



Committee Report

Date of Report: 11, 14, 2022
Date & Type of Meeting: 12, 07, 2022, Rural Affairs Committee
Author: Eileen Senyk, Planner
Subject: BYLAW AMENDMENT
File: Z2209J - Horkoff
Electoral Area/Municipality J

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Regional Board to consider an application for land use bylaw amendments in Electoral Area 'J' to facilitate the development of a secondary suite on a property where the Official Community Plan and Zoning Bylaw currently prohibit it due to size limitations of the lot.

In order to enable construction of a single family dwelling with a secondary suite on the subject property, this application seeks to:

- (a) amend the OCP specifically for this lot only,
- (b) amend the zoning of the subject parcel from Ootischenia Suburban Residential (R1A) to a proposed new zoning classification, Ootischenia Suburban Residential with Secondary Suite (R1As); and
- (c) to amend the zoning bylaw to create the aforementioned new zone classification and add regulations for secondary suites

Staff recommend that the amending bylaws be given First and Second reading and referred to a public hearing.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Carlin and Allison Horkoff

Property Location: 1010 Columbia Road, Ootischenia Electoral Area 'J'

Legal Description: Lot 2 District Lot 4598 Kootenay Land District EPP75763 (PID 030-260-191)

Property Size: 0.23 hectares

Current Zoning: RDCK Zoning Bylaw No. 1675, 2004 Ootischenia Suburban Residential (R1A)

Current Official Community Plan Designation: Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 Suburban Residential (SR)

SURROUNDING LAND USES

North: Suburban Residential

East: Suburban Residential

South: Suburban Residential

West: Suburban Residential

BACKGROUND AND SITE CONTEXT

The subject property is located in Ootischenia, which lies to the east of the City of Castlegar and south of the confluence of the Columbia and Kootenay rivers. The subject 0.23 ha parcel is undeveloped, flat and partially treed. The surrounding neighborhood is zoned Ootischenia Suburban Residential (R1A), and characterized by one-family and two-family dwellings on a variety of lot sizes, the majority of which are 0.2 to 1.0 hectare in size. Some lots, such as the subject parcel, remain undeveloped. The Ootischenia Improvement District operates a community water distribution system in the area, and the proposed development would be connected to that system.

Connection to community water enables lot sizes that are smaller than those that are serviced by ground water wells or water licenses (referred to as 'onsite servicing'). When a property in the R1A zone is serviced by community water, one single-family dwelling per 0.2 hectares is permitted. However, 0.4 hectares are required for a two-family dwelling. The subject property is 0.23 hectares in size which enables one, One-Family Dwelling unit. However, there are no restrictions on the size of that dwelling provided it does not exceed the site coverage provision for the zone.

Land Use Bylaw Amendments Proposed

Given the development restrictions with the current OCP and Zoning Bylaws, this application contemplates amendments to those bylaws that would enable development of a one-family dwelling unit with a secondary suite for this property. The specific changes are detailed in the attached draft bylaws (see Attachment A), and for convenience explained below:

1. Amendment to OCP specific to this lot

Amend land use designation from "Suburban Residential 1" to "Suburban Residential 1 Site Specific"

Amend policy 3.2.2.3

From this:

3.2.2.3 "One dwelling unit shall be permitted per 2000 square metres of site area."

To this:

3.2.2.3 "One dwelling unit shall be permitted per 2000 square metres of site area, except one dwelling unit and one secondary suite shall be permitted on Lot 2 District Lot 4598 Kootenay Land District EPP75763 (PID 030-260-191)"

2. Amendment to Zoning Bylaw specific to this lot

Amend zoning from "Ootischenia Suburban Residential (R1A)" to "Ootischenia Suburban Residential with Secondary Suite (R1As), and add this use to that zone for this lot only.

3. Amendment to Zoning Bylaw generally

Add definition for "secondary suite":

"SECONDARY SUITE means a self-contained, accessory dwelling unit that provides living accommodation. The secondary suite is located within a one-family dwelling that has its own separate entrance and separate living, sleeping sanitary and kitchen facilities from the one-family dwelling. A secondary suite does not include multi-family dwelling, tourist accommodation or a recreational vehicle."

Add regulation for secondary suites:

A secondary suite is subject to the following additional regulations:

4. The secondary suite shall not exceed 90 square metres gross floor area.
5. The secondary suite shall have its own separate cooking, sleeping, and bathing facilities.
6. The secondary suite shall have direct access to outside without passing through any part of the principal dwelling unit.
7. The secondary suite shall be located within a single detached house.
8. The secondary suite shall not be connected to a single detached house by a breezeway or carport.
9. No more than one secondary suite is permitted per parcel.
10. A secondary suite is not permitted in conjunction with accessory tourist accommodation.
11. One parking space for the secondary suite is required in addition to those required for the principal dwelling.
12. A secondary suite shall meet all requirements of the British Columbia Building Code and amendments thereto.
13. The secondary suite must be serviced by a community water system and written authorization permitting the secondary suite from the service provider is required.





Figure 1: Subject property from Columbia Road



Figure 2: Subject Property facing Columbia Road



Figure 3: Property Line between Subject Property and One Family Dwelling to the North



Figure 4: Proposed Septic Field Area



Figure 5: Southwest Corner of Subject Property Facing One Family Dwelling on the South Side

Planning Policy

Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

Residential Objectives:

- 2.1.2 To consider development proposals in relation to the provision of services.
- 2.1.3 To provide for a choice of housing.
- 2.1.4 To minimize conflicts between housing and other adjacent land uses.
- 2.1.6 To maintain the rural character, environmental integrity, the social and cultural diversity of the Plan Area.
- 2.1.7 To encourage some limited higher density residential development subject to adequate servicing and the maintenance of rural character.

3.2.2 Suburban Residential Policies

- 3.2.2.1 The principal use shall be residential.
- 3.2.2.2 The minimum lot size shall be 2000 square metres.
- 3.2.2.3 One dwelling unit shall be permitted per 2000 square metres of site area.*
- 3.2.2.4 Shall be serviced by a community water system.

*Note: this application contemplates amendments to this policy to permit the proposed development, and these changes are noted on page 2 of this report.

Official Community Plan Consultation, RDCK Policy No. 400-02-19

The purpose of this policy is to establish a consistent process to comply with Local Government Act (LGA) consultation requirements during a minor amendment to an official community plan. A minor amendment to an Official Community Plan is defined as any official community plan amendment application made by the public for a single property or multiple properties functioning as one site. This application meets the definition of a minor amendment to an Official Community Plan.

By limiting the proposed OCP amendment to the subject property (site specific), staff have ensured that the consultation requirements for a minor amendment have been satisfied.

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 has been paid pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

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

Section 479.1.c.ii of the Local Government Act directs that a local government may regulate the density of the use of land, buildings and other structures by zoning bylaw.

RDCK Zoning Bylaw No. 1675, 2004 uses site area as a measure of density. Section 801.1 of this bylaw establishes the following density provisions for the R1A zone:

	Community Water Supply Only	On-Site Servicing Only
One-Family Dwelling	0.2 hectares	1.0 hectare
Two-Family Dwelling	0.4 hectares	1.0 hectare

The subject property is 0.23 hectares in size which enables one One-Family Dwelling.

3.3 Environmental Considerations

Site area is a common measure of density in rural areas is because Type 1 septic systems (standard tank and field) consume a large amount of space and have the potential to contaminate ground and surface water sources. Less site area is required where a community water system is in place because it decreases the risk of cross contamination between water and sewage. Ootischenia has a community water system, which is why smaller site areas (and therefore higher density) are enabled in the Ootischenia Suburban Residential (R1A) zone.

The Sewerage System Standard Practice Manual (SPM) - Version 3 - provides specifications required for septic system design in BC (see Table 1). The daily design flow for a one bedroom dwelling unit is 700 litres/day and the daily design flow for a two bedroom dwelling unit is 1000 litres/day. The proposal consists of a two bedroom dwelling plus a one bedroom secondary suite. The Daily Design flow for the proposed building is therefore 1700 litres/day.

When the subject property was created at the time of subdivision, the property was assessed for septic capacity based on a standard 4 bedroom home at 1600 litres per day. The Interior Health Authority (IHA) provided the following comment regarding the proposal:

'The difference between the estimated amount of sewage that would be produced from the proposed 2 dwelling units is not significant enough compared to the guideline based on one dwelling unit to be concerned with the proposal. Especially when considering the subject lot, according the Authorized Person's report, is relatively flat with good soils for onsite sewerage and no surface water, ground water or steep slopes/cut banks present. As such, we do not have any objections to the proposal.'

Table 1: Minimum Daily Design Flow (DDF) for Residences per the SMP (v3)

Number of Bedrooms	Maximum Floor Area (m ²)	DDF Litres/Day
1	140	700
2	240	1000
3	280	1300
4	330	1600
5	420	1900
6	520	2200
Additional bedroom, add		300
Additional 1 m ²		3

A complete record of IHA comments regarding the proposal, and the amending bylaw, is provided in Section 3.6 – Communication Considerations.

3.4 Social Considerations:

Regional Housing Needs Assessment and Housing Action Plan

In 2020, the Regional District completed a Housing Needs Assessment to identify current and projected housing needs for eight of its member municipalities (excluding the City of Castlegar) and all of its Electoral Areas.

Key findings of the assessment of particular relevance to this application include the following:

- The population of the RDCK is aging;
- Renter households are increasing and are less able to meet their housing needs than owners;
- Renters and owners are both challenged by the current housing market;
- There is a need for more non-market housing options, supportive, and emergency housing options; and,
- Transportation costs are contributing to energy poverty.
- There is a need for housing across the RDCK that supports the needs of older residents. Specifically, there is a need for more housing that is affordable and accessible for those on a fixed income, particularly within the rental market.
- Seniors responded noting that they would prefer to be located closer to amenities and services, especially as they choose to drive less or are unable to operate a personal vehicle.
- Many of the most desirable units are located in housing markets that are too expensive for many Central Kootenay residents.
- Expanding the availability of smaller, multi-unit housing, connected to services or transit options is vital for meeting the needs of an older population.

In response to the results of the Housing Needs Assessment, the RDCK Board directed staff to undertake five recommended next steps, one of which was to “create a housing action plan”. The Regional District’s Affordable Housing Action Plan (AHAP) is currently underway and is to be completed by spring 2023.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

Electoral Area J Advisory Planning and Heritage Commission

That the Area J Advisory Planning Commission SUPPORT an amended Zoning Bylaw Amendment and Official Community Plan Amendment to Carlin Horkoff for the property located at 1010 Columbia Road, Ootischenia and legally described as Lot 2 District Lot 4598 Kootenay Land District EPP75763 to allow the addition of a suite provided that a separate water connection is approved by the OID for the additional dwelling unit and the septic capacity is demonstrated and approved by IHA and that the current zoning is amended accordingly.

Ootischenia Improvement District

The board has no comment.

Provincial Agency Responses

Ministry of Transportation and Infrastructure – District Technician

The ministry has no concerns.

Interior Health Authority – Specialist Environmental Health Officer and Team Leader, Healthy Community Development

Thank you for the opportunity to provide comments on this Zoning proposal which would allow two dwelling units (2 bedroom and 1 bedroom) within one house on a 0.23 hectare parcel serviced by a community drinking water system and onsite sewerage. We do not have any concerns with this proposal.

Housing:

As indicated in the RDCK Housing Needs Report, there is increasing demand for housing in areas outside of Nelson and Castlegar including Area J. If the proposed dwelling units are intended for long-term housing they could contribute to housing stock in the area. In terms of healthy housing and neighbourhood design, it is beneficial that the subject property is in a cluster of higher density compared to other areas of the region.

Onsite Servicing:

In regards to on-site servicing, a minimum 0.2 hectares is used as a guideline for parcels serviced by onsite sewerage and community water based on the amount of land needed for sustainable onsite sewerage servicing for a typical 4-bedroom home. The subject parcel is 0.23 hectares. The BC Sewerage Systems Standard Practices Manual uses the following quantities for the estimated amount of daily sewage produced:

bedroom home	1600 L/Day
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bedroom + 1-bedroom	1000 L/Day + 700 L/Day = 1700 L/Day
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The difference between the estimated amount of sewage that would be produced from proposed 2 dwelling units is not significant enough compared to the guideline based on one dwelling unit to be concerned with the proposal. Especially when considering the subject lot, according the Authorized Person’s report, is relatively flat with good soils for onsite sewerage and no surface water, ground water or steep slopes/cut banks present. As such, we do not have any objections to the proposal.

Separately we have reviewed the revisions to the draft amendments for the applicable Zoning Bylaw and Official Community Plan supporting low density residential development with lot sizes for subdivision and development determined by the requirements of on-lot servicing, and the ability to allow a secondary suite in the Ootischenia Suburban Residential zone if the zone has an “s” notation added as part of the zone identification. While allowing the ability for applicants to consider secondary suites as a permitted use, the proposed revisions strengthen and protect the RDCK’s and broader community’s interests from a development perspective, while requiring the applicant to prove appropriate servicing, including that it must be serviced by a community water system and written authorization permitting the secondary suite from the service provider is required.

From a healthy housing viewpoint, we are also very appreciative of the language within the draft bylaw that secondary suites are intended to support the long term community housing needs versus supporting short-term or vacation rentals.

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

This project should not create significant adverse environmental impacts if the proponent follows section 34 of the Wildlife Act regarding tree removal (see table below) and conducts an inspection for nests prior to tree removal, ideally by a qualified professional. Other recommendations include implementing measures to prevent introduction and/or reduce the spread or establishment of invasive plants on site, and adequately secure wildlife attractants.

Further, although not required, it is recommended that tree retention be considered for the southeast portion of the property furthest from Columbia Road. Retaining trees in this area will allow for safe covered movement of wildlife, such as elk, deer, and bears between properties.

First Nations Responses

Ktunaxa Nation Council

The Ktunaxa Nation Council has no further concerns with this Bylaw Amendment.

Penticton Indian Band

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 project is located within an area of cultural significance and has the potential to impact PIB tmx^wulax^w(lands), siw[†]k^w (water, the lifeblood of the land) and syilx cultural heritage. Our tmx^wulax^w and siw[†]k^w 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, the PIB is

requiring a Cultural Heritage Resource Assessment be undertaken by qualified PIB Cultural Heritage Technicians to determine the nature and extent of any potential impacts. The PIB CHRA process involves in-field pedestrian surveys using either systematic or judgmental site sampling techniques undertaken by qualified PIB Technicians 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 to reject the proposed project.

A Cultural Heritage Resource Assessment is a written report detailing the results of the assessment of an area that has Indigenous cultural heritage sensitivity. The applicant has been informed of the PIB's request and has been provided with the referral response and contact information. The applicant has also been informed that the property is located in an area with high archaeological potential, and provided with the 'Suggested Archaeology Chance Finds Management Procedure'.

Neighbor Responses:

Yofonoff Response

We are against the bylaw amendment that allows comprehensive development facilitating two family dwellings from single family dwellings. Ootischenia is not ready for this change.

Robert Harshenin

I Robert W Harshenin resident of Hillview Rd. Ootischenia oppose the bylaw changes to RDCK Planing # Z2209G. As records will show, the residents of Ootischenia voted in an agreement to lot sizes and to one (1) family dwelling per lot. This should remain as per agreement.

If this is approved, it will be a presidence setting amendment for future subdivisions. This is why I disagree with the proposel.

Why was this sudivision approved by the RDCK in the first place? There are bylaws to lot sizes in the books. This is an abuse of the bylaws that are in place.

Sheppard Response

We are registering our objection to the proposed bylaw amendment for the property at 1010 Columbia Rd.

Ootischenia RDCK File No. Z2209J-Lot 22, DL 4598 Kootenay District Plan EPP75763(PIDO30260191)

Two family dwellings on a 1/2 acre property are not part of the Ootishcenia development plan. The OID has publicly stated there will be no more water connections issued but apparently have granted one in this case. The property is too small for a multifamily dwelling. If this amendment is made then the precedent has been set for all property owners. Such examples of poor planning lead to a change in the quality of life for the existing residents. This is why we have zoning regulations.

Semenoff Response

I have taken the time to review the application and have no objection to the proposed development. I believe the applicants have put forward a design that is very suitable for the area and they have made some strong points about how their proposal aligns with the RDCK Community Plan.

3.7 Staffing/Departmental Workplace Considerations:

Should the amending bylaws be read a First and Second time staff will prepare for a Public Hearing.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: OPTIONS & PROS / CONS

Planning Discussion

As noted earlier in this report the RDCK is currently undertaking a Housing Action Plan. One of the anticipated outcomes of that work is to identify policy and regulation changes that could be made to remove unnecessary regulatory barriers to increasing housing supply in areas where it is desirable to do so. Applications like this one highlight the need for change, and we acknowledge that in preparing these amendments we are reacting to those forces, rather than proactively making those desired changes. Given the limited time and scope afforded in processing a land use application, we have not addressed more comprehensive amendments as we might like to do. However, Staff have endeavored to provide a solution for this particular project, while acknowledging that more consultation with the Board and the affected communities is necessary before making broader changes to land use bylaws.

Staff consider this application a good example of the sort of development that should be encouraged. That is, using the land base more effectively, with more modest-sized dwelling units helps achieve the residential objectives of the OCP in (a) providing more housing choice; (b) considering development proposals relative to servicing, and (c) “maintaining rural character, environmental integrity, the social and cultural diversity of the Plan Area”.

Staff support this proposal for the following reasons:

- The proposed one-family dwelling with a secondary suite would have essentially the same site coverage and environmental impact as a four bedroom house.
- The Interior Health Authority is supportive of the application from both a housing and an onsite servicing perspective.
- The property is located close to a public transit system (a bus route) that enables transportation into the nearby municipality of Castlegar.
- The applicant seeks to legitimately build a house with a secondary suite rather than illegally adding a secondary suite after the one-family dwelling has been constructed.

Option 1

1. That Kootenay Columbia Rivers Official Community Plan Amendment Bylaw No. 2867, 2022 being a bylaw to amend Kootenay Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
2. That Regional District of Central Kootenay Zoning Amendment Bylaw No. 2868, 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.
3. That in accordance with Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, Electoral Area J Director Henny Hanegraff is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

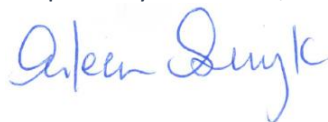
Option 2

1. That no further action be taken with respect to Kootenay Columbia Rivers Official Community Plan Amendment Bylaw No. 2867, 2022 being a bylaw to amend Kootenay Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 and Regional District of Central Kootenay Zoning Amendment Bylaw No. 2868, 2022 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 .

SECTION 5: RECOMMENDATIONS

1. That Kootenay Columbia Rivers Official Community Plan Amendment Bylaw No. 2867, 2022 being a bylaw to amend Kootenay Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 is hereby given FIRST and SECOND reading by content and referred to a PUBLIC HEARING.
2. That Regional District of Central Kootenay Zoning Amendment Bylaw No. 2868, 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.
3. That in accordance with Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015, Electoral Area J Director Henny Hanegraff is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Respectfully submitted,



Eileen Senyk

CONCURRENCE

Planning Manager – Nelson Wight

General Manager of Community Sustainability and Development – Sangita Sudan

Chief Administrative Officer – Stuart Horn

ATTACHMENTS:

Attachment A – Draft Bylaws

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2867

A Bylaw to amend Kootenay Columbia Rivers Official Community Plan Bylaw No. 1157, 1996

WHEREAS it is deemed expedient to amend Kootenay Columbia Rivers Official Community Plan Bylaw No. 1157, 1996, 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 Policy 3.2.2.3 of Schedule 'A' of, Country Residential 2 Policies of Kootenay-Columbia Rivers Official Community Plan Bylaw No. 1157, 1996 be amended by adding "except one dwelling unit and one secondary suite shall be permitted on Lot 2 District Lot 4598 Kootenay Land District EPP75763 (PID 030-260-191)"
2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as "Kootenay Columbia Rivers Official Community Plan Amendment Bylaw No. 2867, 2022."

READ A FIRSTTIME this 8th day of December 2022

READ A SECOND TIME this 8th day of December 2022





WHEREAS A PUBLIC HEARING was held this day of

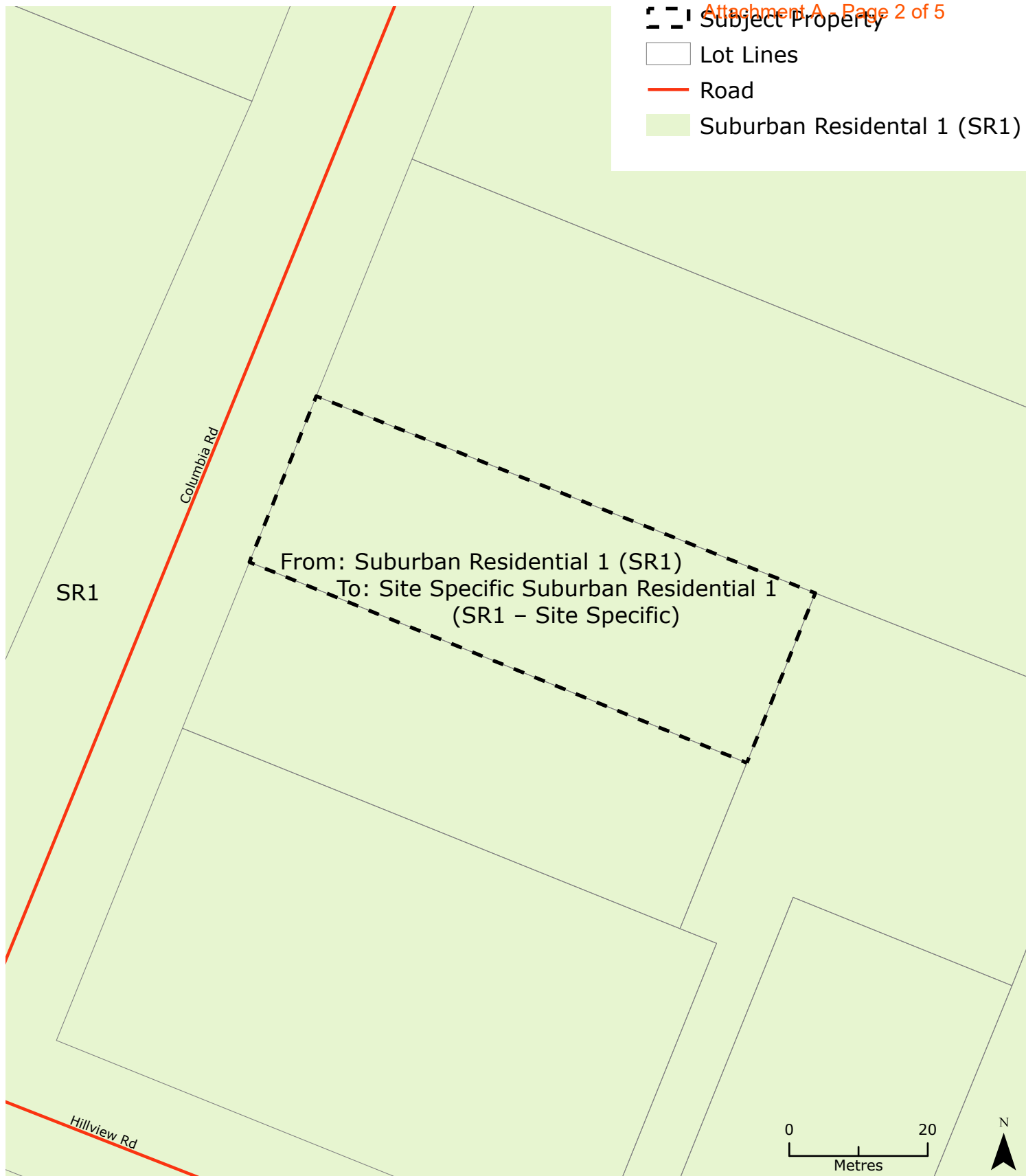
READ A THIRDTIME this day of

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

-  Subject Property
-  Lot Lines
-  Road
-  Suburban Residential 1 (SR1)



OCP Bylaw Amendment

RDCK File No. Z2209J - Horkoff
 Schedule 'A' of Bylaw No. 2867, 2022
 Lot 2 District Lot 4598

Kootenay Land District EPP75763 (PID 030-260-191)

Thursday, October 27, 2022
 Datum/Projection:
 NAD83/UTM Zone11N

The map data shown are approximate representations for reference purposes only. The RDCK is not responsible for any errors or omissions on this map.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2868

A Bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004.

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay 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** Schedule 'A' Division 5 Interpretation be amended by inserting the following definitions:

SECONDARY SUITE means a self-contained, accessory dwelling unit that provides living accommodation. The secondary suite is located within a one-family dwelling that has its own separate entrance and separate living, sleeping sanitary and kitchen facilities from the one-family dwelling. A secondary suite does not include multi-family dwelling, tourist accommodation or a recreational vehicle.

- 2** Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 **DIVISION 6 GENERAL REGULATIONS** is hereby amended by adding Section 624 Secondary Suites:

A secondary suite is subject to the following regulations:

1. A secondary suite is added to the list of permitted uses in the **Ootischenia Suburban Residential (R1A)** zone if the zone has an "s" notation shown on Schedule A, the Zoning Map, as part of the zone identification. The "s" notation shall be shown on Schedule A the Zoning Map as follows: **R1As**. An "s" zoning classification on a parcel shall be established by rezoning the subject parcel to the "s" version of the zone. The regulations set out for the "s" version of the zone will be the same as the regulations for the version without the "s", except for the addition of secondary suite as a permitted use.
2. The secondary suite shall not exceed 90 square metres gross floor area.
3. The secondary suite shall have its own separate cooking, sleeping, and bathing facilities.
4. The secondary suite shall have direct access to outside without passing through any part of the principal dwelling unit.
5. The secondary suite shall be located within a single detached house.
 - a) The secondary suite shall not be connected to a single detached house by a breezeway or carport.

- 6. No more than one secondary suite is permitted per parcel.
- 7. A secondary suite is not permitted in conjunction with accessory tourist accommodation.
- 8. One parking space for the secondary suite is required in addition to those required for the principal dwelling.
- 9. A secondary suite shall meet all requirements of the British Columbia Building Code and amendments thereto.
- 10. The secondary suite must be serviced by a community water system and written authorization permitting the secondary suite from the service provider is required.

- 3 That Schedule 'A' of Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended by changing the Zoning Class of Lot 2 District Lot 4598 Kootenay Land District EPP75763 (PID 030-260-191) shown on Schedule 'A' from Ootischenia Suburban Residential (R1A) to Ootischenia Suburban Residential 's' (R1As) as shown on the attached map.
- 4 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 5 This Bylaw may be cited as **"Regional District of Central Kootenay Zoning Amendment Bylaw No. 2868, 2022."**

READ A FIRST TIME this 8th day of December, 2022.

READ A SECOND TIME this 8th day of December, 2022.






WHEREAS A PUBLIC HEARING was held this day of ,202X

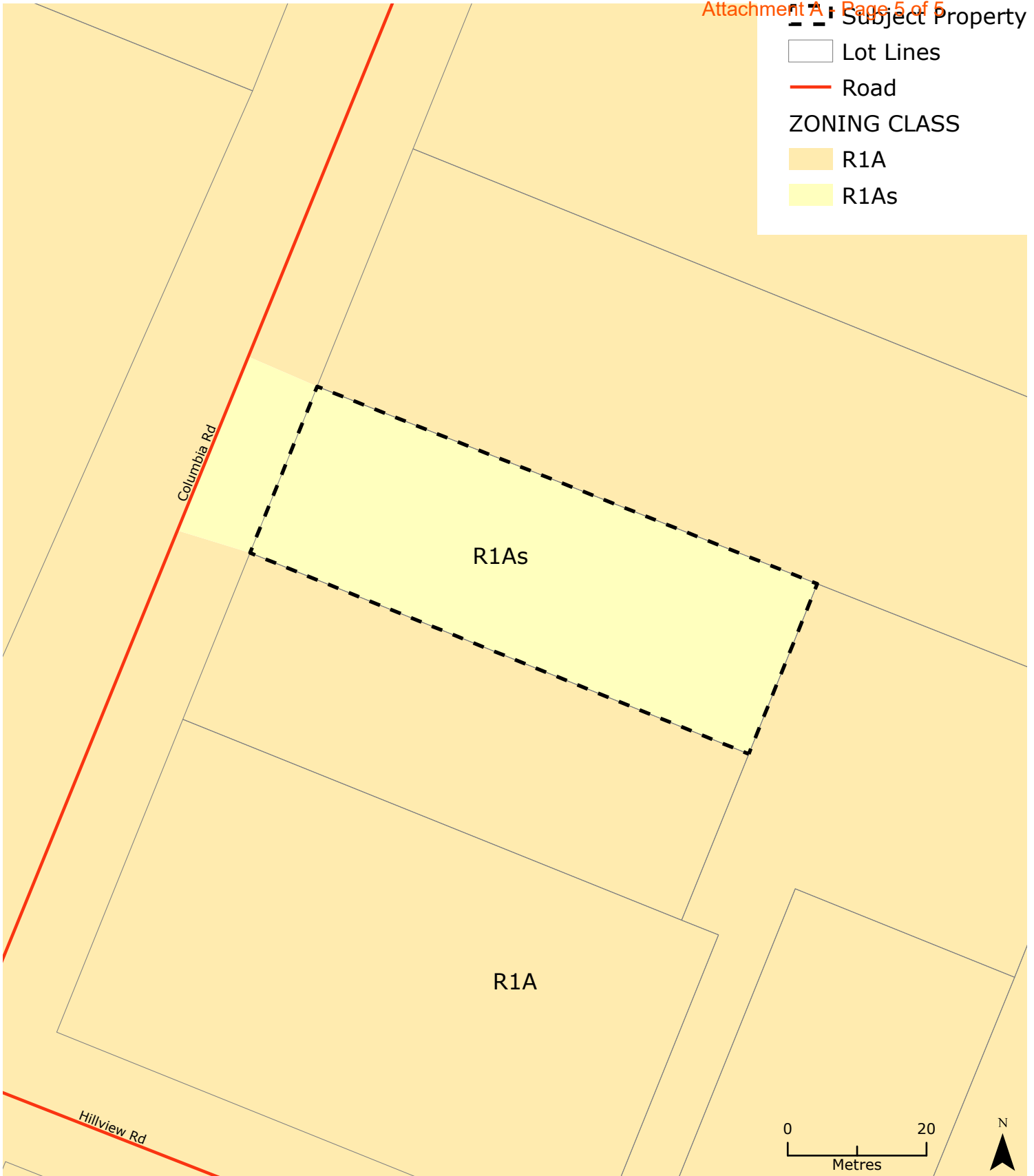
READ A THIRD TIME this day of , 202X.

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

-  Subject Property
-  Lot Lines
-  Road
- ZONING CLASS**
-  R1A
-  R1As



Zoning Bylaw Amendment

RDCK File No. Z2209J - Horkoff
 Schedule 'B' of Bylaw No. 2868, 2022
 Lot 2 District Lot 4598

Kootenay Land District EPP75763 (PID 030-260-191)

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