- Commercial 1
- Commercial 2
- Industrial 1
- Industrial 2
- Industrial 3
- Recreational Resource 1
- Recreational Resource 2
- Conservation
- Parks
- Rail Corridor
- Institutional and Community Facilities

- Electoral Area Boundary
- ALR Boundary

*The paper copy of this map is the official version.
When a land use designation is shown following a
highway or watercourse, the center-line of such
feature is the designation boundary.*

Cadastral Date: April 2018

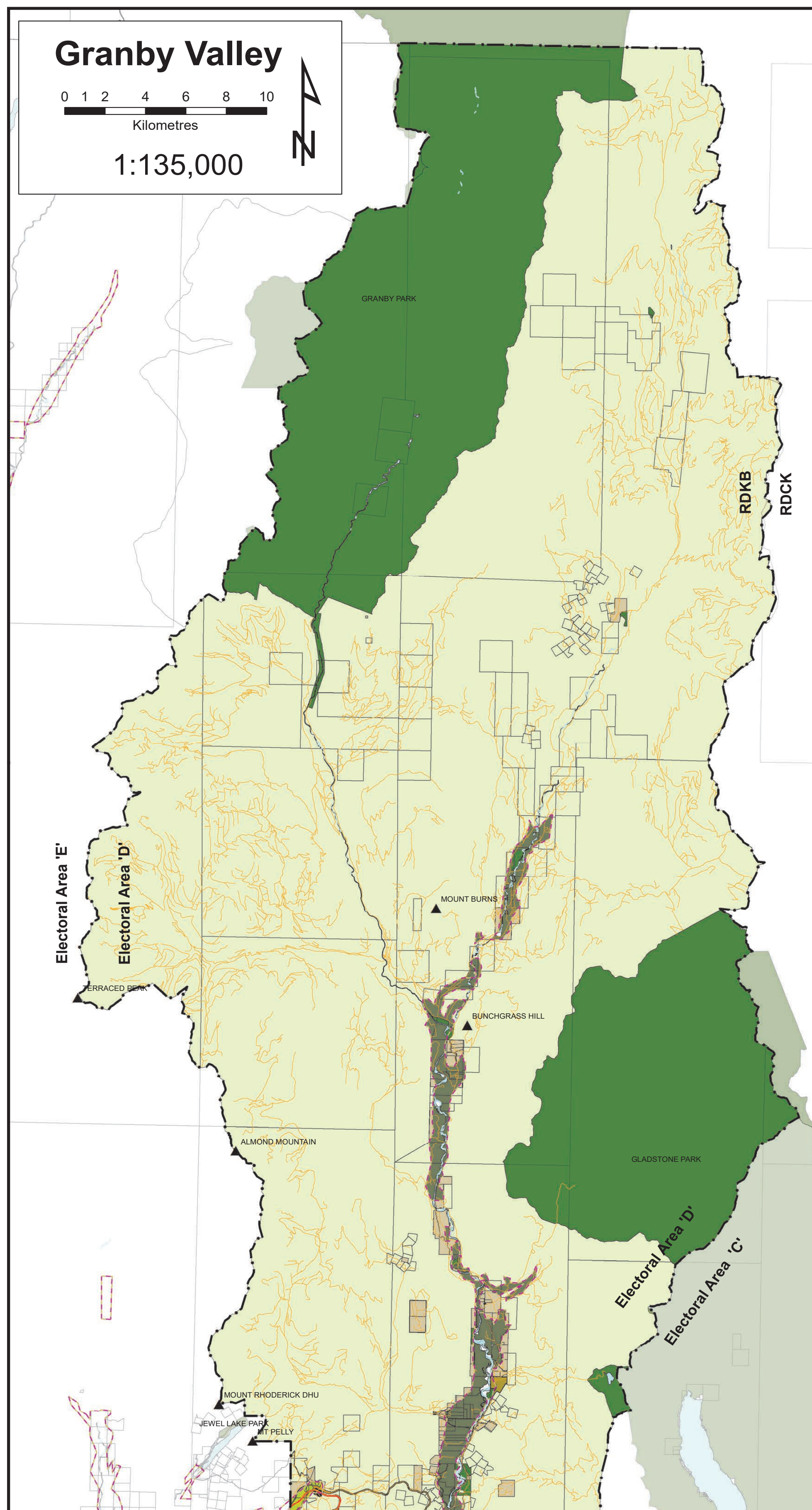
Plot Date: 23 February, 2018

Document Path: F:\GIS\KOR\MapDocuments\Area_12\Zoning\DL_12\ZoningMap_12_19_18.mxd

Granby Valley

0 1 2 4 6 8 10
Kilometres

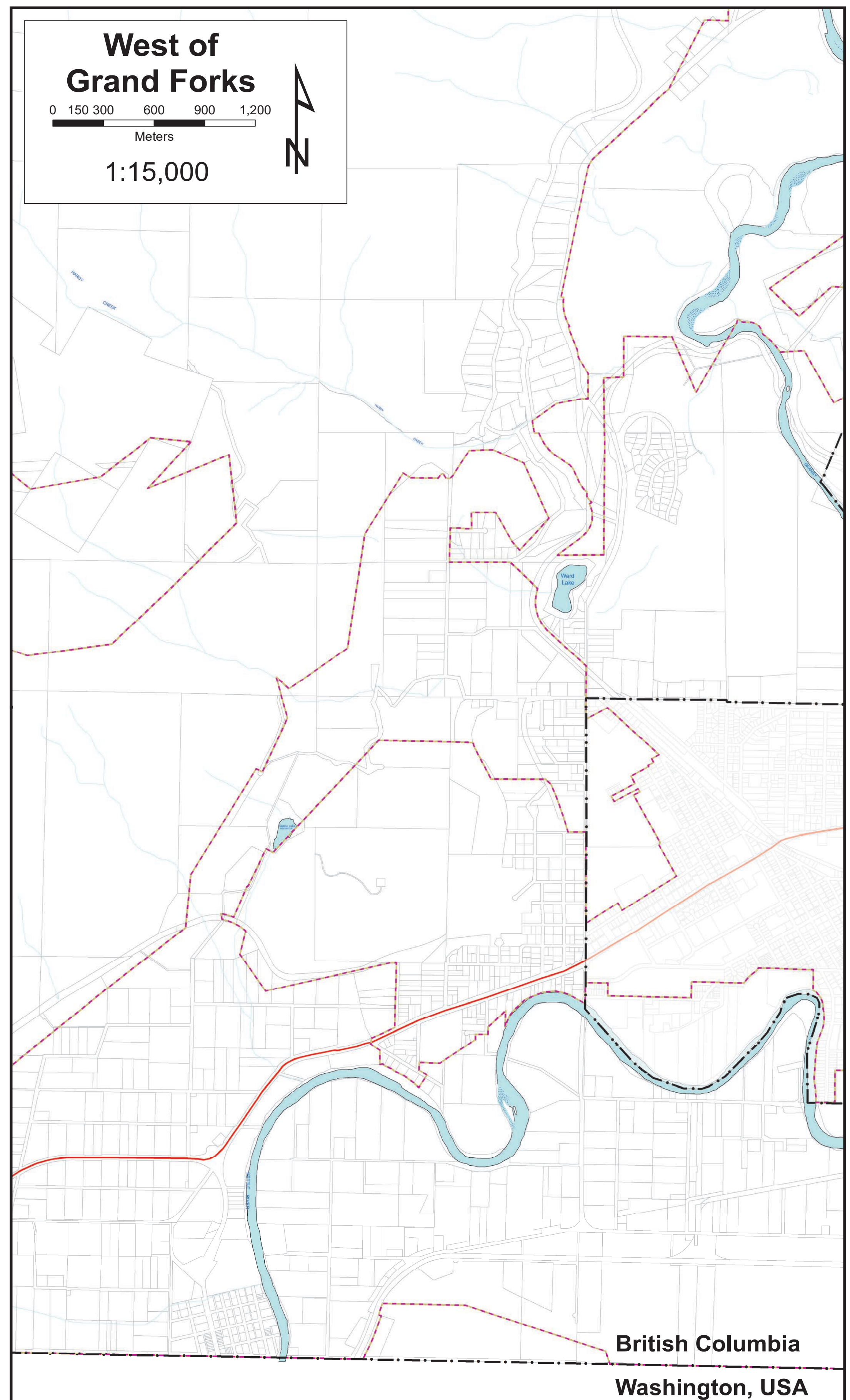
1:135,000



**West of
Grand Forks**

0 150 300 600 900 1,200
Meters

1:15,000

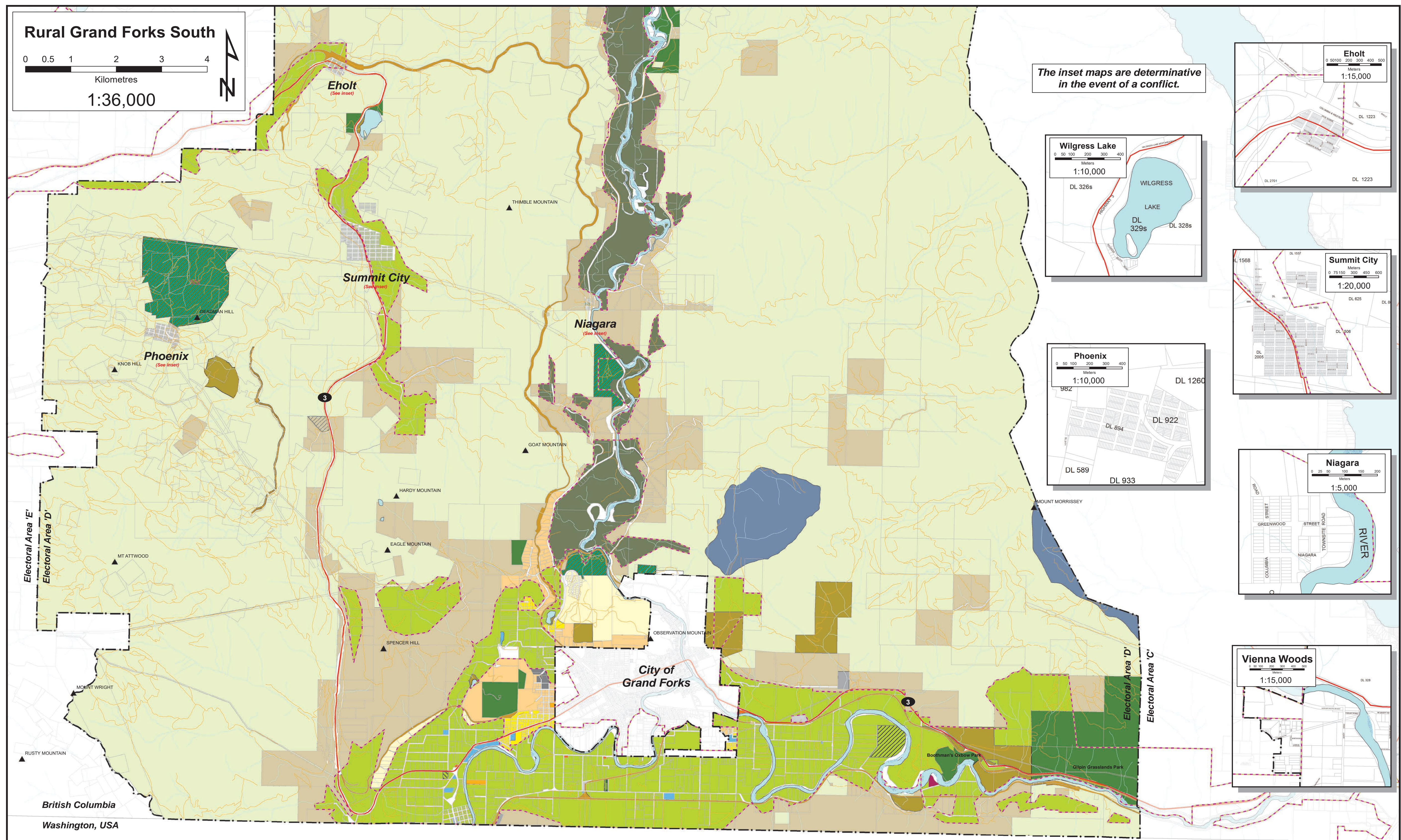


British Columbia
Washington, USA

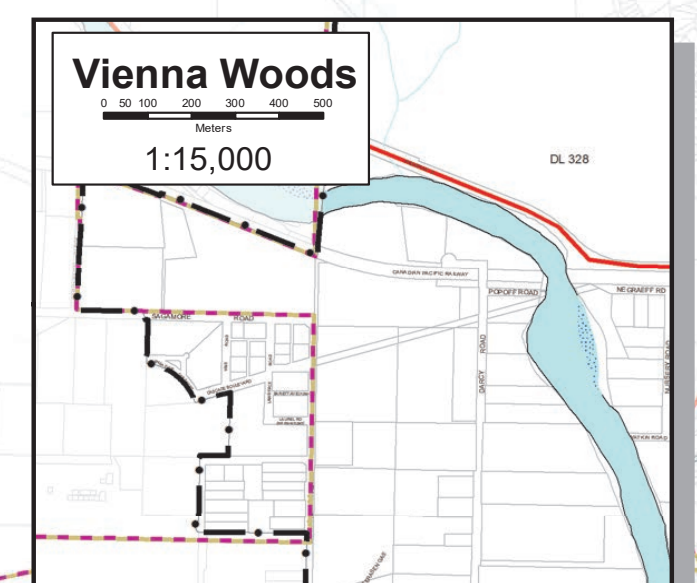
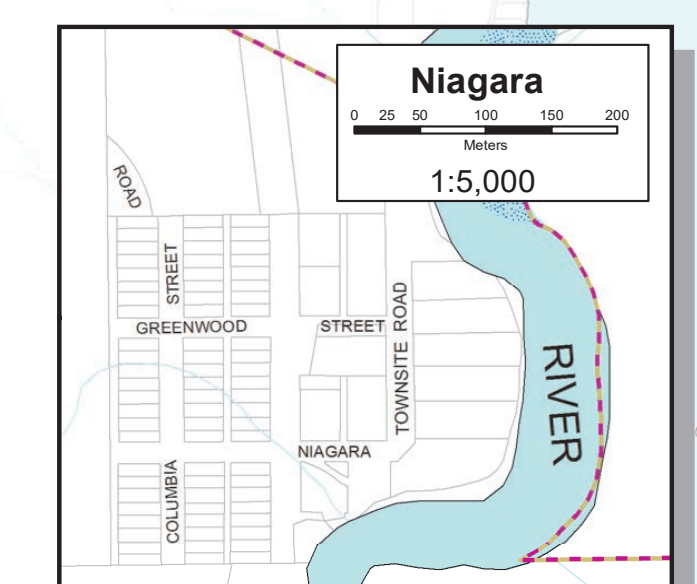
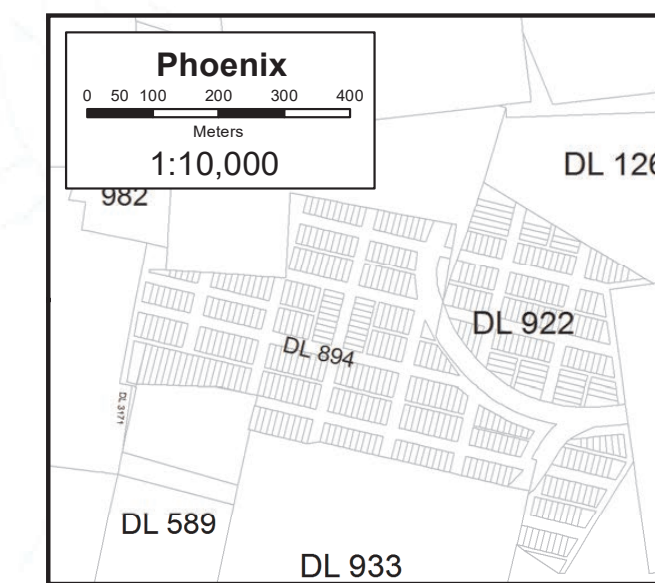
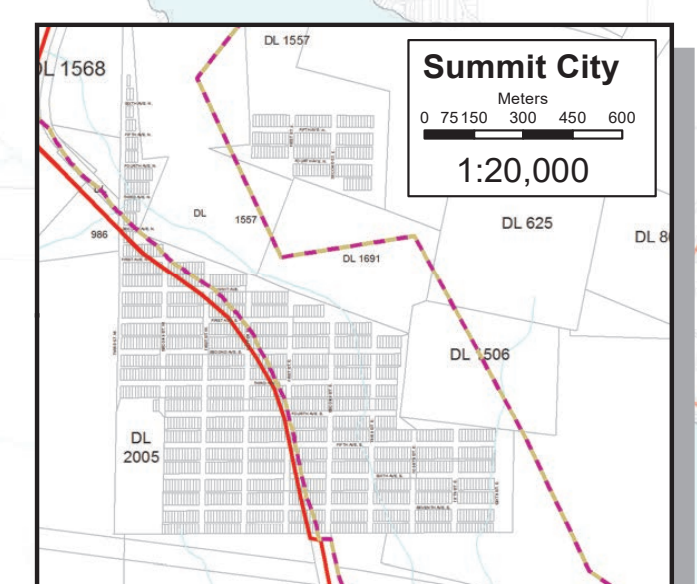
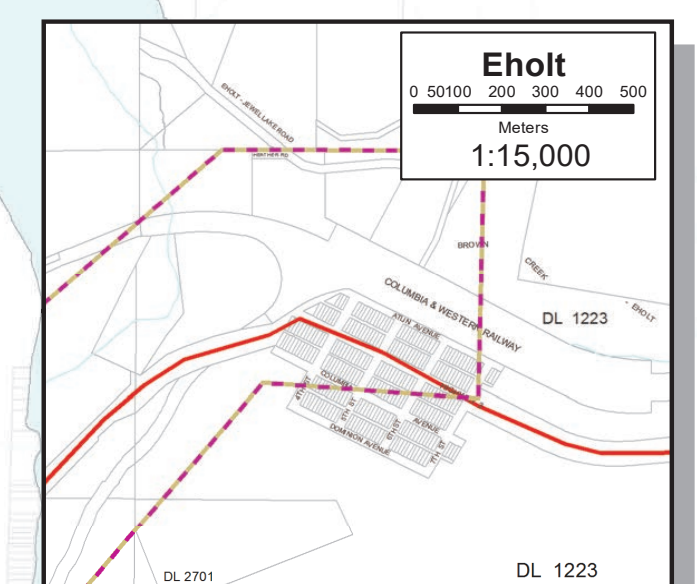
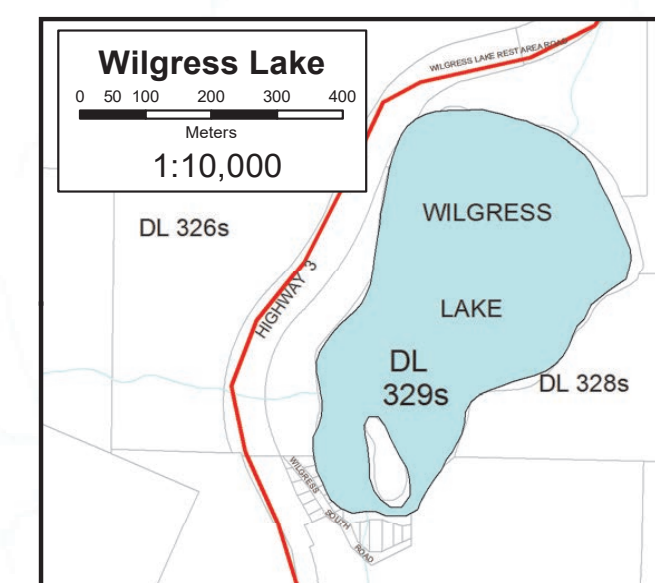
Rural Grand Forks South

0 0.5 1 2 3 4
Kilometres

1:36,000



*The inset maps are determinative
in the event of a conflict.*



British Columbia
Washington, USA

Electoral Area 'B' /Lower Columbia-Old Glory	Grants-In-Aid 2019
Balance Remaining from 2018	\$ (2,868.46)
2019 Requisition	\$ 22,797.00
Less Board Fee 2019	\$ (897.00)
Total Funds Available:	\$ 19,031.54

RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
20-19	Jan-19	Okanagan Nation Alliance	To assist with "Fish in Schools" program	\$ 1,000.00
20-19	Jan-19	Rossland Winter Carnival	To assist with costs of production	\$ 1,000.00
70-19	Jan-31	Trail Ambassador Committee	To assist with Trail Ambassador Program	\$ 750.00
115-19	Feb-21	JL Crowe Secondary School	To assist with the Scholarship Program	\$ 750.00
115-19	Feb-21	Zone 6 BC 55+ Games	To assist with participation in the 2019 Sr. Games	\$ 750.00
135-19	Mar-07	The Kidney Foundation of Canada, BC Branch	To assist with burdens on patients and their families	\$ 250.00
149-19	Mar-07	Kootenay Region Branch of United Nations	To assist with honorarium for Romilly Cavanaugh	\$ 500.00
189-19	Apr-04	Columbia Basin Environmental Education Network	To assist with Wild Voices learning program	\$ 500.00
212-19	Apr-24	Rossland Summit School	To assist with the RSS Bio Blitz	\$ 500.00
Total				\$ 6,000.00
Balance Remaining				\$ 13,031.54

RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
20-19	Jan-19	Okanagan Nation Alliance	To assist with "Fish in Schools" program	\$ 1,000.00
70-19	Jan-31	Christina Lake Stewardship Society	To assist with billboard	\$ 2,058.00
70-19	Jan-31	Christina Lake Stewardship Society	To assist with replacing banners	\$ 1,286.35
115-19	Feb-21	Deer Ridge Water Association	To assist with the transition study	\$ 5,835.00
135-19	Mar-07	Boundary Metis Community Association	To assist with purchase of a banner	\$ 1,568.00
135-19	Mar-07	Little Lakers Learning Centre Society	To assist with day care expenses	\$ 3,500.00
135-19	Mar-07	Zone 6 BC+ Games	To assist with preparation for the 2019 games	\$ 300.00
167-19	Mar-14	Grand Forks Farmers Market	To assist with participation in BC coupon program	\$ 3,000.00
189-19	Apr-04	Christina Gateway Community Development Centre	To assist with Welcome Centre custom printed n	\$ 2,072.32
189-19	Apr-04	Christina Lake Recreation Commission	To assist with Christina Lake Triathlon	\$ 1,000.00
212-19	Apr-24	Friends of the Bonanza Pass - Paul Beattie	To assist with information kiosk	\$ 3,000.00
Total				\$ 24,619.67
Balance Remaining				\$ 47,526.25

RESOLUTION #	DATE	RECIPIENT	DESCRIPTION	AMOUNT
20-19	Jan-19	Okanagan Nation Alliance	To assist with "Fish in Schools" program	\$ 1,000.00
20-19	Jan-19	Perley Elementary School (SD51 Boundary)	To assist with ReWild Project	\$ 5,000.00
167-19	Mar-14	Gallery 2	To assist with website updates	\$ 4,800.00
167-19	Mar-14	Grand Forks Farmers Market	To assist with Participation in BC Coupon Program	\$ 4,000.00
167-19	Mar-14	GF Junior Ultimate Team, Grand Forks Ultimate Club	To assist with entrance fees	\$ 525.00
167-19	Mar-14	Zone 6 55+ Games	To assist with preparation and participation	\$ 300.00
189-19	Apr-19	Grand Forks Border Bruins	To assist with dressing room renovations	\$ 2,500.00
212-19	Apr-24	Grand Forks Figure Skating Club	To assist with ice costs	\$ 1,000.00
Total				\$ 19,125.00
Balance Remaining				\$ 51,132.00

<p align="center">Regional District of Kootenay Boundary Status Report - Gas Tax Agreement April 30, 2019</p>

Revenue:

Area A	\$ 1,117,925.18
Area B	\$ 829,146.30
Area C	\$ 816,636.60
Area D	\$ 1,871,050.07
Area E	\$ 1,236,164.67

TOTAL AVAILABLE FOR PROJECTS

\$ 5,870,922.82**Expenditures:**

Area A	\$ 704,155.48
Area B	\$ 629,187.75
Area C	\$ 491,210.17
Area D	\$ 814,766.54
Area E	\$ 857,072.58

TOTAL SPENT OR COMMITTED

\$ 3,496,392.52**TOTAL REMAINING****\$ 2,374,530.30**

**Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
April 30, 2019**

**ELECTORAL AREA 'A'**

	Description	Status	Allocation	
--	-------------	--------	------------	--

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	Received		91,749.50
Allocation to Dec 31, 2019	Estimated		91,749.50

TOTAL AVAILABLE FOR PROJECTS

\$ 1,117,925.18**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
17-15	Beaver Creek Park - Band Shell/Arbour	Funded		66,434.13
	Beaver Creek Park - Band Shell/Arbour	Pending or Committed		33,565.87
61-17	Fruitvale Elementary Playground -PAC LEAP Project	Completed		20,000.00
126-17	RDKB BVPART (Electrical Upgrade BV Family Park)	Funded		5,327.25
	RDKB BVPART (Electrical Upgrade BV Family Park)	Pending or Committed		4,672.75
153-17	Village of Fruitvale (Fruitvale RV Park)	Completed		70,000.00
		Pending or Committed		
77-18	Village of Fruitvale (Construction of Replica Train Static	Committed		150,000.00
		Pending or Committed		
166-19	Champion Lakes Golf & Country Club (New Metal Roof	Committed		15,000.00

TOTAL SPENT OR COMMITTED

\$ 704,155.48

TOTAL REMAINING

\$ 413,769.70

**Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
April 30, 2019**

ELECTORAL AREA 'B' / LOWER COLUMBIA/OLD GLORY



	Description	Status	Allocation	
--	-------------	--------	------------	--

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	Received	69,964.45
Allocation to Dec 31, 2019	Estimated	69,964.45

TOTAL AVAILABLE FOR PROJECTS

\$ 829,146.30

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)	Completed	-
221-16	Area 'B' Recreation - RDKB (Rivervale Shed)	Completed	8,632.00
	Rossland Historical Museum and Archive		
152-17	Association (Rossland Museum Upgrades)	Completed	25,000.00
	Visions for Small Schools Society (Broadband		
296-17	Installation)	Completed	13,381.80
	Birchbank Golf Club (Upgrade Irrigation		
111-18	Satellite Controller)	Completed	50,000.00
	Silver City Trap Club (Electrical System		
102-19	Upgrades)	Funded	15,664.71
	Silver City Trap Club (Electrical System		
	Upgrades)	Pending or Committed	5,221.57
165-19	Silver City Trap Club (Used Tractor)	Funded	15,960.00
	Silver City Trap Club (Used Tractor)	Pending or Committed	5,320.00

TOTAL SPENT OR COMMITTED

\$ 629,187.75

TOTAL REMAINING

\$ 199,958.55

Status Report - Gas Tax Agreement Electoral Area 'C' / Christina Lake			
80-16	Christina Lake Community Association (Installation Make-Up Air System Shortfall)	Completed	6,263.75
269-16	RDKB C.L. Solar Aquatic System (Plant Rack)	Completed	7,384.83
271-16	RDKB (Boundary Agricultural & Food Project)	Funded	1,714.76
	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	414.95
404-17	RDKB CL PARTS (New Washrooms @ Pickleball/Tennis Courts)	Completed	15,000.00
76-18	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Funded	5,802.14
	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Pending or Committed	5,501.19
TOTAL SPENT OR COMMITTED			\$ 491,210.17
TOTAL REMAINING			\$ 325,426.43

Status Report - Gas Tax Agreement
Electoral Area 'D' / Grand Forks Rural

Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
April 30, 2019



ELECTORAL AREA 'D' / RURAL GRAND FORKS

	Description	Status	Allocation	
--	-------------	--------	------------	--

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	Received		156,473.90
Allocation to Dec 31, 2019	Estimated		156,473.90

TOTAL AVAILABLE FOR PROJECTS

\$ 1,871,050.07

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
2018	Kettle River Watershed Study	Funded		1,257.14
	Kettle River Watershed Study	Pending or Committed		380.31
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 Doukhor Village)	Completed		38,165.19
	Grand Forks Aquatic Center (LED Lights for Natatorium)	Completed		10,565.83
144-16	Natatorium)	Completed		10,565.83
180-16	Grand Forks BMX Society (Track Upgrade)	Completed		5,000.00
246-16	RDKB (Kettle River Heritage Trail)	Funded		100,000.00
268-16	Grand Forks Community Trails Society (New Surface Trans Canada Trail Westend Station)	Completed		24,648.45
271-16	RDKB (Boundary Agricultural & Food Project)	Funded		5,430.11
	RDKB (Boundary Agricultural & Food Project)	Pending or Committed		1,314.04

Status Report - Gas Tax Agreement Electoral Area 'D' / Grand Forks Rural			
293-16	Grand Forks Aquatic Center (Underwater LED Light Replacement)	Completed	11,508.76
451-16	Phoenix Cross Country Ski Society (Trail Grooming Machine)	Completed	20,512.33
467-17	RDKB (Boundary Transit Capital Funding)	Completed	5,889.00
468-17	RDKB (Boundary Trails Master Plan)	Funded	14,438.13
	RDKB (Boundary Trails Master Plan)	Pending or Committed	5,561.87
76-18	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Funded	5,802.14
	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Pending or Committed	5,501.19
112-18	Grand Forks Community Trails Society (North Fork Trans Canada Trail Surface Installation)	Funded	37,500.00
	Grand Forks Community Trails Society (North Fork Trans Canada Trail Surface Installation)	Pending or Committed	12,500.00
258-18	Boundary Museum Society (Black Hawk Livery Addition (40' x 60') Phase 1)	Funded	45,000.00
	Boundary Museum Society (Black Hawk Livery Addition (40' x 60') Phase 1)	Pending or Committed	15,000.00
298-18	RDKB Grand Forks Curling Rink (Facility Condition Assessment)	Funded	4,450.00
	RDKB Grand Forks Curling Rink (Facility Condition Assessment)	Pending or Committed	4,550.00
	RDKB (Boundary Transit 2018 Capital Funding)	Completed	9,965.00
TOTAL SPENT OR COMMITTED			\$ 814,766.54
TOTAL REMAINING			\$ 1,056,283.53

Status Report - Gas Tax Agreements
Electoral Area 'E' / West Boundary

Regional District of Kootenay Boundary
Status Report - Gas Tax Agreement
April 30, 2019



ELECTORAL AREA 'E' / WEST BOUNDARY

	Description	Status	Allocation	
--	-------------	--------	------------	--

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	Received		104,558.52
Allocation to Dec 31, 2019	Estimated		104,558.52

TOTAL AVAILABLE FOR PROJECTS	\$	1,236,164.67
------------------------------	----	--------------

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	
2018	Kettle River Watershed Study	Funded		1,714.29	
	Kettle River Watershed Study	Pending or Committed		518.55	
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 Mcculloch 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)	Funded	11,459.95
	RDKB (Boundary Agricultural & Food Project)	Pending or Committed	2,773.19
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
198-17	Westbridge Recreation Society (Replace Kitchen Westbridge Hall)	Completed	20,699.41
468-17	RDKB (Boundary Trails Master Plan)	Funded	14,438.14
	RDKB (Boundary Trails Master Plan)	Pending or Committed	5,561.86
76-18	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Funded	5,802.14
	RDKB Kettle River Watershed Authority (Drought Management Plan) (\$11,303.33 is Approx Amount; Actual Allocation To Be Determined)	Pending or Committed	5,501.20
152-18	Westbridge Recreation Society (Door Upgrades/ LED Conversion/Curtains & Tracking System)	Completed	7,023.06
154-18	Bridesville Community Club (Hall Addition)	Completed	70,000.00
296-18	Rock Creek & Boundary Fair Association (Assembly Hall Upgrades)	Funded	15,000.00
	Rock Creek & Boundary Fair Association (Assembly Hall Upgrades)	Pending or Committed	5,000.00
297-18	Kettle River Museum (Bunkhouse Upgrades)	Funded	15,000.00
	Kettle River Museum (Bunkhouse Upgrades)	Pending or Committed	5,000.00
467-18	King of Kings New Testament Church (H/E Commercial Dishwasher)	Completed	6,608.51
566-18	Westbridge Recreation Society (Construction of New Building)	Funded	30,637.30
	Westbridge Recreation Society (Construction of New Building)	Pending or Committed	10,212.43
47-19	Kettle Valley Golf Club (Clubhouse Window Replacement)	Pending or Committed	7,945.95
TOTAL SPENT OR COMMITTED			\$ 857,072.58
TOTAL REMAINING			\$ 379,092.09