



Committee Report

Date of Report: 04, 06, 2022
Date & Type of Meeting: 04, 20, 2022, Rural Affairs Committee
Author: Eileen Senyk, Planner
Subject: ZONING BYLAW AMENDMENT
File: Z2201F
Electoral Area: F

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and RDCK Board to consider an application for a bylaw amendment in Electoral Area 'F'. This proposed amendment seeks to add 'Kennel' as an accessory use to the Country Residential zone for this specific property only.

While it is understood that the applicant has put considerable time and thought into a design that could minimize neighbor conflict, the neighborhood response has been unanimously opposed due to the size of the property and the proximity to surrounding homes. For this reason, staff recommend no further action in regards to this rezoning application.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Angus Wright
Property Location: 895 Highway 3A, Rural Nelson, Electoral Area 'F'
Legal Description: LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)
Property Size: 0.4 hectares (1 acre)
Current Zoning: Country Residential (R2) RDCK Zoning Bylaw No. 1675, 2004
Current Official Community Plan Designation: Country Residential (CR) Electoral Area 'F' Official Community Plan No. 2214, 2012

SURROUNDING LAND USES

North: Country Residential (R2)
East: Country Residential (R2) and West Arm Kootenay Lake
South: Multi Unit Residential (R6)
West: Country Residential (R2)

Background and Site Context

The subject property is located in Electoral Area 'F', approximately 1 km east of the big orange bridge on Nelson's north shore. The property is 0.4 hectares in size and there is a dwelling and accessory building (three bay garage) located there. The property is serviced by a Type 1 septic system and a water license.

The proposal is to add an accessory use of 'Kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. Kennels are not a permitted use in the R2 zone. The owner would like to enable a family member to house dogs and operate a dog walking, training and boarding facility based on the property.

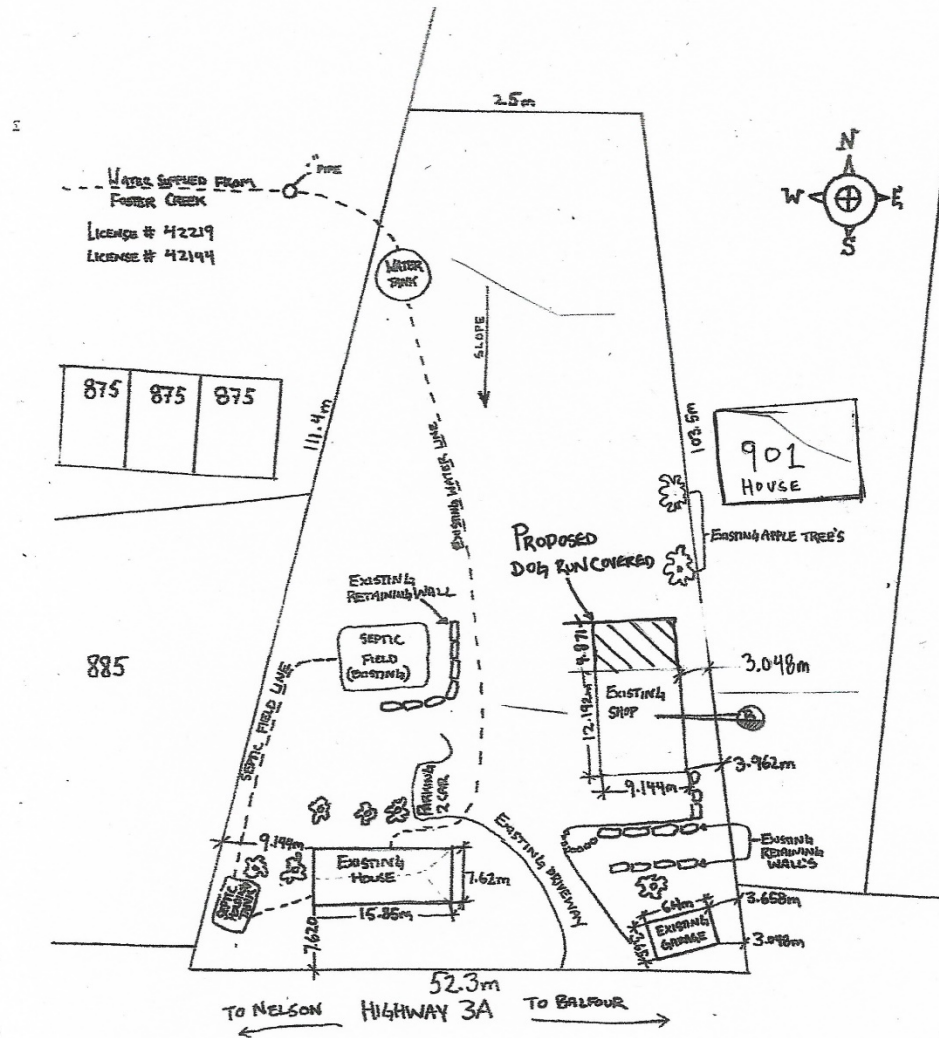
The applicant requested using a site specific approach, wherein the "kennel" use would be added to the R2 zone for this property only. This option was preferred over seeking to rezone to a zone such as the Rural Resource R4 zone that includes the "kennel" use, since that zone requires a minimum site area of 2.0 ha for each of the permitted uses and the subject property falls short of that minimum, being only 0.4 ha.

The property is surrounded by residential use, with single family dwellings on similar or larger lots predominating, with the exception of the high density residential development adjacent to the south.



Figure 1: Overview Map

PLOT PLAN



SUBJECT PROPERTY : 895 HWY 3A, NELSON, B.C. V1L 6J4

LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180

PID 012-600-016

111

Figure 2: Site Plan

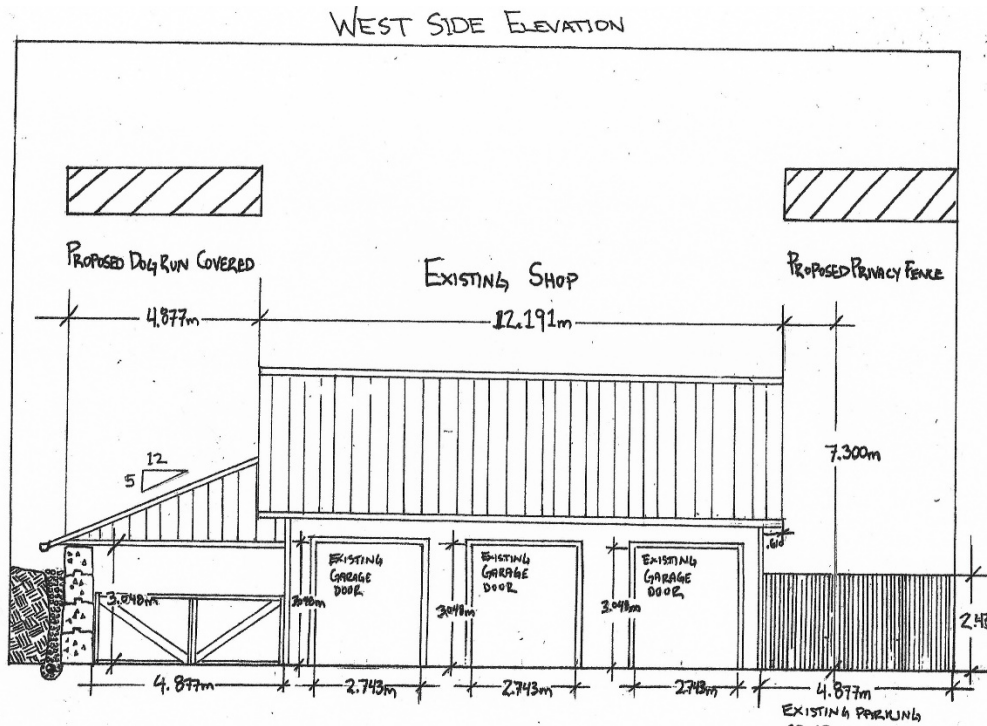


Figure 5: Proposed Covered Dog Run on Existing Accessory Building



Figure 6: Proposed Covered Dog Run



Figure 7: Accessory Building



Figure 8: Property Viewed from East Lot Line



Figure 9: Property Viewed Facing West from Accessory Building

Planning Policy

Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011

Section 11 – Residential Lands and Housing

11.4 Rural, Country, and Suburban Residential

The Regional Board:

- .1 Considers that new Rural, Country, and Suburban Residential development may be created in the rural area, but that the development must respect the character of the rural area, and therefore, the Regional Board will use the following criteria, in addition to those listed under General Residential policies where appropriate, to assess future development:
 - a. location near parks or community facilities, and connected by pedestrian circulation to these amenities;
 - b. exhibits an attractive and safe streetscape by providing for adequate off-street parking requirements, on-site landscaping and screening, and appropriate signage;
 - c. respects lake and mountain views, and access to sunlight of adjacent properties; and,
 - d. provides access without constructing new roads or utility corridors through Environmental Reserves, hazard areas, and without creating permanent scarring on slopes visible from major roads or residential areas.
- .2 Encourages cluster housing development based on examination of the criteria set out under the Growth Management section.
- .3 Supports small-scale, home-based service, commercial, and industrial uses in Suburban Residential areas, providing such uses shall not conflict with the residential character of the area.

RDCK Zoning Bylaw No. 1675, 2004 Division 5 defines a 'kennel' as follows:

KENNEL means a building, structure, compound, group of pens or cages or property where four (4) or more adult dogs (dogs aged six (6) months and older) are, or are intended to be trained, cared for, bred, boarded or kept either for commercial, hobby or not-for-profit purposes; and where dogs bred on the same property and pet supplies may be made available for auxiliary sale.

By this definition, there is no limit on the number of dogs that can be kept and it does not matter whether the dogs are there for hobby, commercial or not-for-profit purposes. In Rural Resource (R4) zones or Agricultural zones, there are development regulations, which identify a minimum site area and setback distances required for the use. Minimum site area is typically 2 hectares and setback distances from lot lines are between 7.5 metres and 30 metres.

The subject property is too small to meet these development regulations. For this reason, a site specific zoning amendment was applied for. Amending Bylaw No. 2827, 2022 includes provisions to limit the number of animals and the hours that they can be kept in the covered dog run.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The application fee was paid in full pursuant to RDCK Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Kennels are a permitted principal use in Rural Resource (R4) and Agricultural zones in Electoral Area 'F'. Properties in these zones are typically characterized as being large in size and having adequate space to meet the setback requirements for kennels. The subject property cannot meet the size or setback requirements for the applicable development regulations in the Rural Resource or Agricultural zones, and so the proponent applied for a site specific amendment to the R2 zone. The principal use would remain residential.

The RDCK has a Dog Control Bylaw; 'Bylaw No. 2387- A Bylaw to regulate the keeping of dogs within Electoral Areas E and F'. This bylaw is administrated by the RDCK's Bylaw Enforcement department and deals with the control and impoundment of dangerous dogs or dogs at large.

The RDCK also has a Noise Bylaw; Bylaw 2440, a bylaw to prohibit or regulate noise levels within Electoral Areas A, C, E, F, G and J of the Regional District of Central Kootenay. Dogs barking persistently are included as a noise which is objectionable or are liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public.

3.3 Environmental Considerations

The Ministry of Forests Lands Natural Resource Operations and Rural Development identified the potential for wildlife conflict and advised that noise be kept to a minimum and that attractants such as dog food be kept in a secure area to avoid attracting wildlife.

3.4 Social Considerations:

The proposal has the potential to have an adverse affect on neighboring property owners. Responses in opposition cited concerns regarding noise, odor and safety issues (see Section 3.6 and Attachment B).

3.5 Economic Considerations:

The kennel would provide a household income for one family.

3.6 Communication Considerations:

The applications was circulated to 36 surrounding land owners as well as appropriate government agencies and First Nations. 30 responses were received from neighboring land owners. The responses all opposed the proposal. Neighborhood responses are included in their entirety in Attachment B. The following table summarizes concerns and some responses provided by Planning and Bylaw Enforcement staff.

Public Concern	RDCK Staff Response
Noise	Bylaw Enforcement raised concerns that the site is too small and the setbacks insufficient to contain the potential noise.
Odor	The applicant has proposed that waste created by the dogs will be removed by a private company. There is no way for the RDCK to enforce this.
Dogs getting loose and causing safety concerns	The applicant proposes that the dogs will be kept in the building while on the property, and will be exercised off site. As with the concern regarding odor, this is difficult to enforce.
Wildlife	The Ministry of Forests Lands, Natural Resource Operations and Rural Development has provided comments regarding wildlife which are noted below.
Property value	RDCK staff have no expertise in assessing property values. There is no data to demonstrate how a kennel would affect property values for surrounding properties. A local Real Estate Agent provided the following comments to the residents of Briarwood Estate (neighboring property), which can be found in full in Attachment B: <i>"I have been a licensed realtor in Nelson for almost 35 years. It is my opinion that without a doubt the market value of the units in your strata will be negatively affected by at least 10 – 20% should the application be approved."</i>

The following responses were received by government agencies, First Nations and internal RDCK departments:

RDCK Bylaw Enforcement Department – Team Leader, Bylaw Enforcement

Re: Response Summary. Planning File No. Z2201F. Applicant – Mr. Angus Wright.

Thank you for providing the Regional District of Central Kootenay (RDCK) Bylaw Enforcement Department opportunity to provide a summary response to Mr. Angus Wright's application to have Kennels included as a permitted use for his property located at 895 Highway 3A and located within Electoral Area F of the RDCK.

The Bylaw Department is opposed to this application for the following reasons:

- *The property is 0.4 hectares in size and is located in close proximity to single family and multifamily residences.*
- *The setback distances are insufficient to provide a buffer to the sounds and smells associated with a kennel.*
- *Housing up to 30 dogs on a property of this size and configuration could potentially cause conflict and involve intervention by the Bylaw Department.*
- *While the amending bylaw includes hours of operation, this could be difficult to enforce if they are not adhered to.*
- *The design does not include a perimeter fence to ensure that dogs do not cause a nuisance or safety hazard on other properties or the highway.*
- *The Bylaw Department has concerns that neighbors will make complaints associated with the noise bylaw due to barking and other sounds associated with kennels.*
- *There is concern regarding removal of dog waste. There is no regulatory mechanism to enforce waste being removed daily and there could be logistical complications in this regard.*

For the above noted reasons and concerns with the number of dogs (client and Ms. Ella Wright's dogs) to be kept on a property that is located within a predominantly residential area of electoral Area F may cause an increase in complaints being recorded for:

Insufficient site area, insufficient setback from all property lines, odours, the likelihood of increased barking, howling or whining emanating from the property which may cause concern for people who work shift work and need to sleep during the day time/ people who are addressing severe health related issues who need quiet times while they rest and other persons who may work from home in close vicinity of the Wright property. Plus the fact that there is a huge number of dogs being kept on the one acre property has valid concerns for noise related complaints as not all of the residents in the area may want to call the Wright family when they are disturbed.

*Bylaw Enforcement Department including the Team leader **does not support this application.***

Ministry of Forests Lands Natural Resource Operations and Rural Development – Senior Authorizations Officer

The proposed use of the property will likely require a new water license for commercial enterprise purpose. An application can be placed by the landowner through FrontCounterBC. The water license should not be a precondition of the bylaw amendment, as it will likely take several years to process the application.

Penticton Indian Band – Referrals Coordinator

We are in receipt of the above referral. The proposed activity is located within Syilx (Okanagan) Nation Territory and the Penticton Indian Band (PIB) Area of Interest. All lands and resources within the vicinity of the proposed project are subject to our unextinguished Aboriginal Title and Rights. The Penticton Indian Band has now had the opportunity to review the proposed project. Our preliminary office review has indicated the proposed activity is located within an area of cultural significance and has the potential to impact PIB tmxwulaxw (lands) and syilx cultural heritage. Our tmxwulaxw and siwlkw is sacred to the syilx nation and it is PIB's responsibility to take care of all lands, waters and living things within the PIB area of interest.

As the proposed activity has the potential to impact irreplaceable syilx cultural heritage and lands, the PIB is requiring a Cultural Heritage Resource Assessment be undertaken by qualified PIB Cultural Heritage Technicians (CHRA) to determine the nature and extent of any potential impacts. The PIB CHRA process involves in-field pedestrian surveys using either systematic or judgemental site sampling techniques to assess the archaeological, cultural, and environmental resource potential of the study area, and to identify the need for project modifications and/or appropriate scope of further field studies if required.

The Penticton Indian Band makes information based decisions and without a CHRA, we do not have enough information on potential impacts to syilx cultural heritage. Therefore, if our requirements are not fulfilled, we will have no other option but option but to reject the proposed project.

Please note that our participation in the referral and consultation process does not define or amend PIB's Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

Ministry of Forests Lands Natural Resource Operations and Rural Development – Habitat Officer

Habitat Management's legislated and professional responsibilities include, but are not limited to: the provincial Water Sustainability Act, the Wildlife Act, the Forest and Range Practices Act (FRPA) and the Government Actions Regulation under FRPA, as well as having provincial responsibility for the federal Species at Risk Act.

These are comments based on the information provided by the proponent in the referral package. They do not represent a comprehensive evaluation, rather some advice on what to consider for mitigation of possible negative ecosystem impacts of the proposed works. They also do not remove the obligation of the proponent to comply with ALL applicable laws and statutes.

This project should not create significant adverse environmental impacts if the proponent stores possible wildlife attractants securely, contains dogs to property, minimizes noise levels, follows Section 34 of the Wildlife Act regarding tree removal, and implements measures to prevent introduction and/or reduce the spread or establishment of invasive plants on site.

Regarding Wildlife Conflicts: The right of way to the west of the property, up slope, has the potential to be an important wildlife movement corridor. Therefore, dogs at this facility will be contained to the property at all times as to not disturb nearby wildlife.

- *Noise levels will be kept to a minimum as to not disturb nearby wildlife.*
- *The area is also bear habitat, therefore all possible attractants such as dog food will be stored securely as to not attract dangerous wildlife and avoid habituation.*

Front Counter BC – Stewardship Officer

As this file relates to private land I do not have any comments. Referrals related to zoning changes of private land do not need to be referred to our office as we only manage crown lands.

3.7 Staffing/Departmental Workplace Considerations:

Should the Board choose to give the amending bylaw First and Second reading and refer to a Public Hearing, staff will follow the procedures for a public hearing pursuant to RDCK Fees and Procedures Bylaw No. 2457. 2015.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS

Planning Discussion

The proposal is to add a kennel as an accessory use on the subject property. The property is zoned Country Residential (R2) and is 0.4 hectares (1 acre) in size. It is located in close proximity to several single family dwellings and multi-family units. The Electoral Area 'F' Official Community Plan 'Supports small-scale, home-based service, commercial, and industrial uses in Suburban Residential areas, providing such uses shall not conflict with the residential character of the area.' In this case there is potential for conflict given the concerns raised by neighboring residents and land owners and the scale of the operation relative to the principal residential use.

The applicant is proposing mitigative measures to minimize noise, odor and safety concerns. However, staff consider that those measure may not be sufficient to address the impact to the neighbours. Furthermore, once the use is added to the property there would be no mechanism to control how the next owners would operate the facility. Even under the current ownership, only the number of animals and the hours that they may be outside of the enclosed building can be regulated by the amending bylaw.

Thirty (30) responses in opposition to the proposal were received following a referral which included thirty six (36) property owners. The RDCK Bylaw Enforcement team does not support the proposal for several reasons, but primarily due to the small size of the property and proximity to other residences.

Option 1

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 2827, 2022.

Option 2

That Regional District of Central Kootenay Zoning Amendment Bylaw No. 2827, 2022 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.

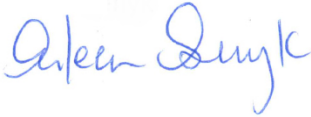
And Further

That in accordance with Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, Electoral Area F Director Tom Newell is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

SECTION 5: RECOMMENDATIONS

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 2827, 2022.

Respectfully submitted,



Eileen Senyk

CONCURRENCE

Planning Manager – Nelson Wight

Manager Development and Community Sustainability – Sangita Sudan

Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

Attachment A – Draft Amending Bylaw

Attachment B – Referral Responses

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2827, 2022

A Bylaw to amend RDCK Zoning Bylaw No. 1675, 2004

WHEREAS it is deemed expedient to amend the RDCK Zoning Bylaw No. 1675, 2004, and amendments thereto.

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

APPLICATION

- 1. That Schedule 'A' of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended by changing the Zoning Designation of LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016) from Country Residential (R2) to Country Residential (R2) Site Specific as shown on Schedule 'A' which is attached hereto and forms part of this bylaw:
1.1. Division 11, Country Residential Permitted Uses, 1100, Site Specific Lot A District Lot 3212 Kootenay District Plan 12180 "Kennel" be added as an accessory use, no more than 30 animals on the premises at any time and animals to be confined within an enclosed building between 8 pm and 7 am.
2. This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3. This Bylaw may be cited as "Regional District of Central Kootenay Zoning Amendment Bylaw No. 2827, 2022."

READ A FIRST TIME this 21 day of April, 2022.

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

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

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

[Controlled Highway or Exceeds 4500 sq.m] APPROVED under Section 52 (3)(a) of the Transportation Act this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Infrastructure

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

[Name of Board Chair], Board Chair

[Name of CO], Corporate Officer

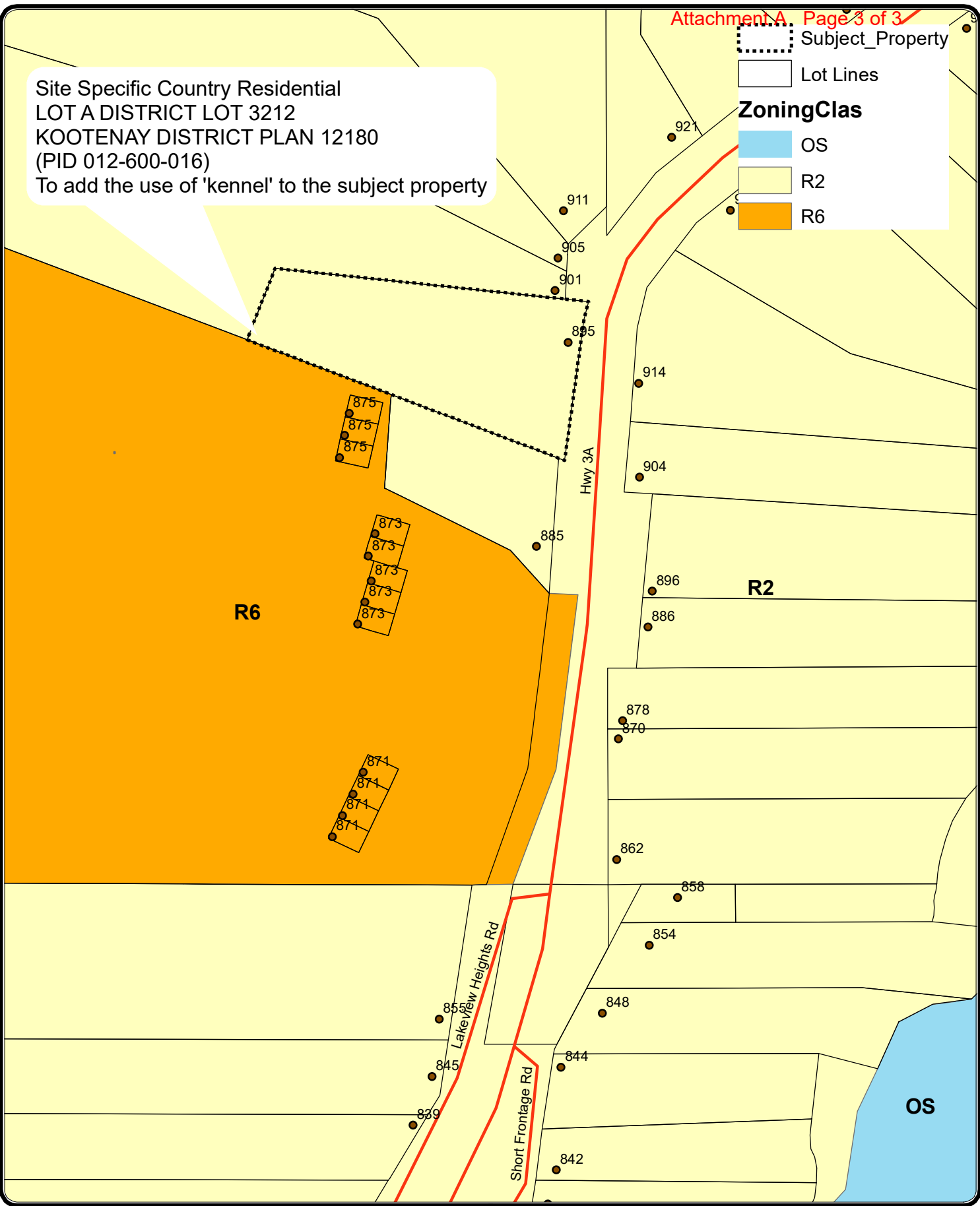
Site Specific Country Residential
LOT A DISTRICT LOT 3212
KOOTENAY DISTRICT PLAN 12180
(PID 012-600-016)
To add the use of 'kennel' to the subject property

Subject_Property

Lot Lines

ZoningClas

- OS
- R2
- R6



Regional District of Central Kootenay Zoning Amendment Bylaw No. 2827, 2022
Schedule 'A'
Planning File No. Z2201F

Map Projection: UTM Zone 11 Map Datum: NAD83
 Date Plotted: Wednesday, April 6, 2022

March 3, 2022

Stewart McLeod
926 Highway 3a
Nelson BC V1L 6J5

Eileen Senyk
Planner
Development Services
RDCK
Box 590 202 Lakeside Dr.
Nelson BC V1L 5R4

Dear Ms. Senyk

This letter is to oppose RDCK Planning File No. Z2201F – Bylaw Amendment Application by Angus Wright to add a dog kennel business at 895 Highway 3A, Nelson BC for the following reasons:

1. This is a residential area and changing the Bylaws to allow a commercial kennel with barking dogs is totally inappropriate. We feel that the potential noise from barking dogs and the kennel operation would significantly adversely affect our quality of living.
2. We do not believe that the comment by the applicant that dog feces will be picked up every day as it is impossible on many winter days.
In the evening there is a downdraft from the mountain and I am sure there will be an odor from the business on these days.
3. With a substantial amount of wild life in the area we believe there will be a significant amount of interaction causing the dogs to bark day and night and they will also disturb the wild life that frequent the area.

In summation we feel that this is an inappropriate business for this residential area and oppose the bylaw amendment.

If there is to be a public meeting we would appreciate being notified so that we can attend.

Yours truly,

Stewart and Bronwen McLeod

[Redacted Signature]

cc. Tom Newell

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

3 March 2022

Date:

STEWART MCLEOD

BRONWEN MCLEOD

Name (please print)

Stewart McLeod

Bronwen McLeod

Signature

926 HWY 3A NELSON BC

Civic Address

[REDACTED]
Email Address

To Eileen Senyk Planner
Development Services
Regional District of Central Kootenay
Box 590 - 202 Lakeside Dr.
Nelson, BC V1L-5R4

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 4/2022.
Date:

P. Gail Russell
Name (please print)

G Russell
Signature

896 Hwy 3A, Nelson BC V1L-6J4
Civic Address

g.russell@gmail.com
Email Address

In addition to the concerns raised on
the next page we have been informed
that there would be a decrease in
our property value. *G Russell.*

- The Applicant's property is in the heart of a residential community entirely zoned as R6 High Density Residential.
- Brierwood Strata Estates consists of 12 townhouse units where owners must be 45 years of age and older, most of whom are retired and home all day every day. Our buildings directly border above the applicant's property on two sides. Our homes abut the Applicant's entire property and will be beside the proposed dog kennel and dog run as set-out in the Applicant's drawing. The potential noise from barking dogs and the Kennel operation, would significantly adversely affect our quality of living.
- In addition, Unit 10, 11 & 12 (875 on RDCK map) borders right beside the Applicant's west side property line, which would be a matter of yards in adjacent proximity to the proposed Kennel and Dog Run. It would literally be located "right next door".
- The Applicant indicates in his Application that noise from the dogs would be "limited". In reality, dogs bark at all times. Whether housed in a shop or outside in a pen, the noise will carry. The Applicant has indicated in his Application, that the family member (Ella Wright), who plans on occupying the premises noted in the Application, "*currently owns more rescue dogs than the current "3 dog limit" that zoning allows*". He told the Owner of our Unit 12 that Ella Wright currently houses 15 Chihuahua's and conducts dog rescues in Alberta. She intends to continue this practice, in addition to conducting a boarding kennel business once occupying the property noted on the Application. This means a "significant" number of dogs at all times.
- Our area is frequented by bears, wild turkeys, deer and many varieties of wildlife. Our property is a corridor for bears who travel through our area on route to the Applicant's property as he has many fruit trees on his property. The combination of a dog kennel where there is so much wildlife would cause significant chaos and frenzied barking and howling.
- The Applicant outlines in his Application a list of items that Ella Wright will conduct in managing a dog kennel operation on his property. It is easy to make these declarations when submitting an application, however should he be granted the variance, there can be no guarantee that these declarations will be adhered to in the months and years to come, nor monitored or held accountable when the neighbours are adversely affected.
- With our homes, and so many of our neighbours homes in direct proximity to this proposal, we suggest that this is an extremely inappropriate location for such a business. It would be at the sacrifice of all those who must endure the noise of the operation, smell of feces that could not possibly be managed on a daily basis, and unending barking every single day.
- In addition to the Applicant, we are also residents in the RDCK boundaries, and as such, should be equally considered and represented in our opposition to this proposed Application.
- Finally, there is great concern about the adverse affect a dog kennel business directly adjacent to our property will have on our property values and any potential sales of our properties.


From: [Joanne Chimenti](#)
To: [GRP_PlanDept](#)
Cc: [Tom Newell](#)
Subject: 895 Highway 3A, Nelson Planning File Z2201F
Date: Thursday, March 10, 2022 9:02:39 AM

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

Attention : Eileen Senyk, Planner

As a resident of the North Shore, Nelson, a few blocks east of this proposal, I object to the allowance of this property, zoned as Country Residential, to be used to house dogs and for the operation of a dog training facility.. In researching "dog's barks", I find that their barks can be heard for at least a mile or two. Imagine when one starts, and they all start! Is it possible to stop a barking dog(s)? Other dogs in the neighbourhood will naturally follow suit. Wild life is often present in our area, and this would, no doubt, cause more barking and growling. Please do not allow this operation to proceed.

Thank you for hearing my concerns.

Joanne Chimenti
1012 Highway 3A
Nelson, B.C.



From: [Joanne Chimenti](#)
To: [GRP_PlanDept](#)
Cc: [Tom Newell](#)
Subject: 895 Highway 3A, Nelson Planning File Z2201F
Date: Thursday, March 10, 2022 9:02:39 AM

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

Attention : Eileen Senyk, Planner

As a resident of the North Shore, Nelson, a few blocks east of this proposal, I object to the allowance of this property, zoned as Country Residential, to be used to house dogs and for the operation of a dog training facility.. In researching "dog's barks", I find that their barks can be heard for at least a mile or two. Imagine when one starts, and they all start! Is it possible to stop a barking dog(s)? Other dogs in the neighbourhood will naturally follow suit. Wild life is often present in our area, and this would, no doubt, cause more barking and growling. Please do not allow this operation to proceed.

Thank you for hearing my concerns.

Joanne Chimenti
1012 Highway 3A
Nelson, B.C.




REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
Amendment to Zoning Bylaw No. 1675, 2004
Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:

Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk, PLANNER
REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ+WT (WEST BANK)
 - SUKNAQÍN?X (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW?T (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE SEE ATTACHED LETTER

Name: COLIN DAVIES

Date: MARCH 14, 2022

Agency: 11-871 HWY 3A
NELSON, BC V1L 6J4

Title:

RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY

March 14, 2022

Eileen Senyk
Planner Dev. Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

Dear Ms. Senyk:

Re: RDCK Planning File No: Z2201F

I am writing to express my concern regarding the requested zoning amendment which would allow for a change to allow more than 3 dogs as per the current Bylaw, and a kennel and dog training facility immediately adjacent to a residential setting with high density residences.


My unit - #11, is surrounded by the Applicant's property both directly above and beside his property lines. My unit is attached to unit #12, which is a matter of yards from his property line. Dogs barking would be very loud in my home. I am 89 years old and have lived in Brierwood for over twenty years. This request is causing me significant stress and I believe would have a negative impact on my health.

As the Applicant's property is not fenced, I worry that dogs may escape. In addition, that wild animals such as coyotes etc., may be attracted to the cries of dogs held in a kennel.


My home has been peaceful and quiet, and a wonderful place to live. I am very stressed at the thought of listening to barking dogs, and the smells that cannot be contained by many dogs all day, every day, literally now in "my back yard".

I urge you to deny this request, for me, and my neighbours!

Yours truly,



Colin Davies
11 - 871 Hwy 3A
Nelson, BC V1L 6J4


(no email)

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 14, 2022

Date:

COLIN DAVIES

Name (please print)

C. Davies

Signature

11-871 HWY 3A, NELSON, BC V1L 6J4

Civic Address

none -

Email Address

FROM COLIN DAVIES



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED 0.4 Hectares	ALR STATUS N/A	ZONING DESIGNATION Country Residential (R2)	OCP DESIGNATION Country Residential (CR)
--	--------------------------	---	--

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Colin Davies

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ+WT (WEST BANK)
 - SUKNAQÍN?X (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW?T (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE SEE ATTACHED LETTER

Name: COLIN DAVIES	Date: MARCH 14, 2022
Agency: 11-871 HWY 3A NELSON, BC V1L 6J4	Title:

**RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

March 14, 2022

Eileen Senyk
Planner Dev. Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

Dear Ms. Senyk:

Re: RDCK Planning File No: Z2201F

I am writing to express my concern regarding the requested zoning amendment which would allow for a change to allow more than 3 dogs as per the current Bylaw, and a kennel and dog training facility immediately adjacent to a residential setting with high density residences.

My unit - #11, is surrounded by the Applicant's property both directly above and beside his property lines. My unit is attached to unit #12, which is a matter of yards from his property line. Dogs barking would be very loud in my home. I am 89 years old and have lived in Brierwood for over twenty years. This request is causing me significant stress and I believe would have a negative impact on my health.

As the Applicant's property is not fenced, I worry that dogs may escape. In addition, that wild animals such as coyotes etc., may be attracted to the cries of dogs held in a kennel.

My home has been peaceful and quiet, and a wonderful place to live. I am very stressed at the thought of listening to barking dogs, and the smells that cannot be contained by many dogs all day, every day, literally now in "my back yard".

I urge you to deny this request, for me, and my neighbours!

Yours truly,

Colin Howard Davies

Colin Davies
11 - 871 Hwy 3A
Nelson, BC V1L 6J4

██████████
██████████

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 14, 2022

Date:

COLIN DAVIES

Name (please print)

C. Davies

Signature

11-871 HWY 3A, NELSON, BC V1L 6J4

Civic Address

none -

Email Address

FROM: LINDA DEBIENNE



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
- HABITAT BRANCH
- FRONT COUNTER BC (FLNRORD)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH HBE Team, Nelson
- KOOTENAY LAKES PARTNERSHIP
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K+K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ+WT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

Please see attached document.

Name:	Linda Debienne #3-871 Hwy 3A, Nelson	Date:	March 6, 2022
Agency:		Title:	

**RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

PLANNING DEPARTMENT, RDCK

FILE Z2201F

I am writing to voice my opposition to Angus Wright's proposed rezoning application of his property from Suburban Residential (R1) to Country Residential (R2).

I am a retiree who moved into this condo complex to enjoy the quiet lifestyle with residents of like minds. I am extremely concerned for the potential chaos that a kennel would bring to this area.

I have experience with leaving my own dog at a kennel. There was never a single time I went there when no dogs were barking, both outside in the dog run as well as inside the building. There is no controlling the barking, no matter what the applicant or owner is stating in his proposal. There is no way to "limit" the noise of one dog, let alone many in a confined space.

We have many wild animals roaming through our property and these dogs could not only be in danger, they could also attract more wildlife. We have bears, cougars, coyotes and turkeys making their way throughout our property. This would also set off a barking frenzy. Fruit trees on the applicant's property are a wildlife attractant, once again setting off the dogs.

We are so close to a busy highway and the risk to dogs getting loose from the yard is substantial, which in turn is a hazard to the traffic.

There is no guarantee that dog waste will be picked up daily, and certainly on a hot day once a day is not frequent enough. Where will that waste be stored until disposal? The smell emanating from this will be unbearable and is not acceptable.

We've been told by a realtor that a kennel would most certainly reduce our property values. Again, none of us purchased our units to lose money.

Please consider the opposition to this proposed application by the residents of Brierwood who reside within RDCK boundaries.

Linda Debiene
3-871 Hwy 3A
Nelson, BC
V1L 6J4



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 1, 2022

Date:

Linda Debienne

Name (please print)

Linda Debienne

Signature

Unit #3 871 Hwy 3A Nelson, BC V1L 6J4

Civic Address

[Redacted]

Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 15/22

Date:

Fortunata Nimiriken

Name (please print)

(Signature)

Signature

802 Unas St. Nelson BC

Civic Address

(Redacted)


Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

Date: March 15/22

Name (please print) VIRGINIA MCGREGOR

Signature 

Civic Address #2 739 Hwy 3A Nelson, BC. V1L 6M4

Email Address _____

FROM RAJ DOWNE



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

[Handwritten signature]

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
- HABITAT BRANCH
- FRONT COUNTER BC (FLNRORD)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH HBE Team, Nelson
- KOOTENAY LAKES PARTNERSHIP
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K+K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍNX (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY

PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

NOTE: Please see what attached document as my response to
 PLANNING FILE NO: Z2201F APPLICANT:
 ANGUS WRIGHT.

Name: RAJ DOWNE Date: March 16, 2022
 Agency: UNIT 6, 871 HIWAY 3A Title: _____
NELSON, BC, V1L-6J4

RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

March 16, 2022,

Ms. Eileen Senyk
Planner, Development Services,
Regional District of Central Kootenay,
Box 590, 202 Lakeside Drive,
Nelson, BC, V1L 5R4

Dear Ms. Senyk,

Re: RDCK Planning File # Z2201F

I am writing this letter to express my concern regarding the request for amendment to the zoning bylaw which would allow the owner of 895, H/Way 3A, to develop a commercial kennel on the said property.

My concerns are as follows:

1. **Noise:** I purchased this property in 2000 with the desire to live in a quiet, peaceful, friendly and commercial free neighbourhood. With a dog kennel, practically being only a few yards away from my home, housing several dogs on a permanent basis will create a huge problem for me.

I am a retired senior currently, spending most of my time at home in a quiet and tranquil environment. With the dogs barking throughout the day and night, I'm afraid that this will have very negative effect on my physical and mental health, disrupting my peaceful rest and sleep. Also, being elderly residents, some of us are already immunocompromised, (I'm being one of them) and noisy environment will have further negative impact on our health.

2. **Olfactory Pollution:** With so many dogs on the property, it cannot be feasible to collect every bit of feces several times in a day. The smell and pollution from the feces and urine, over time will have a negative impact on our health, and wellbeing. With the winds, the smell will flow up towards our property at Brierwood.
3. **Safety:** Brierwood property is in the corridor of wild animals such as bears, coyotes, cougars and deer. The presence of these animals will create a havoc and anxiety for the dogs making them more restless, agitated, and nervous resulting in them being even more noisy which will affect us even more.

The proposal also mentions that business owner will continue to house rescue dogs, which could have significant safety issues for us elderly Brierwood residents, visitors and children. Even though, the dogs will be kept in fenced off dog run and in kennels, there is absolutely not a 100% guarantee that a dog or more than one dog could end up on our property and endanger our safety as the Applicant's property is not fenced.

4. **Property Value:** As retired senior citizens and being on fixed income, when the time comes, we count on the proceeds from the sale of our property, to carry us through our most likely more venerable and fragile years should we end up in Long Term Care Facilities or need to hire workers to look after us. With a large dog kennel housing many dogs including rescue dogs, the resale value of the property will undoubtedly be severely and negatively affected. Also, this is supported by a letter from a very experienced licensed, local Realtor who stated that, "It is my opinion that without a doubt the Market



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG


Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 1ST, 2022
Date:

RAJ DOWNE
Name (please print)


Signature

UNIT #6, 871 HWY 3A, NELSON, BC,
Civic Address VIL-654


Email Address

From Howie Hyssop



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:

Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

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

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE SEE ATTACHED DOCUMENT

Name:	Howie Hyssop #3-871 Hwy 3A Nelson	Date:	MARCH 15 TH 2022
Agency:		Title:	

**RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

File No. 22201F

Angus Wrights Dog Kennel and Dog Boarding

Location: I think this location for a Dog Kennel is Outrageous, way too close to the highway and adjacent properties.

Property Values: I have talked to a few Realtors i know and they have told me the value of the Condos will go down about 20%, plus it would be harder to sell the Condos.

Drop off of Dogs: The proposal says that there would be no drop offs of Dogs. I find this very hard to believe as everyone has a busy schedule and it would be way easier to just drop their Dog off.

Noise : As an owner of a Dog for eleven years we used to drop off our Dog at Waggs, everytime we did the noise was crazy, inside and out. Imagine the noise during a 24 hour period, this would drive us all crazy.

Smell: The smell day in and day out would be unbearable especially during the summer months. No thanks.

Dogs: A couple of years ago Angus brought a few larger dogs onto the site for about a week, the noise was for most of the day and they were wandering everywhere.

Wildlife: This Kennel would attract numerous amounts and a variety of different animals to this location, which would cause many other problems.

Retirement Place: This is a quiet Retirement Place with many elderly people, this would disrupt the whole area and cause many unhappy people.

Howie Hyssop
3-871 Hwy 3A
Nelson BC
V1L 6J4



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhalla-pathrealty.com

SIGNATORY LIST


To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 15TH 2022
Date:

Howie Hyssop
Name (please print)


Signature

871 Hwy 3A
Civic Address


Email Address

FROM JUDITH RICHARDS



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
- HABITAT BRANCH
- FRONT COUNTER BC (FLNRORD)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH HBE Team, Nelson
- KOOTENAY LAKES PARTNERSHIP
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

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

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

See attached letter.

Name: Judith Richards Date: 05 MAR 2022
Agency: #1-871 Hwy 3A Nelson Title: _____

**RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

Eileen Senyk, Planner, Development Services.

File No Z2201F

March 2, 2022

Unit 1, 871 Hwy 3A, Nelson, BC, V1L6J4

I am writing this letter to voice my concerns and objections to the proposed dog kennel business directly adjacent to my property. I strongly feel this type of business is wholly inappropriate in a residential locale. My wife and I bought this property just a year ago as part of our retirement plan ie a QUIET, friendly, small, community of like minded mature people.

My concerns are as follows,

NOISE

I find it difficult to comprehend how the RDCK would even consider a variance to allow someone in a high residential area to start up a dog kennel business with up to thirty dogs. We all know and understand that when one dog starts barking, others in the close vicinity join in the chorus. My unit is one of the furthest from the proposed kennel, however I have a direct line of sight from my deck to the said property, with very little foliage or trees to deaden the sound. Our property is also a wildlife corridor year round, especially in the summer, with bears, deer and a resident pack of coyotes on the mountain directly behind. There will be constant barking day and night and I for one did not buy this property with that in mind.

SMELL

I am sure that the manager of the proposed dog kennel, with all good intentions will try to clean up after the dogs, however with that amount of dog's, clearing up after them would be a constant operation which won't happen. I don't want to be sitting on my deck in the summer enjoying the view of the lake and dealing with the stench of dog feces.

PROPERTY VALUE

I am extremely concerned not only with the impact the proposed dog kennel could have on the value of my property, but also the difficulty in selling it. I feel that anyone coming to view a property with a dog Kennel next door would be seriously hesitant, in buying said property.

I sincerely hope that common sense prevails with this proposal and it is rejected, as it should be. If you could put yourself in my shoes for one moment, I am sure you would feel exactly as I do.

Mrs. Judith Richards

A handwritten signature in black ink that reads "Judith Richards". The signature is written in a cursive, flowing style.



March 2, 2022

**Briarwood Strata
Strata Corp NES79**


RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,


Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

01 March 2022
Date:

JUDITH RICHARDS
Name (please print)

Judith Richards
Signature

#1 - 871 Hwy 3A Nelson BC V1L 6J4
Civic Address

[REDACTED]
Email Address

FROM JULIEN RICHARDS



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏWT (WEST BANK)
 - SUKNAQÍNX (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

See attached letter.

Name: Julian Richards Date: 05 March 2022
Agency: #1, 871 Hwy 3A Title: J Richards
NELSON BC

RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY

Eileen Senyk, Planner, Development Services.

File No Z2201F

March 2, 2022

Unit 1, 871 Hwy 3A, Nelson, BC, V1L6J4

I am writing this letter to voice my concerns and objections to the proposed dog kennel business directly adjacent to my property. I strongly feel this type of business is wholly inappropriate in a residential locale. My wife and I bought this property just a year ago as part of our retirement plan ie a QUIET, friendly, small, community of like minded mature people.

My concerns are as follows,

NOISE

I find it difficult to comprehend how the RDCK would even consider a variance to allow someone in a high residential area to start up a dog kennel business with up to thirty dogs. We all know and understand that when one dog starts barking, others in the close vicinity join in the chorus. My unit is one of the furthest from the proposed kennel, however I have a direct line of sight from my deck to the said property, with very little foliage or trees to deaden the sound. Our property is also a wildlife corridor year round, especially in the summer, with bears, deer and a resident pack of coyotes on the mountain directly behind. There will be constant barking day and night and I for one did not buy this property with that in mind.

SMELL

I am sure that the manager of the proposed dog kennel, with all good intentions will try to clean up after the dogs, however with that amount of dog's, clearing up after them would be a constant operation which won't happen. I don't want to be sitting on my deck in the summer enjoying the view of the lake and dealing with the stench of dog feces.

PROPERTY VALUE

I am extremely concerned not only with the impact the proposed dog kennel could have on the value of my property, but also the difficulty in selling it. I feel that anyone coming to view a property with a dog Kennel next door would be seriously hesitant, in buying said property.

I sincerely hope that common sense prevails with this proposal and it is rejected, as it should be. If you could put yourself in my shoes for one moment, I am sure you would feel exactly as I do.

Mr. Julian Richards

A handwritten signature in black ink, appearing to read "J.L. Richards". The signature is written in a cursive, flowing style.



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty Inc.
280 Baker Street
Nelson, BC V1H 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

01 March 2022
Date:

JULIAN RICHARDS
Name (please print)

J Richards
Signature

#1-871 Hwy 3A Nelson BC V1L 6J4
Civic Address

[REDACTED]
Email Address



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:

Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍN?X (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW?T (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE ATTACHED LETTER

DON CUTLER +
 JUDY McCANDLISH

Name: 7-871 HWY 3A
 NELSON BC V1L 6J4

Date: MARCH 15, 2022

Agency:

Title:

RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

Eileen Sank, Planner
Development Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, B.C. V1L 5R4

Donald Cutler & Judy McCandlish
Unit 7 – 871 Highway 3A
Nelson, B.C.
V1L 6J4
Phone 505-5745

15 March 2022

Dear Eileen

SUBJECT; FILE #Z2201F – Amendment to Zoning Bylaw No. 1675, 2004 – Dated February 28, 2022 (Dog Kennel and Dog Boarding)

Kudos to anyone operating a dog rescue and boarding kennel. We love dogs and my last little fellow was a rescue dog. However, I strongly feel this is not a good location for many reasons. “Properties that are used for churches, hospitals, schools and seniors residence are usually considered to be a “Sensitive Land Use”. Briarwood would qualify as only seniors live here. With most of us on fixed incomes and rising housing prices; options to move away from this disruptive land use are limited. Some of the units are approximately 50 feet from the proposed kennel.” “Locating a dog kennel adjacent to housing is not appropriate land use.” Our biggest concerns are; dogs barking, crying and howling. Rescue dogs and dogs that are being boarded are often stressed and uncontrollable. Some time ago, renters on the same property had one dog that barked and howled all day. The poor dog was left outside, rain or shine, from morning to night. It was loud and very disturbing to us that lived at Briarwood.

We are ages 73 and 75 years old and live in the country for the peace and quiet we enjoy at Briarwood. We spend many hours sitting on my deck which faces where the kennel would be located. We cannot imagine how disruptive dogs barking all day would be. We are retired, so enjoy the luxury of sleeping in until 8:00/8:30 AM. Dogs being released into an outdoor run at 7:00 AM would mean the end of sleeping in!

We understand that the lady who would be operating the kennel already has 15 Chihuahuas. My sister has 2 Chihuahuas and they have the loudest bark for such a small dog. The minute they go outside in the morning, barking is non-stop until they return to the house.

Another major concern of mine is the negative affect the dog kennel would have on our property/unit values if this application is approved. A local real estate salesman felt there could be a 10% to 20% decrease in values. A 20% decrease would be approximately \$1

million dollars and 10% decrease would be approximately \$500,000 on assessed values today based on the 12 units here. Both of my children will be inheriting my unit and they both are very against this proposed dog kennel.

From a study that was done, dogs can be heard barking from 1 to 2 miles away. The Sunnyside Trailer Court is approximately ½ kilometres away from the purposed kennel. Briarwood Estates is 1 kilometre away from the orange bridge where there is high density housing on both sides of the highway. Lakeview Heights is also next to us.

We also feel that if animals were to escape, the kennel would be very close to the highway which could be very dangerous for the dogs. Cougars, bears and coyotes pass through here regularly so could also be a threat to the dogs. I feel that a location further out in the country would be a much better option for a dog kennel.

We concur with all the issues/concerns that the Strata Counsel has submitted on behalf of all Briarwood residents. We are hopeful that the Regional District will consider all our concerns and issues and not approve this dog kennel operation keeping in mind "Sensitive land use and high density housing.

Thank you in advance.

Yours truly



Donald Cutler



Judy McCandlish



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

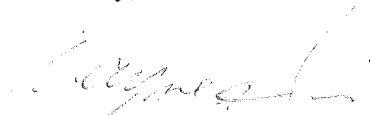
RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,


Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

15 March 2022
Date:

DONALD CUTLER
Name (please print)

Donald Cutler
Signature

7-871 HIGHWAY 3A NELSON BC
Civic Address V1L6J4

[REDACTED]
Email Address

SAMSUNG

SIGNATORY LIST

To oppose RDCK Planning File No: Z22011 -
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 16, 2022

Date:

Michelle Pynn

Name (please print)

[Handwritten Signature]

Signature

98 Kingsland Close SE, Airdrie, AB, T4A 0C6

Civic Address

[Redacted Address]

JUDY McCANDLISH'S DAUGHTER

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

Date: March 16, 2022

Name (please print)

Brad McCandlish

Signature




Civic Address

301 Latimer St. Nelson BC V1L 4T5

Email Address

[REDACTED]

	REGIONAL DISTRICT OF CENTRAL KOOTENAY BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca	RDCK Planning File No. Z2201F Amendment to Zoning Bylaw No. 1675, 2004 Date: February 28, 2022
---	---	--

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:
"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

**Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MI?WS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍNX (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW?T (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSIN (SPLATSIN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

We are adjacent property owners to the proposed application. Our unit is directly next to and slightly above. We would be impacted in many ways:

- any dog(s) who would bark or whine, even for a few minutes, especially in the morning, would disturb our fragile sleep.
- at present, there are chickens housed and penned in the same area. We can hear them as they quietly cluck while laying eggs. Dogs would be very much noisier.
- there are many wild animals in the neighborhood, who would likely cause dogs to be agitated, thus barking.
- the sound and smell of many dogs will likely attract coyotes from the near-by pack.

A statement made in the proposal summary was that the sister "has brought many dogs to the property before without issue". The dogs were noisy, were aggressive onto our property toward a neighbors dog.

- The owner does not reside on the property.

Name: Doreen McCool Date: March 1, 2022

Agency: Brierwood Estates Title: _____
Strata Owner N-79
871 Hwy 3A #12

RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY



moiseys2@telus.net

From: Donlea M <donlea.mc@gmail.com>
Sent: March 2, 2022 12:26 PM
To: Sue Moisey
Subject: Planning file No: Z2201F

Eileen Senyk, Planner
Development Services
Regional District of Central Kootenay
Box 590
202 Lakeside Drive
Nelson, B.C. V1L5R4

Eileen Senyk,

We understand that our neighbour is making a request to the Regional District to amend the zoning bylaw of his property. That he would like a commercial dog boarding kennel a mere 25 metres from my home, which is situated beside and above his property. And that there would be 15+ chihuahua dogs on premises at all times. His file plan no. 22201F.

This is completely unacceptable to us. We are in unit 12 of the Brierwood Estates strata N- 79.

Our unit is directly next to the property. We are a mere twenty-five metres from the proposed kennel. It is quite open in between us and we are actually a bit above.

Any activity and noise from dogs next door would be quite disruptive.

We are retired and home, but still need to get proper sleep; and activity of neighbours and dogs at 7am would be quite unacceptable.

We would expect the likelihood that there would be feces odour also coming from the property and we are directly uphill and downwind.

We appreciate your attention in this matter.

We strongly oppose the application File No. Z2201F

Thank you,

Donlea McCombs
Ken Jones

#12- 871 Hwy. 3a
Nelson V1L6J4
[REDACTED]

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 1, 2022
Date:

Donlea McCombs
Name (please print)

Donlea McCombs
Signature

~~875~~ 871 Hwy 3A Unit #12
Civic Address

[REDACTED]
Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 1, 2022

Date:

Kenneth C-Jones

Name (please print)

Kenneth C-Jones

Signature

871
~~871~~ Highway 3A Nelson #12

Civic Address

[REDACTED]

Email Address

V /

FROM IRENE McILWAIN



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
 ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
 APC AREA
 RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 YAQAN NU?KIY (LOWER KOOTENAY)
 ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 ?AKISQNUK (COLUMBIA LAKE)
 ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'əC'əWIXA? (UPPER SIMILKAMEEN)
 - K'əR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWəWT (WEST BANK)
 - SUKNAQ'INX (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWWT (LITTLE SHUSWAP)
 - SEXQELTQ'IN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

I strongly oppose this proposal.
 My concerns are 1) loss of market value.
 2) Noise pollution.
 3) olfactory pollution.
 4. Safety concerns.

See attached letter:

Grew McIlwaine

Name: GREW MCILWAINE

Date:

Agency: 871 HIGHWAY 3A UNIT 5
 NELSON, V1L6J4, B.C.

Title: DWYERS MCILWAINE

**RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

March 3, 2022

Eileen Senyk, Planner
Development Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

Dear Ms Senyk

Re: RDCK File No: Z2201F

I am writing to express my strong opposition to the request, by the owner of 895 Hwy 3A, for an amendment to the zoning bylaw which would allow him to develop a commercial kennel on said property.

My concerns are :

- 1) **Noise:** I have lived at 871 Highway 3A for over twenty years. One of the appeals of Briarwood is the peace and quiet that surrounds us and the birds that visit. I believe this would be lost with the development of a kennel, housing numerous dogs 24 hours a day, and training dogs through out the day. The noise pollution would be overwhelming and birds would be scared away.
- 2) **Olfactory Pollution:** with many dogs urinating and defecating in a small space and in close quarters to Briarwood property. This property is at the base of the mountain and any emissions are likely to drift up to Briarwood.
- 3) **Safety:** I understand this kennel hopes to take in 'rescue dogs'. Often these dogs come from previous stressful environments and are unpredictable. If they manage to escape the enclosure they could be a risk to neighbours, especially children and the elderly.
Further - the dogs may attract coyotes/ cougars to the neighbourhood and food left out for the dogs may attract cougars/bears. All which once again negatively impact the safety of our residential neighbourhood.
- 4) **Loss of Market Value:** Briarwood is a 45+ age community. A Realtor has predicted at least a 10 -20 % reduction in market value of our Units should this application be approved. As someone who is 88 years old, and needing to sell my Unit soon, this has a huge impact on my ability to live comfortably in the future.

In summary, I feel it is totally inappropriate to allow a commercial kennel to be developed in a residential/high density residential setting. I love dogs and appreciate the desire to help rescue dogs and provide a training and kennel; however, this should be done in the country with acreage - not in a setting such as 895 Highway 3A.

For all the reasons outlined above I urge you to deny this request.

Sincerely,



Irene McIlwaine
5 - 871 Hwy 3A
Nelson, BC
V1L 6J4

Eileen Senyk, Planner
Development Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

March 13, 2022

Dear Ms. Senyk:

Re: RDCK Planning File No: Z2201F

I am writing to express my concern re the requested zoning amendment which would allow for a commercial kennel and dog training facility immediately adjacent to a residential setting with high density residences.

My mother is 88 years old and has lived in Brierwood for over twenty years. This request is causing significant stress. We, her family, have serious concerns regarding this application and the negative impact it may have on her health.

We worry about pollution from:

Noise - from dogs barking and from whistles etc. used for training, and from

Smell - The European Environment Agency defines olfactory pollution as " pollution produced by gaseous emissions ...that, even in very small amounts, may cause injuries or a condition of general unease or sickness to persons living in the vicinity". I suggest that this commercial kennel would generate such emissions which would cause much unease to neighbours.

We have concerns re safety; both from rescue dogs, who may escape, and from wild animals who may be attracted, for a number of reasons, to the kennel.

Lastly there is the loss in value of the units. A realtor has reported a 10 - 20 % decrease in the value of the properties if there is a commercial kennel next door. This would be a loss of \$45,000 - \$100,000 dollars on my mother's unit, based on current market value. This is a large sum of money for any of us to lose, but especially large for elderly people on a fixed income. As I am sure you can understand, this is causing distress for my mum.

For all the above reasons, I urge you to deny this request.

We believe, if allowed, it will negatively impact the emotional, financial and possibly the physical health of our mother, and many others living in the neighbourhood.

Sincerely



Kirsty McIlwaine, MD
c/o 5 - 871 Hwy 3A
Nelson, BC V1L 6J4



March 2, 2022

**Briarwood Strata
Strata Corp NES79**


RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,


Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1H 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 1st 2022.

Date:

IRENE M McILWAIN.

Name (please print)

Irene M McIlwain.

Signature


UNIT 5 871 HIGHWAY 3A, NELSON, B.C. V1L6J4

Civic Address

ireneilwain@shaw.ca

Email Address

FROM ERNIE + SUE MOISEY

	REGIONAL DISTRICT OF CENTRAL KOOTENAY BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4 ph: 250-352-8165 fax: 250-352-9300 email: rdck@rdck.bc.ca	RDCK Planning File No. Z2201F Amendment to Zoning Bylaw No. 1675, 2004 Date: February 28, 2022
---	--	--

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:
"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
 ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
 APC AREA
 RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS**
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 YAQAN NU?KIY (LOWER KOOTENAY)
 ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 ?AKISQNUK (COLUMBIA LAKE)
 ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - KIK'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏHW (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW))

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE SEE ATTACHED DOCUMENTATION.

ERNE MOISEY
SUE MOISEY
Name: 9-871 HWY 3A
NELSON BC V1L 6T4
Date: MARCH 3, 2022
Agency: [REDACTED] Title:

RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY

Eileen Senyk, Planner
Development Services
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson, BC. V1L 5R4

March 3, 2022

Dear Ms. Senyk:

**RE: RDCK PLANNING FILE NO: Z2201 – AMENDMENT TO ZONING BYLAW NO. 2675, 2004
DATED FEBRUARY 28, 2022**

We are extremely opposed to this Application as the noise and smell would adversely affect our daily quality of life. The Applicant informed us that his sister, Ella Wright, currently owns 15 rescue Chihuahua's, plus three mixed breed dogs. It is her intention to also run a dog boarding kennel operation in addition to the 18 dogs she now owns. The potential number of dogs under our doorsteps, on a daily basis, would be intolerable and unacceptable in what has always been a quiet, peaceful urban area.

The Applicant states in his Application that the dog kennel will be designed to "limit" noise from the shop kennel. The word "limit" does not identify parameters which could determine a level of noise that would be acceptable for a neighbour. RDCK only identifies neighbours within 100 metres of the Applicant's property be notified of the above Application. Noise from multiple barking dogs would not be confined to only the Applicant's property, and would travel far beyond a 100 metre boundary.

Page 5 – Part II – Control of Dogs, Item #6 of the RDCK Bylaw No. 2387, 2014 – A Bylaw to regulate the keeping of dogs within Electoral Area E & F, states:

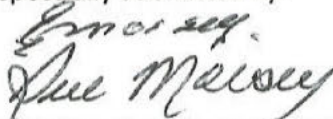
6. *No owner may allow a dog or dogs to call, cry or bark, continuously or sporadically in such a way that the noise is audible outside the parcel where the dogs are kept as such noise is objectionable and liable to disturb the peace, rest, enjoyment, comfort or convenience of the surrounding neighbourhood, or persons residing in the vicinity.*

We are a direct neighbour of the Applicant, Angus Wright. Our home is located approximately 50 metres from the proposed dog kennel operation submitted in the above Application. We live in a 12 Unit Strata community of minimum age 45 years and mostly retired owners. Our property is zoned as High Density (R6). The noise from dogs barking and a kennel operation business would **not** be "limited" to a mere 100 metres from the Applicant's proposed site.

We have great concern that our property values and potential sale of our property would negatively be affected should we have a dog kennel located next door. We have attached a letter from Realtor, Wayne Germaine, Valhalla Path Realty, acknowledging this concern.

It is our opinion that the Applicant's request to amend the Bylaw to allow for more than 3 dogs, in addition to a dog kennel operation on a property that is fully surrounded by numerous family dwellings, should be denied.

Respectfully Submitted by:



Ernie & Sue Moisey, Unit 9, 871 Hwy 3A, Nelson, BC, V1L 6J4



**OPPOSITION RESPONSE SUMMARY FOR RDCK PLANNING FILE NO: Z2201f – APPLICANT ANGUS WRIGHT
SUBMITTED BY ERNIE & SUE MOISEY – 9, 871 HWY 3A, NELSON, BC. V1L -6J4**

- Our home borders directly above the Applicant's property and is approximately 50 metres away from the proposed dog kennel and dog run. Our property is zoned High Density R6. We are surrounded by numerous family homes both above and below Hwy 3A, and our area is quiet and peaceful. We are a 45 plus community with mostly retired owners, who are home all day, every day. The noise and smell that would come from a dog kennel operation "next door" would be intolerable and adversely affect our daily lives.
- The Applicant plans on moving his sister, Ella Wright into the property. He informed our Unit #12 owner that Ella Wright rescues dogs in Alberta, and currently owns 15 Chihuahua's and three mixed breed dogs, which is more dogs than the current "3 dog limit" that zoning allows. In addition to the 18 dogs that would be permanently housed on the premises, a Dog Boarding Kennel and Training Facility would result in a significant number of dogs on the property, at all times. This would result in constant noise from barking including noise from the kennel operations as a whole.
Reference: Page 5 – Part II – Control of Dogs, Item 6 of the RDCK Bylaw No. 2387, 2014 – A Bylaw to regulate the keeping of Dogs with Electoral Area E & F (attached)
Reference: Section 1 – Animal Environment (Housing & Handling Facilities – 1.1 Facility: "Proximity to neighbours and the potential for noise-related complaints should also be considered when choosing the actual site". (attached)
- The odor from feces and urine from a dog run, and exhaust from a dog kennel could not possibly be contained to the parameters of the property. Exhaust from any ventilation system in a kennel would blow these odors into the air to be picked up by the wind.
- The Applicant states in his application that the dog kennel will be designed to "limit" noise from the shop kennel. The word "limit" does not identify the parameters that would be acceptable for a neighbour.
Reference: Auditory Stress: Implications for Kennelled Dog Welfare - How loud is a dog bark? An average size dog barks at "120 db and 500 Hz." Damage to the human ear can occur at 85 db. Therefore, a continually barking dog can cause stress and loss of sleep. Sound levels ranging from 85-100 dB are common in dog kennels. Exposure to these high levels of sound throughout the day puts both animals and humans at risk for damage to their hearing and may result in decreased quality and quantity of sleep.
- The Applicant's property is presently not fenced. He states that Ella Wright has brought her dogs to his property in the past without issue. However, during her visit last year, three of her dogs came onto our property to encounter one of our residents with her dog (who was leashed). In addition, the current renter presently residing in his property, owns a dog that is constantly all over our property. The Applicant states in his Application that he will construct a fenced area for a dog run, but does not state that he intends on constructing a fence around the perimeter of his property. In our opinion, this should absolutely be necessary when there are "any" dogs residing on this property.
- The Applicant, Angus Wright, currently does not live on the property noted in the Application. He is the registered owner of the property in question, and also owns the adjoining lot, which runs directly below 9 of our Brierwood Units. These two lots are totally connected as one large piece of property, and with no fencing, there is nothing to contain loose dogs.

- We have great concern about the adverse affect a dog kennel business directly adjacent to our property will have on our property values and potential sale of our property. A prospective purchaser is not likely to purchase a home located next door to a dog kennel operation.
See attached letter submitted by Realtor Wayne Germaine, Valhalla Path Realty, supporting this concern.
- The Applicant wishes to have his family move back to the Kootenays, which is nice plan, however we feel that a dog kennel on the Applicant's property is totally inappropriate and should be directed to a more remote location that has plenty of acreage.
- We respectfully urge the RDCK Planner to deny the Application – Z2201F, submitted by Angus Wright. All neighbours surrounding the Applicant's property should not have their daily lives adversely impacted, in order for one neighbour to conduct a chosen business.

Respectfully submitted by
Ernie and Sue Moisey
9 – 871 Highway 3A
Nelson, BC
V1L 6J4



PAGE 5 OF ROCK BYLAW NO. 2387, 2014 - BYLAW TO REGULATE THE KEEPING OF DOGS IN AREA E + F

- c. Shall prominently display a sign stating "Beware of Dog" at the front and rear entrances to the owner's property. Said sign to be at least 12 inches x 12 inches in size, yellow in colour with large bold black lettering.
4. Every owner of a dog that has bitten a person or domestic animal shall keep the dog muzzled while not on the owner's property.
5. The owner of a dog that is in heat:
 - a. Must keep the dog securely confined indoors or within a building or enclosure that will prevent the escape of the dog or entry of other dogs when the dog is on private property; and
 - b. Must keep the dog on a leash when it is in a public place.
6. No owner may allow a dog or dogs to call, cry or bark, continuously or sporadically in such a way that the noise is audible outside of the parcel where the dog or dogs are kept as such noise is objectionable and liable to disturb the peace, rest, enjoyment, comfort or convenience of the surrounding neighbourhood, or of persons residing in the vicinity.
7. The owner of a dog that is declared a nuisance must take such actions as may be deemed necessary to ensure the bylaw is not further contravened.

PART III – POUND OPERATION

1. The Dog Control Officer, alone or with others, may seize, impound or detain any dog found to be running at large in the area serviced under this bylaw.
2. If a dog is impounded under this Bylaw, the Dog Control Officer must, if the owner is known, notify the owner by mail or telephone that the dog has been impounded and advise of the fee required, contained herein, for the release of the dog. If the owner, so notified, does not contact the Dog Control Officer to arrange for the release of the dog or appear at the pound within seven (7) days and release the dog so impounded by payment of the fees and expenses chargeable under this Bylaw, the Dog Control Officer may sell or destroy the dog.
3. If a dog is impounded under this Bylaw and the owner is not known by the Dog Control Officer and the owner does not contact the Dog Control Officer or appear at the pound to release the dog so impounded by payment of the fees and expenses chargeable under this Bylaw, after seven (7) days the Dog Control Officer may sell or destroy the dog.
4. The Dog Control Officer shall record in a book kept for that purpose or through electronic means, the following information:
 - a. The number and description of each dog impounded.
 - b. The name of the person who brought or caused the animal to be impounded.
 - c. The date and time on which the animal was received, redeemed, sold or destroyed.
 - d. The fees paid by the redeeming party.
 - e. The amount of the proceeds of the sale, if any.

A CODE OF PRACTICE FOR CANADIAN KENNEL OPERATIONS

Canadian Veterinary Medical Association Third Edition | 2018 3 Section 1 Animal Environment (Housing and Handling Facilities)

1.1 Facility

Facilities have a direct impact on the health and well-being of the resident dogs. The layout and design will significantly affect the ease of managing and maintaining the kennel for many years. When selecting a site for a new kennel, consider factors such as space needed for outdoor runs, sufficient drainage, access to utilities, and lighting. Local zoning restrictions, bylaws, building codes, and standards must be adhered to. Proximity to neighbours and the potential for noise-related complaints should also be considered when choosing the actual site.

1.1.6 Ventilation

Proper air circulation is essential to the prevention of respiratory disease, maintaining suitable humidity levels, controlling odour, and maintaining a comfortable temperature. The number of air changes per hour is extremely important and is dependent on the number of dogs being housed relative to the size of the facility. A source of fresh air is critical. Recirculation of inside air spreads contaminants, viruses, bacteria, and moulds. Drafts, chilling, and excessively high humidity are detrimental to dogs of all ages and promote respiratory disease.

REQUIREMENTS

1. Ventilation and heating systems are constructed to supply fresh air and enable adequate exchange of air and maintenance of optimal environmental conditions for all seasons.
2. Provide additional ventilation by using exhaust fans and/or air conditioning when ambient temperatures reach more than 26°C.

1.1.9 Noise

Manage noise from barking dogs to comply with local noise regulations and occupational health and safety requirements, taking into consideration a dog's natural instinct to communicate through vocalizing. Barking is a form of interspecies or intraspecies communication and is part of normal social behaviour. Dogs are social creatures; therefore, their isolation from other dogs or humans can lead to behavioural problems such as repetitive barking.

1.4 Waste Disposal

Waste products include, but are not limited to: dog feces, urine, soiled litter, bedding, and food waste. Proper and efficient waste disposal is essential for the health and comfort of caregivers and dogs. The benefits of proper waste disposal are: • controlling the accumulation of undesirable odours and ammonia levels; • keeping animals clean and free from harmful contaminants; • minimizing the risk of disease transmission and injury; • protecting the environment from avoidable waste contamination; and, • preventing exposure of wildlife to waste.

REQUIREMENTS

1. Waste products are removed at least twice daily and more frequently if the number of dogs kept, or the conditions of the housing of the dogs, necessitates collection more often.
2. Waste products are collected and disposed of promptly in a hygienic manner and in accordance with the requirements of government authorities

Information from the Internet on dog barking:

HEALTH HAZARD

Excessive noise, or loudness, not only disturbs the peace, but also creates a health hazard. An average size dog barks at "120 db and 500 Hz." Damage to the human ear can occur at 85 db. Therefore, a continually barking dog can cause stress and loss of sleep.

<http://www.cityofkeokuk.org/wp-content/uploads/2015/09/barkingbrochure.pdf>

How loud is a dog kennel?
on people and dogs

Sound levels ranging from **85-100 dB** are common in dog kennels. Exposure to these high levels of sound throughout the day puts both animals and humans at risk for damage to their hearing and may result in decreased quality and quantity of sleep in dogs.

Auditory Stress: Implications for Kennel Dog Welfare



How far can you hear dogs barking?

At least a mile or two away. It depends on the terrain and obstructions en route, as well as the size of the dog. When We lived on the seventh floor of a building that stood higher than any neighboring buildings, we could hear the late night bark-a-gram going from one end of town to the other and our dog took part.

How far away can a dog's howl be heard? - Quora



<https://www.quora.com/How-far-away-can-a-dogs-howl...>

Search for: [How far can you hear dogs barking?](#)

How many dB is a loud dog bark?

Most dogs bark **between 80 and 90 decibels** in volume, about as loud as a shouting human. Decibels are a measure of sound intensity, not absolute volume. Noise levels in kennels can be between 95 to 115 decibels, due to the acoustic properties of the architecture.



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 1, 2022
Date:

ERNIE MOISEW
Name (please print)

Ernie Moisew
Signature

#9-871 Hwy 3A Nelson BC V1L 6J4
Civic Address

[REDACTED]
Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 1, 2022

Date:

SUE MOISEY

Name (please print)

Sue Moisey

Signature

9-871 HWY 3A, NELSON, BC, V1L 6J4

Civic Address

Email

[REDACTED]

	REGIONAL DISTRICT OF CENTRAL KOOTENAY BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4 ph: 250-352-8165 fax: 250-352-9300 email: rdck@rdck.bc.ca	RDCK Planning File No. Z2201F Amendment to Zoning Bylaw No. 1675, 2004 Date: February 28, 2022
---	--	---

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response **WITHIN 30 DAYS (PRIOR TO April 4)**. If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:
 895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:
 Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:
 If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
 DIRECTORS FOR:
 A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
 A B C D E F G H I J K
- APC AREA
 - RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - KĦ'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW)

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

PLEASE SEE ATTACHED RESPONSE

Name: ERNIE MOISEY
NORA THOMPSON
RAJ DOWNE
SUE MOISEY

Date: MARCH 14, 2022

Agency: 871 HWY 3A
NELSON BC V1L 6J4

Title: BRIERWOOD ESTATES N79
STRATA COUNCIL

RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY



Brierwood Strata 79

871 Hwy 3A, Nelson, BC, V1L 6J4

Eileen Senyk, Planner
Development Services
Regional District of Central Kootenays
Box 590, 202 Lakeside Drive
Nelson, BC V1L 5R4

March 14, 2022

Attention: Eileen Senyk, Planner, and Directors of Area F, A, B, C, D, E, G, H, I, J, and K

Dear Ms. Senyk and RDCK Directors:

**RE: RDCK Planning File No: Z2201F – Proposed Bylaw Amendment by Angus Wright,
895 Hwy 3A, Nelson, BC – Electoral Area F – to allow for a kennel for more than 3 dogs**

The Strata Council for Brierwood Estates Strata N79 wishes to state their adamant opposition to the above Application by Angus Wright to amend the current Country Residential (R2) zone for the above Application.

Our property is zoned High Density Residential (R6) and is located directly above and adjacent to the Applicant’s property. We are a age 45 plus primarily retired community who currently enjoy a peaceful life at this location. As the Applicant’s immediate neighbours, this would significantly and adversely change should we have a dog kennel, and dog boarding and training business operation “right next door”. The quality of life we now enjoy, would forever be negatively impacted.

Please take a moment of your time to review the attached documentation, including photos taken from our doorsteps looking down at the Applicant’s property. We are also residents of the RDCK Area F, and ask that once you have reviewed and considered the attached opposition submissions we have provided, you will conclude that this is not an appropriate location for a dog kennel operation. We ask that you deny the above Application to amend the Bylaw as it currently stands.

Please feel free to contact me if you have any questions. Thank you all.

Respectfully submitted by:

Ernie Moisey, President
On behalf of the Brierwood Strata Council

**NOTICE OF BRIERWOOD STRATA ESTATES OPPOSITION TO RDCK
PLANNING FILE: Z2201F - DATED FEBRUARY 28, 2022 FOR A BYLAW
AMENDMENT TO ADD THE USE OF A KENNEL**

TO: Rural Affairs Committee (RAC), Regional District of Central Kootenay (RDCK)

AND TO: Planner, RDCK – Eileen Senyk, (plandept@rdck.bc.ca)

AND TO: Electoral Area F - Tom Newell (tnewell@rdck.bc.ca)
Electoral Area A - Garry Jackman (gjackman@rdck.bc.ca)
Electoral Area B - Tanya Wall (twall@rdck.bc.ca)
Electoral Area C - Adam Casemore (acasemore@rdck.bc.ca)
Electoral Area D - Aimee Watson (awatson@rdck.bc.ca)
Electoral Area E - Ramona Faust (rfaust@rdck.bc.ca)
Electoral Area G - Hans Cunningham (hcunningham@rdck.bc.ca)
Electoral Area H - Walter Popoff (wpopoff@rdck.bc.ca)
Electoral Area I - Andy Davidoff (adavidoff@rdck.bc.ca)
Electoral Area J - Rick Smith (rsmith@rdck.bc.ca)
Electoral Area K - Paul Peterson (ppeterson@rdck.bc.ca)

**RE: 895 Hwy 3A, Nelson, BC, Electoral Area "F" (the property) – Proposed Bylaw
Amendment by Angus Wright (the Applicant) – RDCK Planning File No. Z2201F;**

**OPPOSITION RESPONSE SUMMARY SUBMITTED BY:
BRIERWOOD ESTATES N79 STRATA COUNCIL**

On behalf of the residents of Brierwood Estates Strata N79, The Brierwood Strata Council hereby submits the following outline of their objections to RDCK Planning and Development, who will be deciding on the merits of the Application submitted by Angus Wright, Planning File No. Z2201F - ammendment to zoning bylaw No. 2675-2004 dated Feb. 28, 2022.

- In addition to this Summary Response, the RDCK will receive individual submissions of opposition from all 12 residential units who would be negatively impacted by an amendment to the present zoning status. These submissions of opposition represent the views of every resident in the Brierwood community regarding the immediate issues and potential future issues that may surface.
- The Applicant's property is the immediate neighbour of Brierwood Estates residential community entirely zoned as R6 High Density Residential. Brierwood Strata Estates consists of 12 townhouse units where owners must be 45 years of age and older, most of whom are retired and home all day every day. Our buildings directly border both above and beside the applicant's property. The potential noise and smell from barking dogs and the Kennel operation, would significantly and adversely impact our quality of living.

- In addition, Unit 10, 11 & 12 (875 on RDCK map) borders right beside the Applicant's west side property line, which would be a matter of meters in adjacent proximity to the proposed Kennel and Dog Run. It would literally be located "right next door".
- The Applicant indicates in his Application that noise from the dogs would be "limited". In reality, dogs bark at all times. Whether housed in a shop or outside in a pen, the noise will carry. The Applicant has indicated in his Application, that the family member (Ella Wright), who plans on occupying the premises noted in the Application, "currently owns more rescue dogs than the current "3 dog limit" that zoning allows". He told the Owner of our Unit 12 that Ella Wright currently owns 15 Chihuahua's plus 3 mixed breed dogs, and conducts dog rescues in Alberta. She intends to continue this practice, in addition to conducting a boarding kennel business once occupying the property noted on the Application. This means a "significant" number of dogs at all times. A dog kennel is not a quiet business! In addition, the Applicant's property boundaries are not fenced.
- The Applicant outlines in his Application a list of items that Ella Wright will conduct in managing a dog kennel operation on his property. It is easy to make these declarations when submitting an application, however should he be granted the variance, there can be no guarantee that these declarations will be adhered to in the months and years to come. **In addition, should this amendment be granted, it will become a precedent for any future requests for kennels and/or other noisy business operations within significantly populated residential areas.**
- With our homes, and so many of our neighbours' homes in direct proximity to this proposal, we suggest that this is an extremely inappropriate location for such a business. A kennel operation would be at the sacrifice of all those who must endure the noise of the operation, smell of feces that could not possibly be managed on a daily basis, and unending barking every single day. In addition to the noise and smell from the proposed open-area dog run, the proposed self-contained indoor dog kennel building must have a ventilation system of exhaust fans, which will expel odors from inside the dog kennel into our neighbourhood.
See attached resource documentation printed from the "Code of Practice for Canadian Kennel Operations".
- The proposed Kennel will certainly produce a tremendous increase in surface water pollution. With 15 to 20 animals probably twice daily depositing feces and urine to the property, the major concern to the Brierwood Strata N79 residents is a deterioration in the water quality of our well due to the proximity of a proposed kennel. This well draws water from a depth of 200 ft. (80 M). The kennels would be located approximately 150 meters from the well head. This well has served the Brierwood complex for close to 35 years providing potable water for use. Should the surface contamination from the kennels leach into the ground water, and we believe it will over time, our only water source will be terminated. Finding a surface water source is not an option in this location.

Should relocating a new well become necessary, the cost could likely be in excess of \$100,000.00 dollars. In event of this, the Strata Council have been granted the authority to engage legal counsel, if necessary

- There is great concern about the adverse affect a dog kennel business directly adjacent to our property will have on our property values and any potential sales of our properties. A prospective purchaser is not likely to want to purchase a home located next door to a dog kennel operation. As property values decrease, as forecast by a realty assessment we have attached, we will see a decrease in assessed values and lower resale amounts. Any resident who decides to sell and relocate to avoid the kennel would be adversely affected financially.

See attached letter submitted by Realtor Wayne Germaine, of Valhalla Path Realty indicating that: As a Realtor in our area for almost 35 years, in his opinion, our property values could be negatively affected by at least 10 - 20%, should this Application be approved.

- In addition to the Applicant, we are also residents within the RDCK and Area F boundaries. It is our hope that the RDCK officials who decide on Application Z2201F, once the property is physically inspected, will come to the conclusion that this Application has no merit and must be denied due to its proximity to our property, and neighbouring properties, who would be adversely affected by such an amendment to the Bylaw.

All neighbours nearby the Applicant's property should not have their daily lives adversely impacted, in order for one neighbour to conduct a chosen business.

See attached resource documents researched on Internet

Submitted by the Brierwood Strata Council on behalf of Units 1 – 12 Brierwood Owners

871 Hwy 3A, Nelson, BC., V1L 6J4

Ernie Moisey – President

Nora Thomson – Vice President

Howie Hyssop – Maintenance

Raj Downe – Treasurer

Sue Moisey – Secretary

A CODE OF PRACTICE FOR CANADIAN KENNEL OPERATIONS

Canadian Veterinary Medical Association Third Edition | 2018 3 Section 1 Animal Environment (Housing and Handling Facilities)

1.1 Facility

Facilities have a direct impact on the health and well-being of the resident dogs. The layout and design will significantly affect the ease of managing and maintaining the kennel for many years. When selecting a site for a new kennel, consider factors such as space needed for outdoor runs, sufficient drainage, access to utilities, and lighting. Local zoning restrictions, bylaws, building codes, and standards must be adhered to. Proximity to neighbours and the potential for noise-related complaints should also be considered when choosing the actual site.

1.1.6 Ventilation

Proper air circulation is essential to the prevention of respiratory disease, maintaining suitable humidity levels, controlling odour, and maintaining a comfortable temperature. The number of air changes per hour is extremely important and is dependent on the number of dogs being housed relative to the size of the facility. A source of fresh air is critical. Recirculation of inside air spreads contaminants, viruses, bacteria, and moulds. Drafts, chilling, and excessively high humidity are detrimental to dogs of all ages and promote respiratory disease.

REQUIREMENTS

1. Ventilation and heating systems are constructed to supply fresh air and enable adequate exchange of air and maintenance of optimal environmental conditions for all seasons.
2. Provide additional ventilation by using exhaust fans and/or air conditioning when ambient temperatures reach more than 26°C.

1.1.9 Noise

Manage noise from barking dogs to comply with local noise regulations and occupational health and safety requirements, taking into consideration a dog's natural instinct to communicate through vocalizing. Barking is a form of interspecies or intraspecies communication and is part of normal social behaviour. Dogs are social creatures; therefore, their isolation from other dogs or humans can lead to behavioural problems such as repetitive barking.

1.4 Waste Disposal

Waste products include, but are not limited to: dog feces, urine, soiled litter, bedding, and food waste. Proper and efficient waste disposal is essential for the health and comfort of caregivers and dogs. The benefits of proper waste disposal are: • controlling the accumulation of undesirable odours and ammonia levels; • keeping animals clean and free from harmful contaminants; • minimizing the risk of disease transmission and injury; • protecting the environment from avoidable waste contamination; and, • preventing exposure of wildlife to waste.

REQUIREMENTS

1. Waste products are removed at least twice daily and more frequently if the number of dogs kept, or the conditions of the housing of the dogs, necessitates collection more often.
2. Waste products are collected and disposed of promptly in a hygienic manner and in accordance with the requirements of government authorities



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC, Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

- c. Shall prominently display a sign stating "Beware of Dog" at the front and rear entrances to the owner's property. Said sign to be at least 12 inches x 12 inches in size, yellow in colour with large bold black lettering.
4. Every owner of a dog that has bitten a person or domestic animal shall keep the dog muzzled while not on the owner's property.
5. The owner of a dog that is in heat:
 - a. Must keep the dog securely confined indoors or within a building or enclosure that will prevent the escape of the dog or entry of other dogs when the dog is on private property; and
 - b. Must keep the dog on a leash when it is in a public place.
6. No owner may allow a dog or dogs to call, cry or bark, continuously or sporadically in such a way that the noise is audible outside of the parcel where the dog or dogs are kept as such noise is objectionable and liable to disturb the peace, rest, enjoyment, comfort or convenience of the surrounding neighbourhood, or of persons residing in the vicinity.
7. The owner of a dog that is declared a nuisance must take such actions as may be deemed necessary to ensure the bylaw is not further contravened.

PART III – POUND OPERATION

1. The Dog Control Officer, alone or with others, may seize, impound or detain any dog found to be running at large in the area serviced under this bylaw.
2. If a dog is impounded under this Bylaw, the Dog Control Officer must, if the owner is known, notify the owner by mail or telephone that the dog has been impounded and advise of the fee required, contained herein, for the release of the dog. If the owner, so notified, does not contact the Dog Control Officer to arrange for the release of the dog or appear at the pound within seven (7) days and release the dog so impounded by payment of the fees and expenses chargeable under this Bylaw, the Dog Control Officer may sell or destroy the dog.
3. If a dog is impounded under this Bylaw and the owner is not known by the Dog Control Officer and the owner does not contact the Dog Control Officer or appear at the pound to release the dog so impounded by payment of the fees and expenses chargeable under this Bylaw, after seven (7) days the Dog Control Officer may sell or destroy the dog.
4. The Dog Control Officer shall record in a book kept for that purpose or through electronic means, the following information:
 - a. The number and description of each dog impounded.
 - b. The name of the person who brought or caused the animal to be impounded.
 - c. The date and time on which the animal was received, redeemed, sold or destroyed.
 - d. The fees paid by the redeeming party.
 - e. The amount of the proceeds of the sale, if any.

Information from the Internet on dog barking:

HEALTH HAZARD

Excessive noise, or loudness, not only disturbs the peace, but also creates a health hazard. An average size dog barks at "120 db and 500 Hz." Damage to the human ear can occur at 85 db. Therefore, a continually barking dog can cause stress and loss of sleep.

<http://www.cityofkeokuk.org/wp-content/uploads/2015/09/barkingbrochure.pdf>

How loud is a dog kennel?
on people and dogs

Sound levels ranging from **85-100 dB** are common in dog kennels. Exposure to these high levels of sound throughout the day puts both animals and humans at risk for damage to their hearing and may result in decreased quality and quantity of sleep in dogs.

Auditory Stress: Implications for Kenneled Dog Welfare



How far can you hear dogs barking?

At least a mile or two away. It depends on the terrain and obstructions en route, as well as the size of the dog. When We lived on the seventh floor of a building that stood higher than any neighboring buildings, we could hear the late night bark-a-gram going from one end of town to the other and our dog took part.

How far away can a dog's howl be heard? - Quora



<https://www.quora.com/How-far-away-can-a-dogs-howl...>

Search for: [How far can you hear dogs barking?](#)

How many dB is a loud dog bark?

Most dogs bark **between 80 and 90 decibels** in volume, about as loud as a shouting human. Decibels are a measure of sound intensity, not absolute volume. Noise levels in kennels can be between 95 to 115 decibels, due to the acoustic properties of the architecture.



VIEW FROM UNIT 12 OF PROPOSED DOG RUN + KENNEL



VIEW FROM UNITS 10-12 OF KENNEL + AREA



VIEW FROM UNITS 8-9 OF KENNEL + PROPERTY



VIEW FROM UNITS 5-9 OF UNITS 10-12 PROXIMITY TO PROPOSED KENNEL



VIEW OF BRIERWOOD PROPERTY LINE TO APPLICANT'S PROPERTY



VIEW FROM BRIERWOOD PROPERTY LINE OF APPLICANT'S "UNFENCED" COMBINED PROPERTY

FROM NORA THOMSON



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:

Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
- HABITAT BRANCH
- FRONT COUNTER BC (FLNRORD)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH HBE Team, Nelson
- KOOTENAY LAKES PARTNERSHIP
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
- OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
- SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMP)CW)

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

NOISE LEVEL - Barking-Howling etc.
 SMELL ~~to~~ Dog fecies.
 Our property values going down
 It will effect our quality of life. as we know it now.
 Wind life will be effected
 More traffic on highway because its a business
 More people in neighbour hood
 More privacy being taken away
 Way to close to neighbours
 to not effect everyone.

(Some of our decks on lakeside look right into the yard that the kennel is going into)

As a dog owner who has put her dog into a kennel when needed knows when you go to pick up your dog, all the other dogs start barking. This I have heard and know is a fact. A kennel is not a quiet business. A business that should required land and be away from neighbours...

Name: Nora Thomsen Date: March 01/2022

Agency: NELSON BC V1L 6J4 Title: _____

RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

RE: ROCK FILE NO: Z2201F

MARCH 1,
2022

To Rural Affairs Committee (RAC)
ATTENTION: Eileen Senyk.

It has come to my attention that a close neighbour (Angus Wright) to my residents (Briarwood) is planning to have a dog kennel put on his property. Angus owns this property but does not reside there and rents out.

I am very concerned about this. Briarwood Estates consists of 12 townhouses where owners must be 45 years or older to live here. Most of us are retired and are home all day. Some of the townhouses outside decks ~~will~~ ^{pot} ~~will~~ right onto his property. Some of my concerns are

- : potential noise from barking dogs and kennel operations. No matter all the best intentions of running this kennel we all know that dogs do bark especially when there are many.
- : We have lots of wild life here passing through all the time. Bears, turkeys, deer etc. This to me will cause so much stress & chaos on both the dogs and also on the wild life.

Hilroy



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1E 4H3
Phone: 250-354-4689
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 1st / 2022
Date:

Nora Thomson
Name (please print)

Nora Thomson
Signature

#1 2 871 HWY 3A Nelson BC. V1K 6J4
Civic Address

[REDACTED]
Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 13 / 2022

Date:

Deena Thomson

Name (please print)

Signature

1912 fort Sheppard dr. V1L5S6

Civic Address

Email Address

Dr Randall Dale, Jill Dale and Shirley McCracken

10-871 Hwy 3a

Nelson, B.C. V1L 6J4 Phone- 778-463-3030

Attention: Eileen Senyk, Planner

Development Services

Regional District of Central Kootenays

Box 590, 202 Lakeside Drive

Nelson, B.C. V1L 5R4

March 20,2022

Dear Ms. Senyk,

RE: RDCK PLANNING FILE NO. Z2201F

This letter is sent in response to a request for a bylaw change pertaining to property of Angus Wright, 895 Hwy 3a, Nelson B.C.

Our property at Brierwood Estates, unit 10, is located directly above Mr. Wright's property. We are strenuously opposed to the requested bylaw amendment to allow for a dog kennel and to increase the number of dogs allowed on the property to more than the legal limit of three. Our Strata Committee has sent our community opposition documents so, I will not repeat those concerns, but instead, add our personal objections.

The property in question is not fenced. One day last summer, when Ms. Wright was visiting with all her dogs, three large, unleashed dogs came up from Mr Wright's property. They surrounded my leashed dog and I and began lunging at us. It was very frightening but thankfully we were able to get into our home without any injuries. Allowing more dogs in this unfenced area, would be unreasonable and potentially dangerous for neighbors. Thinking about this has caused much distress.

Our unit is situated very close to the proposed kennel. As it is, we can hear the clucking from the chickens on Mr. Wright's property and the whining, crying and barking from the dog there now. In Mr. Wright's application, Ms. Wright, the manager of the kennel business, states that the dogs will only be outside during the hours of 7am to 8pm. She, of course, cannot guarantee that the dogs will not be barking. Add to the kennel dogs, her personal pack of over a dozen dogs, and barking, howling and whining will be inevitable. That is a lot of hours for potential problems. We believe that we are entitled to quiet, enjoyment of our property and a kennel and multiple dogs would jeopardize this.

We are also very concerned about the impact on our property values. As mentioned in our Brierwood documents, a kennel will lower our property values....no question.

In closing, we hope that our concerns are heard. Mr Wrights property is only .04 hectares, adjacent to a multiuse residential property. The proposed kennel is basically in our backyard. Mr. Wrights desire should not out weigh the rights and objections of many.

Thank-you, for your consideration,

Mrs. Jill Dale





March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 4, 2022
Date:

Randall Dale
Name (please print)

[Signature]
Signature

10 - 871 Hwy 3a Nelson, B.C. V1L5P6
Civic Address

[Redacted]
Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 4, 2022

Date:

JILL DALE

Name (please print)

Jill Dale
Signature

10 - 871 Hwy 3a Nelson B.C. V1L 5P6
Civic Address

[REDACTED]
Email Address

Email Address

[Redacted]

Civic Address

10-871 Hwy 3A Nelson B.C. V1L5P6

Signature

Shirley McCracken - Till Date

Folder of Attorney

Name (please print)

Shirley McCracken (co-owner)

Date:

March 4, 2022

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F -

Bylaw Amendment Application by Angus Wright to add a Dog

Kennel Business to 895 Hwy 3A, Nelson, BC



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 BOX 590, 202 Lakeside Drive, NELSON, BC V1L 5R4
 ph: 250-352-8165 fax:: 250-352-9300 email: rdck@rdck.bc.ca

RDCK Planning File No. Z2201F
 Amendment to Zoning Bylaw No. 1675, 2004
 Date: February 28, 2022

You are requested to comment on the attached Amendment Bylaw(s) for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO April 4). If no response is received within that time, it will be assumed that your agency's interests are unaffected. This referral notice has also been provided to adjacent property owners within 100 metres (328 feet) or greater of the subject property for review and comment.

PURPOSE OF THE BYLAW: The proposal is to add an accessory use of 'kennel' to the subject property. Currently this use must be in place in order to have more than four or more dogs on a property. The owner would like to enable a family member to house dogs and operate a dog training facility on the property. Full details are available in the applicant's proposal summary attached to this package.

LEGAL DESCRIPTION & GENERAL LOCATION:

895 Highway 3A, Rural Nelson, Electoral Area 'F'
 LOT A DISTRICT LOT 3212 KOOTENAY DISTRICT PLAN 12180 (PID 012-600-016)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
0.4 Hectares	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT:

Angus Wright

OTHER INFORMATION: ADVISORY PLANNING COMMISSION PLEASE NOTE:

If your Advisory Planning Commission plans to hold a meeting to discuss this Bylaw Amendment application, please note that the applicants must be provided with an opportunity to attend such meeting, in accordance with Section 461, subsection (8) of the *Local Government Act*, which reads as follows:

"If the commission is considering an amendment to a plan or bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend meetings of the commission and be heard."

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

Eileen Senyk

Eileen Senyk, PLANNER
 REGIONAL DISTRICT OF CENTRAL KOOTENAY

- TRANSPORTATION West Kootenay
 - HABITAT BRANCH
 - FRONT COUNTER BC (FLNRORD)
 - AGRICULTURAL LAND COMMISSION
 - REGIONAL AGROLOGIST
 - ENERGY & MINES
 - MUNICIPAL AFFAIRS & HOUSING
 - INTERIOR HEALTH HBE Team, Nelson
 - KOOTENAY LAKES PARTNERSHIP
 - SCHOOL DISTRICT NO.
 - WATER SYSTEM OR IRRIGATION DISTRICT
 - UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)
- REGIONAL DISTRICT OF CENTRAL KOOTENAY
- DIRECTORS FOR:
- A B C D E F G H I J K
- ALTERNATIVE DIRECTORS FOR:
- A B C D E F G H I J K
- APC AREA
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)

- FIRST NATIONS
- KTUNAXA NATION COUNCIL (ALL REFERRALS)
 - YAQAN NU?KIY (LOWER KOOTENAY)
 - ?AKINK'UM?ASNUQ?IT (TOBACCO PLAINS)
 - ?AKISQNUK (COLUMBIA LAKE)
 - ?AQ'AM (ST. MARY'S)
 - OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)
 - K?K'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQA?TKWƏ?WT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
 - SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QW?EW?T (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW)

<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	<input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

See attached

Name: *JUDY FREDERIKSEN*

Date: *MARCH 23/22*

Agency:

Title: *Home Owner*

**RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

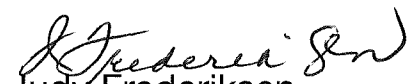
Re: RDCK PLANNING FILE NO Z2201F
Amendment to Zoning Bylaw No. 1675, 2004
Dated February 28, 2022

As a property owner approximately 1/2 km north east of 895 Highway 3A, Nelson I am opposing the request for the amendment to this bylaw.

A kennel to house and train dogs/animals is not acceptable
In such close proximity to populated residential housing:

The noise pollution from the barking dogs
There is no guarantee the dogs will not bark while being attended to on a leash while outside, in the dog run or where they are housed.

Safety to access this property is also a concern,
Will the pets "never" be dropped off or picked up.


Judy Frederiksen
1016 Hwy 3A
Nelson, BC
V11 6J5

March 23/2022

To: Eileen Senyk, Planner
Development Services
ROCK

Re: Application File # Z2201F

While I admire and support those who choose to do dog rescue and related work I feel I must add my voice to opposing the above noted application. The property in question is not large enough, with many close residential neighbors, to support this venture. Sometimes dogs just keep on barking and excessive noise is the major negative impact here.

Thank you for your attention and work on this matter.

Yours sincerely,



Shelley Lee

854 HWY 3A

Nelson BC V1L 6J3

March 25, 2022

Attn: Eileen Sengr,
 Planner, Box 590
 202 Lakeside Dr. Nelson BC V1L 5R4

Re: File # Z2201F

FROM: NORDQUIST / DOUCETTE
 8, 871 NWY 3A Nelson BC V1L 6J4
 stormn@shaw.ca.

We are apposing the above application file # Z2201F

Reasons:

- 1) We bought our condo @ Briarwood in May 2021, because the area is quiet, mature living with caring neighbors
- 2) Allowing more than 3 dogs would be disruptive, noisy, upsetting to our little dog, + us.
- 3) Having a kennel, + multiple dogs so close in proximity, would stress our dog, cause him to bark + upset the neighbors in our complex + us.
- 4) Our property @ Briarwood, has multiple abundances of wildlife, to which this would cause dogs to bark at etc.

- 5) Since we purchased our condo, we have done many upgrades to increase the value. A realtor has confirmed that, a kennel in the area would definitely reduce our value, if all properties in the area.
- 6) The owner himself is not planning to live in the area, therefore would not be subject to the noise, smell + disruptive community.
- 7) Concerns over possible illnesses dogs being ~~breeded~~, + coyotes possible (cougars) coming to prey on these dogs etc. SAFETY ISSUES FOR ALL WHO LIVE HERE,



March 2, 2022

**Briarwood Strata
Strata Corp NES79**

RE: Request for Opinion on the Effect of Market Value For Units at 871 Highway 3A, Nelson BC. Should the Application for a Dog Kennel be Approved at 895 Highway 3A, Nelson BC

Dear Strata Council,

I have been a licensed Realtor in Nelson for almost 35 Years now.
It is my opinion that without a doubt the Market Value of the units in your strata will be negatively affected by at least 10 – 20% should this application be approved.

Please do not hesitate to contact me at anytime on my cell phone at 250-354-2814.

Sincerely,

Wayne Germaine
Broker/Owner/Realtor
Valhalla Path Realty

WG

Valhalla Path Realty
280 Baker Street
Nelson, BC V1L 4H3
Phone: 250-354-4089
Fax: 250-354-4602
Email: info@valhallapathrealty.com

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

MARCH 25, 2022
Date:

Norm Nordquist
Name (please print)


Signature

#8 - 871 Hwy 3A Nelson B.C. V1L 6J4
Civic Address


Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to allow
More than 3 dogs and to add a Dog Kennel Business to
895 Hwy 3A, Nelson, BC

March 25/22

Date:

FRANCES DOUCETTE

Name (please print)

Frances Doucette

Signature

8, 871 Hwy 3A, Nelson BC V1L6J4

Civic Address

[REDACTED]

Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to allow
More than 3 dogs and to add a Dog Kennel Business to
895 Hwy 3A, Nelson, BC

25/3/2022
Date:

Ann Jensen
Name (please print)


Signature

845 Lakeview Heights Nelson
Civic Address


Email Address

<input type="checkbox"/> RDCK EMERGENCY SERVICES	<input type="checkbox"/> SKEMTSIN (NESKONLITH)
<input type="checkbox"/> RDCK BUILDING SERVICES	<input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
<input type="checkbox"/> RDCK UTILITY SERVICES	
<input type="checkbox"/> RDCK REGIONAL PARKS	

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

Please see attached 5-page document

Also enclosed are the signatures of four adults living at 905 Hwy 3A (next to our house) opposing the application. Their house is ~ 25m from the proposed kennel.

and the signatures of us at 901 Hwy 3A opposing.

Name: STEVEN ARNDT Date: MARCH 28, 2022

Agency: _____ Title: next door neighbour

**RETURN TO: EILEEN SENYK, PLANNER
DEVELOPMENT SERVICES
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

RESPONSE SUMMARY

PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

As the neighbour living immediately adjacent to the proposed kennel and outdoor run, I oppose the proposed amendment for the following reasons:

- 1) It will detract from the use and enjoyment of our deck and yard.

Noise of Barking:

The proposed kennel (shop building) is only 10.9 m from our house and the proposed outdoor run only ~ 8.5 m from the house and covered deck. The part of our yard that we use most often from Spring to Fall is from 5 to 15 m from the outdoor run.¹ It will be impossible for us to talk or work in the yard without being heard by the dogs and their barking will be loud at these short distances even with the roofed run in the revised proposal.

The single dog currently residing in the house on the property can be easily heard inside our house when it is outside barking, even though the dog is usually more than twice as far away as the proposed outdoor run; the barking is loud enough to be annoying when we're outside. Thankfully, this dog is not usually left outside. The proposed kennel would allow multiple dogs to be outside from 7:00 AM to 8:00 PM – essentially whenever we are using the yard. It would no longer be a quiet place to cook outdoors and entertain guests. A kennel that boards dogs is worse than a resident's dog because boarded dogs bark in unfamiliar surroundings.

Odours:

It is possible that odours (dogs, feces) from the outdoor run or the kennel (ventilation is required if the shop gets hot in summer) will be detected from our yard and deck which are uphill of the kennel at the level of the shop roof. The breeze moves uphill in our area from late morning to early evening.

Please see the attached Figures 1 and 2 which show the location of our house, deck and yard with the distances to the proposed kennel and outdoor run.

NOTE 1: The PLOT PLAN diagram in the proposal inaccurately shows the location of our house in relation to the existing shop and proposed outdoor run. I have redrawn the house location in Figure 1. The location of our house in relation to the shop can be verified from the Overview Map in Figure 2.

NOTE 2: The Artistic Rendering in the proposal omits the covered deck on the west side of our house; this is an important consideration since as noted above, it is where we spend the most time when we're outdoors.

- 2) It will substantially reduce the re-sale value of our property.

I have consulted with two realtors about the proposed amendment. Both stated clearly that if the proposal is granted, it “will most definitely affect the value of your property negatively.”

¹ The yard and deck on the west side of the house have the most pleasant view and temperature, and get the most sun. The deck on the west side of the house is also covered and therefore used for BBQs and fresh air even during rain. There is no useable outdoor space on the northeast side of our property.

Although it is difficult to predict exactly how much, the values both mentioned were in the range of 10 – 25 % of the current property value. Even at the low end of this range, it would result in a loss of nearly \$50,000 based on our most recent tax assessment!

I feel it is unfair to ask neighbours to give up \$10,000s of equity in their home to allow a new business that was prohibited by the zoning when we bought the property. This is not an appropriate neighbourhood for a kennel, dog boarding, or dog training business. The proposed property is simply not large enough and is way too close to the neighbouring yards and dwellings for it to function without significant impacts on us.

Even if the initial kennel owner (Ella Wright) found ways to reduce impacts, the zoning change is on the property, and a future kennel owner could make full use of the zoning allowance.

Thank you very much for your time in reviewing these concerns.

Sincerely,

A handwritten signature in black ink that reads "Steve Arndt". The signature is written in a cursive, flowing style.

Steve Arndt
901 Hwy 3A
Nelson, BC
V1L 6J5

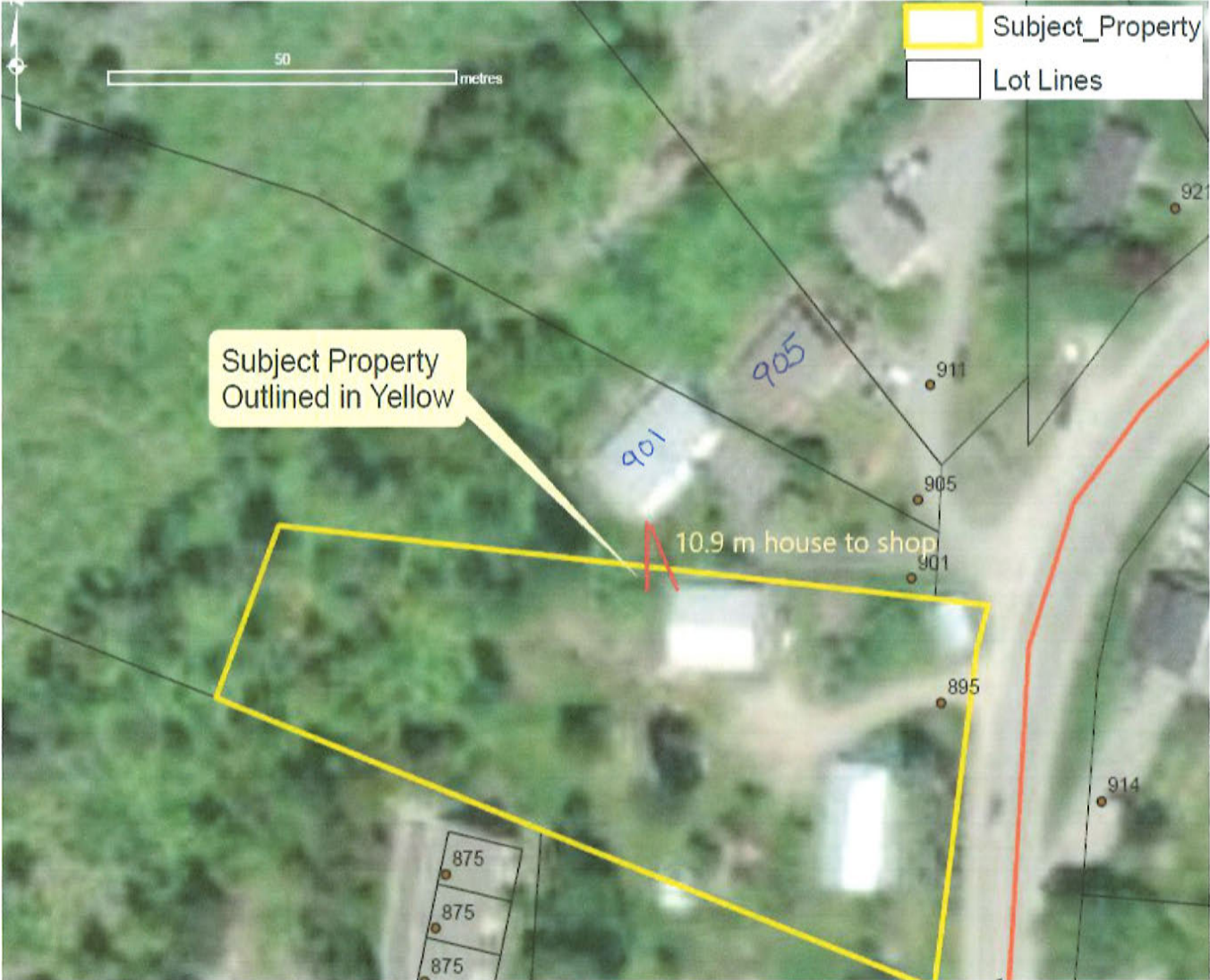


Figure 2. Overview Map showing distances (red lines) between House 901 and the proposed kennel shop (11 m). Second red line is from the house to where the proposed outdoor run would be (~8.5 m from lower floor of the house and upper floor outdoor deck).



Figure 3. Looking down from our deck on the shop and location of the proposed outdoor run, which would be attached to the back of the shop and reach almost to the apple tree. The corner of the run would be less than 10 m from our house as shown in Figures 1 and 2.

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 28th, 2022

Date:

Caroline O'Neill

Name (please print)

Caroline O'Neill

Signature

905 Highway 3A. V1L 6W5

Civic Address

[Redacted]

Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 29 2022

Date:

Allen Chatten

Name (please print)

A. Chatten

Signature

905 Highway 3a V1L 6J5

Civic Address

[Redacted]

Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

28 March

Date:

Curtis Jones Curtis Jones

Name (please print)

Curtis Jones

Signature

905 Highway 3A

Civic Address

Email Address

SIGNATORY LIST

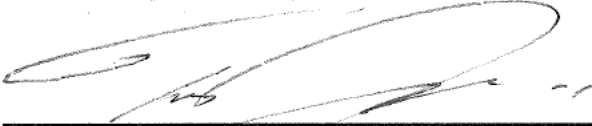
To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 29 2022

Date:

Teaka Jones

Name (please print)



Signature

905 Hwy 3a Nelson B.C.

Civic Address



Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 30, 2022

Date:

Janice Arndt

Name (please print)

Janice Arndt

Signature

901 Highway 3A Nelson

Civic Address



Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 30, 2022

Date:

Steve Arndt

Name (please print)

901 Hwy 3A, Nelson, BC

Signature

Steve Arndt

Civic Address


Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 29/22

Date:

Murrey Lewis

Name (please print)



Signature

905 HWY 3A NELSON

Civic Address



Email Address

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC

March 29 2022

Date:

Steven Lewis

Name (please print)

Signature

Civic Address

911 Highway 3A Nelson BC V1L 6J5

Email Address

April 4, 2022

Eileen Senyk, Planner
Regional District of Central Kootenay
Box 590
Nelson BC V1L 5R4

Dear Eileen,

Re: Application for a Land Use Amendment Z2201F

I am writing to oppose the application for a Land Use Amendment to permit a kennel at 895 Highway 3A, Rural Nelson (Z2201F). The applicant's lot is an inappropriate location for a kennel.

My primary reason for opposing the use of the property for housing and boarding dogs is noise. Whereas the proponent's residence is on the lower portion of his property, the bordering residences on either side are further up the hill so as to be adjacent to the proposed kennel and outdoor dog run. My residence in particular, #901, is immediately adjacent to the proposed outdoor dog run (contrary to the proponent's sketch, labelled "Plot Plan", in which the location of my residence was not accurately represented). Due to the configuration of my lot and the natural contours of the land, both my useable yard space and my covered deck are on the west side of the property, only metres from the eastern boundary of the applicant's property along which the proposed activities would take place. My home and yard are closer to the kennel and outdoor run than is the proponent's residence.

RDCK Noise Control Bylaw No. 2440, 2015 4(1), under General Prohibitions, includes the following: "The Board of the Regional District of Central Kootenay considers the acts listed below [to] cause noise or sounds which are objectionable or are liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public:

"(c) The keeping or harbouring of any dog, bird or other animal, which barks or emits cries in a persistent manner that may easily be heard by a person not on the same property".

Despite the proponent's best intentions, it would seem to be impossible not to be in contravention of this bylaw. The subject property is too narrow – and the adjacent residences in too close proximity – to avoid noise disturbance to neighbours from multiple dogs. No matter how well-behaved, boarded dogs will not habituate to my presence and will interfere with the regular use and enjoyment of my property. Nor will boarded dogs become desensitized to disturbances such as cyclists and pedestrians on the road, visitors to my property, nor the presence of squirrels and other wildlife. It is highly questionable whether even resident dogs could become acceptably accustomed to these triggers.

In addition to noise, my concerns include potential odour and roaming issues, as well as the devaluation of my property. The current maximum allowance of three dogs was instituted for good reason, and I urge you not to make an exception in this case, where the property in question is not suited for the proposed purposes.

Please feel free to contact me with any questions you may have regarding these concerns.

Sincerely,



Janice Arndt
901 Highway 3A, Nelson BC V1L 6J5
[REDACTED]

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to allow
More than 3 dogs and to add a Dog Kennel Business to
895 Hwy 3A, Nelson, BC

March 31, 2022

Date:

MARY ASSELIN

Name (please print)

[Signature]

Signature

960 HWY 3A Nelson, BC. V1L6J5

Civic Address

[Redacted]

[Redacted]

RECEIVED

APR 1 2022


REGIONAL DISTRICT OF
CENTRAL KOOTENAY
NELSON, B.C.

SIGNATORY LIST

To oppose RDCK Planning File No: Z2201F –
Bylaw Amendment Application by Angus Wright to add a Dog
Kennel Business to 895 Hwy 3A, Nelson, BC


April 1, 2022
Date:

Sharon Lee
Name (please print)


Signature

848 Hwy 3A Nelson BC V1L 6J3
Civic Address

Email Address

As a longtime SPCA supporter/volunteer,
I applaud people who work to improve
animal welfare. However, I feel it is
entirely inappropriate for a kennel
~~for~~ business of this nature to be in
the midst of a residential area. Please
note my opposition to this proposal.


<input type="checkbox"/> RDCK EMERGENCY SERVICES <input type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK REGIONAL PARKS	Attachment B Page 123 of 127 <input type="checkbox"/> SKEMTSIN (NESKONLITH) <input type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)
---	---

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

RESPONSE SUMMARY
PLANNING FILE NO.: Z2201F APPLICANT: ANGUS WRIGHT

Concerns:

- increase in noise
- dogs getting loose onto highway
- could not find Ella Wright's dog business on Facebook
- states that clients will not be driving to house - but if that happens the concern is increased traffic at a very accident prone area. Living there for 10 years we have had to call police at least 5 times due to traffic accidents on the curve.
- increase of dog odors drawing neighbour pets and wild animals to the area.
- dog run is outdoors and will increase in howling and barking day and night

Name: Dennis Leugner

Date: April 3, 2022

Agency: _____

Title: _____

**RETURN TO: EILEEN SENYK, PLANNER
 DEVELOPMENT SERVICES
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

Attention: Eileen Senyk, Planner

RE: RDCK Planning File No: **Z2201F** – Amendment to Zoning Bylaw
No. 1675,2004

Hi Eileen,

I am writing to oppose the above amendment request.

The 1-mile area is a quiet neighborhood, which resembles more of an area of Nelson than a rural area. I don't think a dog kennel fits in this tight of a neighborhood. Dog kennels are proven to be noisy even with noise mitigation techniques. I realize the property borders Hwy 3a, but the road noise is a low-pitched sound, which is often quiet during evening and overnight hours.

There are several properties with equal value in more rural neighborhoods with more space between homes and larger property's in Nelson's surrounding areas. I feel the owner could easily sell and obtain one of these properties and build the kennel in an appropriately zoned neighborhood.

Dog kennels are proven to reduce property values and I think the impact of the dog kennel in area's without zoning or the appropriate zoning would be less.

I think if this is what the owner really wants they should find a less dense neighborhood and build their business there.

I feel the current zoning is appropriate and do not support this amendment request.

Thank you

Alex Richardson
878 Hwy 3a Nelson, BC

904 Hwy 3A, Nelson, B.C.

**RESPONSE SUMMARY PLANNING FILE NO.: Z2201F APPLICANT:
ANGUS WRIGHT**

RETURN TO: EILEEN SENYK, PLANNER DEVELOPMENT SERVICES

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Hello,

I am writing in response to the RDCK Planning File No. Z2201F and the requested zoning change for the number of dogs allowed on each property from 3 to unlimited, that is proposed within 100 m. of our home.

I have always enjoyed the privilege of a dog in my life and there are dogs in our neighbourhood presently, 1-3 per property. However, I do not believe that a rescue kennel with an allowance of an unlimited numbers of dogs is appropriate for this area.

I have an expectation that the RDCK has asked the following questions. Is this proposed rescue registered in B.C.? What qualifications does the person who wishes to run this rescue have? Anyone can state that they are a “professional dog trainer” but there are recognized qualifications for this title. Has the RDCK considered liability insurance? Rescue animals are not initially social creatures. Are these international rescues? Even if the dogs are immunized, there are many untreatable diseases that can be carried and this area is home to many wild and vulnerable creatures.

Realistically, it is nearly impossible to completely manage and prevent escapes from any kennel. I have noticed that there is a small fenced area (run) attached to the proposed “kennel” but there does not appear to be fencing around the perimeter of the property.

There is a comment in the proposal that there will be “no pit bulls” rehabilitated on this property. Any dog, large or small, can become a “problem dog”. I am also concerned that the proposed “kennel” manager has a “K9 pack” of 5 dogs herself. Will they be running freely on the unfenced property and beyond?

Well qualified dog behavioural consultants do not believe that one person is capable of caring for and rehabilitating 15 or more dogs. I am sure the RDCK must remember the recent case of approximately 40 apprehended dogs from a failed rescue in Salmo.

In conclusion, I believe that this proposed zoning change to increase the number of dogs allowed on each property from 3 to unlimited should not be considered.

Yours sincerely,

Dawn Taylor.

904 Hwy 3A,

Nelson, B.C.

From: [Kris Beattie](#)
To: [GRP_PlanDept](#)
Subject: File No: Z2201F
Date: Friday, March 25, 2022 8:58:45 AM

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

Good Morning Eileen,

I am writing to respond to the notice of by-law amendment re: file Z2201F regarding the possibility of a kennel.

We are opposed to this idea on a number of fronts.

The area in question is tightly centered in the midst of a dense residential setting, there are no buffers of space, vegetation etc. the noise alone would drive dozens of residents to distraction.

Highway 3A is extremely busy. The proposed location is on a blind corner used by thousands of vehicles a week, speeding cars, transport trucks and cyclists, joggers and pedestrians all vie for position here and a guillotine of extra business traffic entering and exiting the roadway here is a recipe for disaster, I have copied the M.O.T and RCMP to this end.

We are located at #966 Hwy 3A.

Thank-you for considering our thoughts,

Regards,

Kris Beattie