



# Land Use Bylaw Amendment Application

Referral Form – RDCK File Z2410F

Date: October 23, 2024

**You are requested to comment on the attached BYLAW AMENDMENT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO NOVEMBER 22, 2024). If no response is received within that time, it will be assumed that your agency's interests are unaffected.**

**GENERAL LOCATION:**

4612 and 4614-4614 Starlight Road, and 4643 Highway 3A, 12 Mile, Electoral Area 'F'

**LEGAL DESCRIPTIONS:**

4612 Starlight Road, LOT 5 DISTRICT LOT 790 KOOTENAY DISTRICT PLAN 2449 (015-282-228)

4614-4616 Starlight Road, LOT 4 DISTRICT LOT 790 KOOTENAY DISTRICT PLAN 2449 (015-289-567)

4643 Highway 3A, LOT 3 DISTRICT LOT 790 KOOTENAY DISTRICT PLAN 2449 (015-289-559)

**PRESENT USE AND PURPOSE OF AMENDMENT REQUESTED:**

The subject lands are 3 fee simple lots bounded by Starlight Road to the north, Highway 3A to the south, the existing Spearhead business to the east, and residential lots to the west.

The purpose of the proposed land use bylaw amendment application is to rezone the subject lands from Country Residential (R2) to Comprehensive Development (CD) and amend the land use designation from Country Residential (CR) to Comprehensive Development (CD) in order to authorize the expansion of the existing wood product manufacturing business. The proposed expansion would consist of a 1 storey workshop and an attached 3 storey office and child care facility. Phase 1 of the proposal would involve the consolidation of the 3 existing lots and the construction of the 1 storey workshop. Phase 2 would involve the 3 storey office with space dedicated for the child care facility on the west side of the workshop and a supplemental expansion to the workshop on the east side of the building.

In the event that the Board supports the proposed Land Use Bylaw Amendment a Commercial, Industrial, and High Density Residential Development Permit (CIHDRDP) application would be required in order for RDCK staff to review the proposed landscaping, screening, parking, building design, and site layout details. The development permit would need to be issued prior to the issuance of a building permit for the proposed workshop/office building.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
2 hectares (5 acres)	N/A	Country Residential (R2) in Zoning Bylaw No. 1675, 2004	Country Residential (CR) in Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011

**APPLICANT:** Ben Hall, Spearhead

**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 permit.**

- MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
- HABITAT BRANCH (Environment)
- FRONTCOUNTER BC (Ministry of Forests)
- AGRICULTURAL LAND COMMISSION
- REGIONAL AGROLOGIST
- ENERGY & MINES
- MUNICIPAL AFFAIRS & HOUSING
- INTERIOR HEALTH, HBE TEAM
- KOOTENAY LAKES PARTNERSHIP (FORESHORE DEVELOPMENT PERMITS)
- SCHOOL DISTRICT NO.
- WATER SYSTEM OR IRRIGATION DISTRICT
- UTILITIES (FORTIS, NELSON HYDRO)

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

- RDCK FIRE SERVICES
- RDCK EMERGENCY SERVICES
- RDCK BUILDING SERVICES
- RDCK UTILITY SERVICES
- RDCK RESOURCE RECOVERY
- RDCK REGIONAL PARKS

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)
  - SKEMTSIN (NESKONLITH)
  - SPLATSÍN (SPLATSÍN FIRST NATION)

- SKEETCHESTN INDIAN BAND
- TK'EMLUPS BAND
- LAKES TRIBES OF THE CONFEDERATED TRIBES OF THE COLVILLE RESERVATION (SINIXT)

INSERT COMMENTS ON REVERSE . . .

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](mailto:info@rdck.bc.ca), or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

**RESPONSE SUMMARY**  
**FILE: Z2410F APPLICANT: Ben Hall, Spearhead**

**Name:**

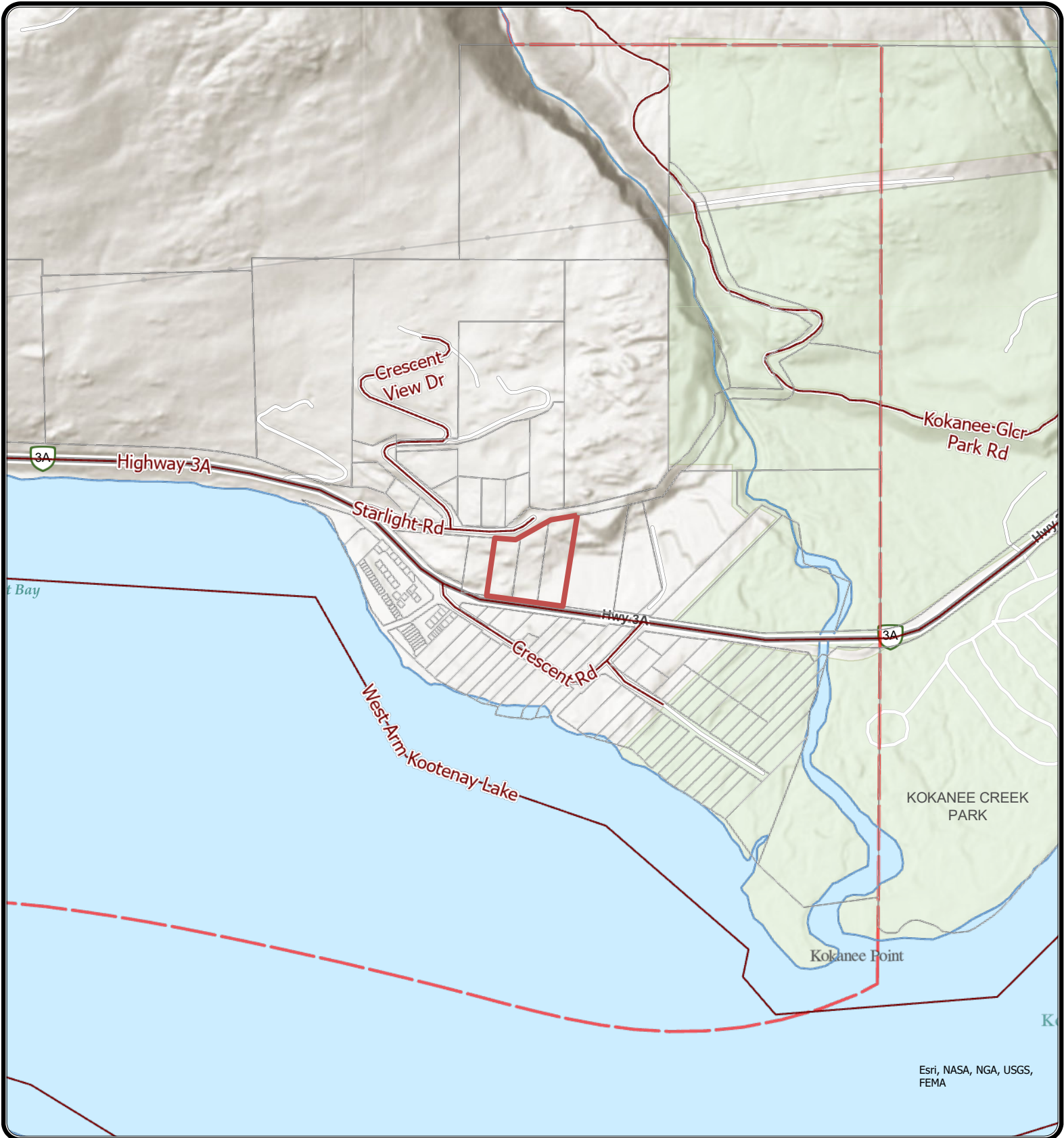
**Date:**

**Agency:**

**Title:**

RETURN TO: ZACHARI GIACOMAZZO, PLANNER  
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES  
REGIONAL DISTRICT OF CENTRAL KOOTENAY  
BOX 590, 202 LAKESIDE DRIVE  
NELSON, BC V1L 5R4  
Ph. 250-352-8190  
Email: [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)

# RDCK Map







Esri, NASA, NGA, USGS, FEMA



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
Box 590, 202 Lakeside Drive,  
Nelson, BC V1L 5R4  
Phone: 1-800-268-7325 [www.rdck.bc.ca](http://www.rdck.bc.ca)  
[maps@rdck.bc.ca](mailto:maps@rdck.bc.ca)

### Legend

-  Streams and Shorelines
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

### Map Scale:

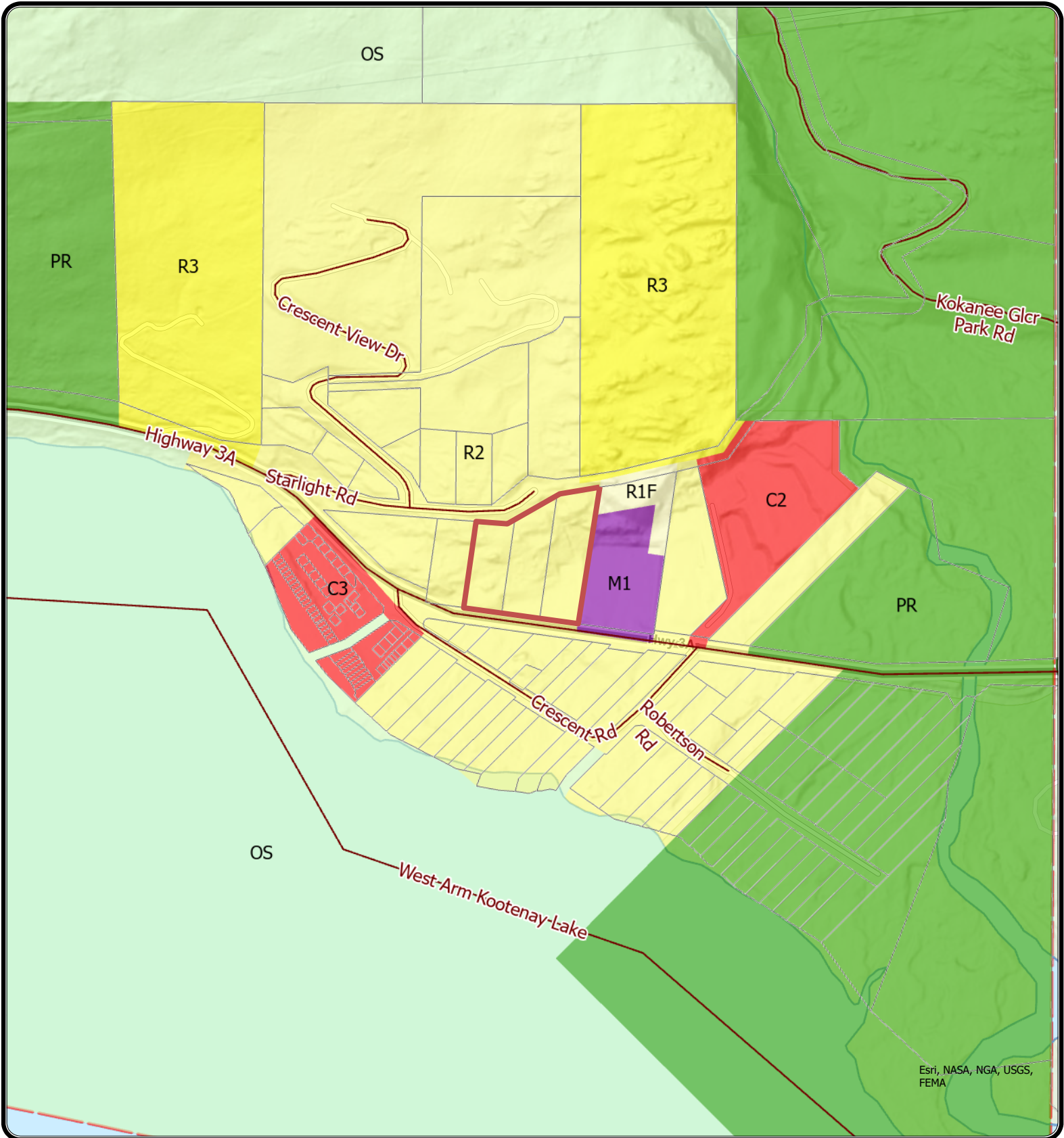
1:15,000

Date: October 23, 2024



The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

# RDCK Map



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 Box 590, 202 Lakeside Drive,  
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 maps@rdck.bc.ca

## Zoning Class

- Commercial
- Industrial
- Open Space
- Parks and Recreation
- Residential 1

## Legend

- Residential 2
- Residential 3
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

## Map Scale:

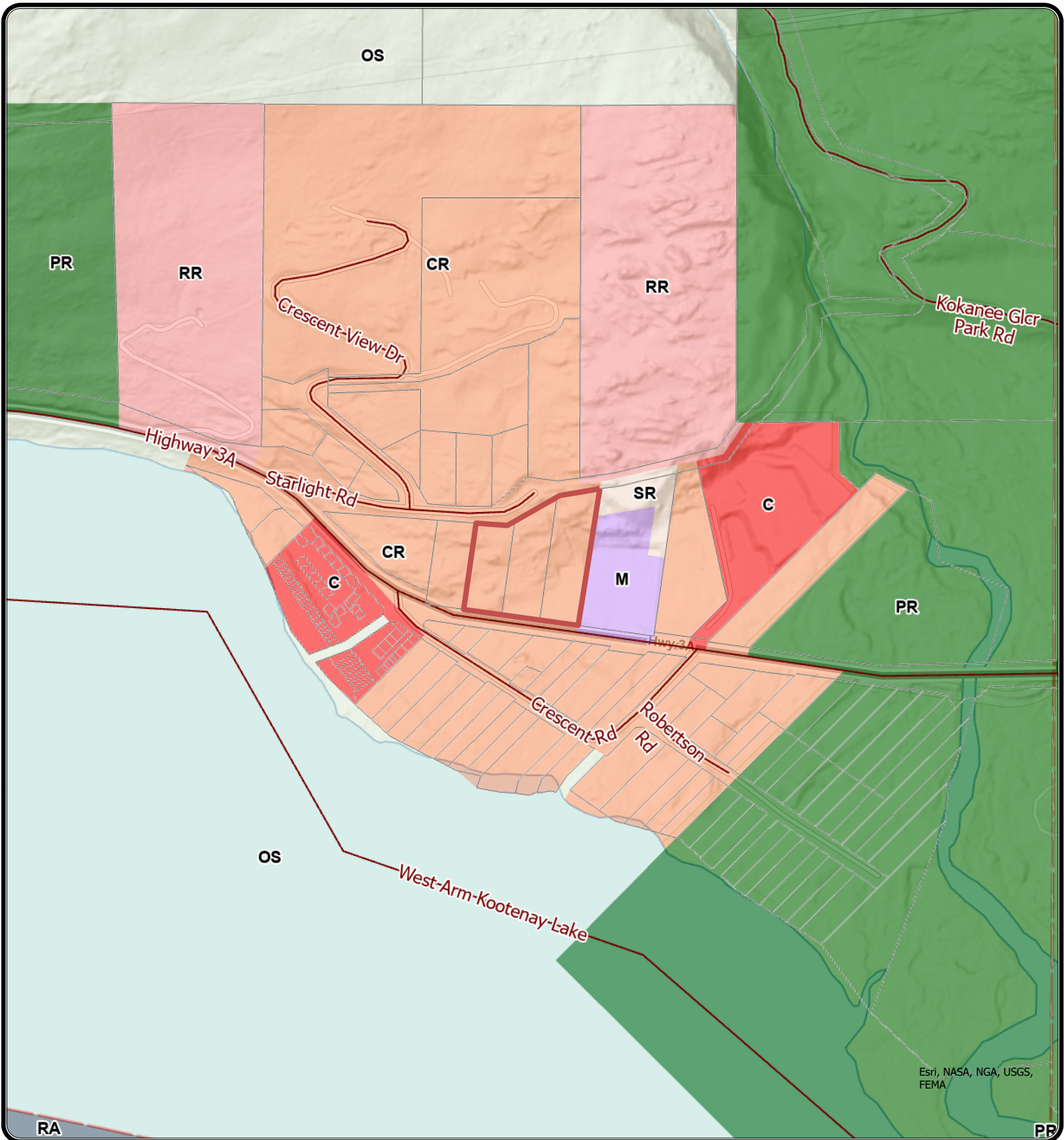
1:10,000

Date: October 23, 2024



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# RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
 Box 590, 202 Lakeside Drive,  
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 Phone: 1-800-268-7325 www.rdck.bc.ca  
 maps@rdck.bc.ca

## Official Community Plan

- Commercial
- Country Residential
- Industrial
- Open Space
- Parks and Recreation

## Legend

- Resource Area
- Rural Residential
- Suburban Residential
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

## Map Scale:

1:10,000

Date: October 23, 2024








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# RDCK Map



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Box 590, 202 Lakeside Drive,  
Nelson, BC V1L 5R4  
Phone: 1-800-268-7325 www.rdck.bc.ca  
maps@rdck.bc.ca

## Legend

-  Streams and Shorelines
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

## Map Scale:

1:5,000

Date: October 23, 2024



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## Spearhead Advanced Timber

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### Rezoning & Expansion Summary

As a family-owned and operated business with a 30-year history in Nelson BC, we take great pride in the recognition Spearhead and our community have garnered from leading architects, engineers, builders, and clients world-wide. Our highly customized processes and innovative approach have positioned us at the forefront of our industry, enabling us to refine our craft while living and working in one of the most beautiful regions of British Columbia.

Nelson is home to three generations of our family, and we are deeply committed to keeping Spearhead rooted in this vibrant community. As a generational business, we strive to operate with integrity and foresight, celebrating the natural resources of our region, the uniqueness of this place, and the immense talent of our team. Having operated at our current location at 4655 Hwy 3A for over 25 years, we feel a deep connection to the neighbourhood where we live and work, and we look forward to listening, engaging, and collaborating with our neighbours as we continue to evolve and grow as a company.

In line with our commitment to leading innovation in advanced timber fabrication, we are proposing the rezoning of three lots adjacent to our facility at 4655 Hwy 3A. This zoning change will enable us to invest in the development of a highly specialized, low volume facility to produce custom glulam for our unique project driven work. This facility will set a new standard for environmental sustainability in construction and will enhance our ability to compete in world-class projects, thus further positioning Nelson as a hub of innovation in advanced timber engineering and fabrication.

This expansion marks a significant milestone for our company, our community, and our province. It reflects our ambition to lead progressive change in the North American mass timber sector by developing a hyper-local supply chain, promoting truly sustainable forestry practices, and showcasing the full potential of value-added timber fabrication stemming from British Columbia. To achieve this, we are partnering with local forestry cooperatives that share our vision, including the Harrop Proctor Community Forest and Monticola Forest Ltd., to promote selective and sustainable harvesting methods – ensuring future generations can continue to enjoy and benefit from the forests we cherish today.





## **Community and Regional Benefits**

In conjunction with increasing Spearhead’s capabilities, this project will provide significant benefits to our immediate neighbours as well as the broader Kootenay region. It will celebrate a thoughtfully designed architectural building, introduce a much-needed childcare program to the Nelson area, and help mitigate wildfire risk in the 12-Mile neighbourhood through the installation of advanced fire suppression infrastructure – all while preserving and celebrating the unique qualities that make the North Shore such a desirable place to live.

## **Strengthening the Local Economy through Diversification**

This project will drive local economic diversification by creating direct, highly skilled jobs, along with indirect employment opportunities in related industries across the Kootenay Boundary. It will offer upskilling pathways for current employees while attracting new talent to the region, contributing to long-term economic stability and growth throughout the Kootenays. Moreover, the anticipated government funding for the project will ensure that provincial and federal investments directly and indirectly benefit the Nelson community, fostering broader economic resilience and prosperity.

## **Promoting Value-Added Forestry**

Sustainable forestry practices are fundamental to this initiative, and we are excited to promote and encourage increased forest resilience and diversity by creating a value chain for underutilized species. While Spearhead is not a forestry company and does not plan to manage local silviculture or forest tenure, we are committed to supporting our community’s shining examples of forward-thinking forest practices as demonstrated by the Harrop Proctor Community Forest and Monticola Forest Ltd.

## **Context-Sensitive Expansion and Impact Mitigation**

We are fully committed to ensuring that our expansion complements and harmonizes with the surrounding environment and land uses. To achieve this, we have partnered with Hemsworth Architecture, a Vancouver-based firm honoured with the Governor General’s Medal in Architecture, and Nelson-based Studio 9 Architecture & Planning, to design the facility. We look forward to sharing what we believe will be an award-winning mass timber building that embodies Spearhead’s ethos, celebrates our ingenuity and craftsmanship, and remains sensitive to our local community and regional context.

We are taking careful measures to minimize noise, traffic, and visual impacts. As part of the rezoning process, we are thoroughly evaluating key landscape strategies, including visual screening and noise buffering, to ensure our intended development blends with the surrounding community. Additionally, we have thoughtfully designed our site layout and building placement to respect the character of the existing community, maximizing the use of our interior space for operations and minimizing the potential for increased operational noise.

We are proposing a comprehensive development zone with specific metrics for setbacks, building height, and lot coverage that align with those of the existing M1 zone. However, the permitted uses we propose are intentionally restrictive to safeguard the community from potentially disruptive industrial activities permitted under broader industrial zones. Additionally, we have included a 30-meter auxiliary building front setback to ensure that no unsightly accessory structures are located at the front of the lot. Parking requirements are based on the expected occupant load and will accommodate both proposed and existing buildings. Shipping and receiving functions will continue through the existing driveway that serves our current facility.

## **Protecting Quality of Life and Community Character**

By prioritizing thoughtful planning and engaging with residents, we aim to ensure that our community not only continues to

thrive but also benefits from the new opportunities generated by this project.

During our visits to Western Europe, we have consistently observed how many wood fabrication companies coexist harmoniously with their local communities and neighbourhoods. While we acknowledge the cultural differences between British Columbia and Western Europe, our commitment to generational sustainability inspires us to think broadly and explore initiatives such as community fire mitigation, childcare services, clean energy production, and staff housing projects – efforts that we believe will benefit businesses and community for years to come.

### **In Summary**

We hope to earn your support and look forward to discussing how this initiative can positively impact our neighbourhood, our region, and our province. Thank you for your consideration and we look forward to connecting with you in the near future!

Ted, Josh & Ben Hall  
Spearhead



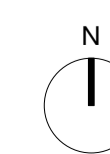
NOTE:  
WHERE ACCESS / LOADING ROUTES & PARKING ARE SHOWN ON ADJACENT PROPERTY, IT IS UNDER THE SAME OWNERSHIP AND COVENANTS WILL BE REGISTERED ON THE SITE AS REQUIRED.

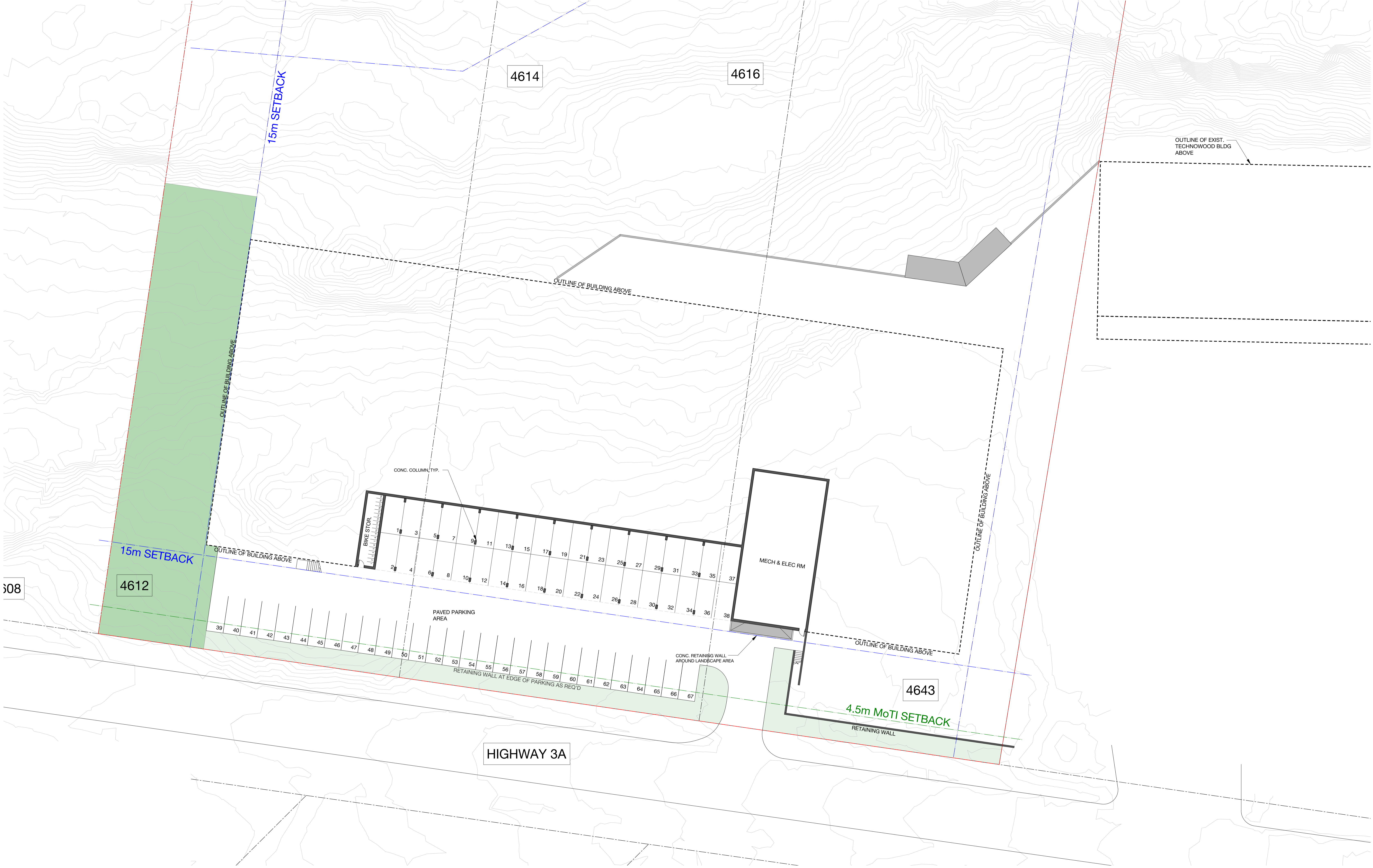






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*Existing Zone applicable to the Subject Lands*

**DIVISION 11 COUNTRY RESIDENTIAL (R2)**

**Permitted Uses**

1100 Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

**Development Regulations**

1101

- 1 The minimum lot size is 1.0 hectare.
- 2 The minimum lot size for a parcel subdivided for a relative under Section 514 of the *Local Government Act*, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area.
- 4 The keeping of farm animals shall comply with the requirements of section 613.
- 5 The maximum density is 2 Dwelling Units.
- 6 Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate further subdivision of the lot or adjacent lots.
- 7 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 8 *Deleted by Bylaw 2757.*
- 9 The maximum height of any accessory building or structure shall not exceed 8 metres.
- 10 The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres.
- 11 The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

**Site Specific** - Lot 13 District Lot 6300 Kootenay District Plan NEP21755 (PID 019-022-069) from Country Residential (R2) to Country Residential (R2) 'site specific' to enable a second dwelling to be constructed up to a maximum height of 6.5 meters, with a minimum 6.5 meter setback from a front lot line of and a minimum 5 meter setback from an interior side lot line.



# Proposed zoning details and development regulations for the subject lands

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**OWNER:**  
NAME OF OWNER HERE

## Spearhead Expansion

4655 Highway 3A,  
Nelson, BC V1L 6N3

**REQUESTED DEVELOPMENT REGULATIONS**

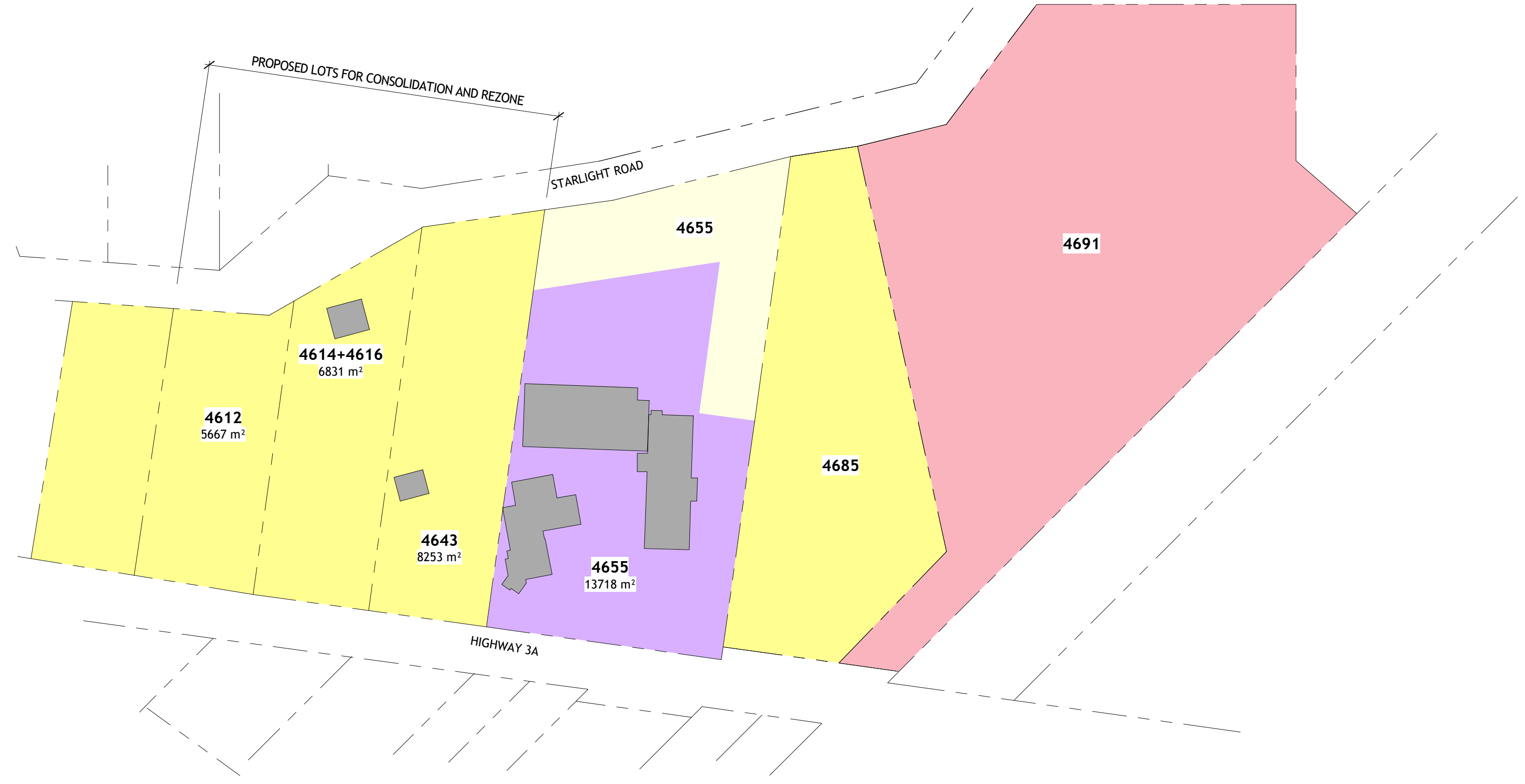
Permitted Uses  
Land, buildings and structures in the proposed Industrial CD zone shall be used for the following purposes only:

Commercial Workshops:  
Machine Shops  
Construction, Sales, Repair and Storage of:  
Prefabricated Buildings  
Wood Product Manufacturing  
Office  
Day Care Facility

1 The maximum site coverage permitted shall be 50 percent of the lot area.  
2 Excepting a fence, no building or structure may be located within:  
a. 15 meters of the front lot line  
b. 15 meters of the rear lot line  
c. 7.5m of the interior side lot line; or  
d. 15 meters of a rear or interior side lot line that abuts an agricultural or residential zone.  
3 The maximum height of any structure on a lot shall be 15 meters.  
4 Landscaping shall comply with the requirements of sections 621 and 622.  
5 An Industrial Development Permit is required for developments on Industrial zoned land.

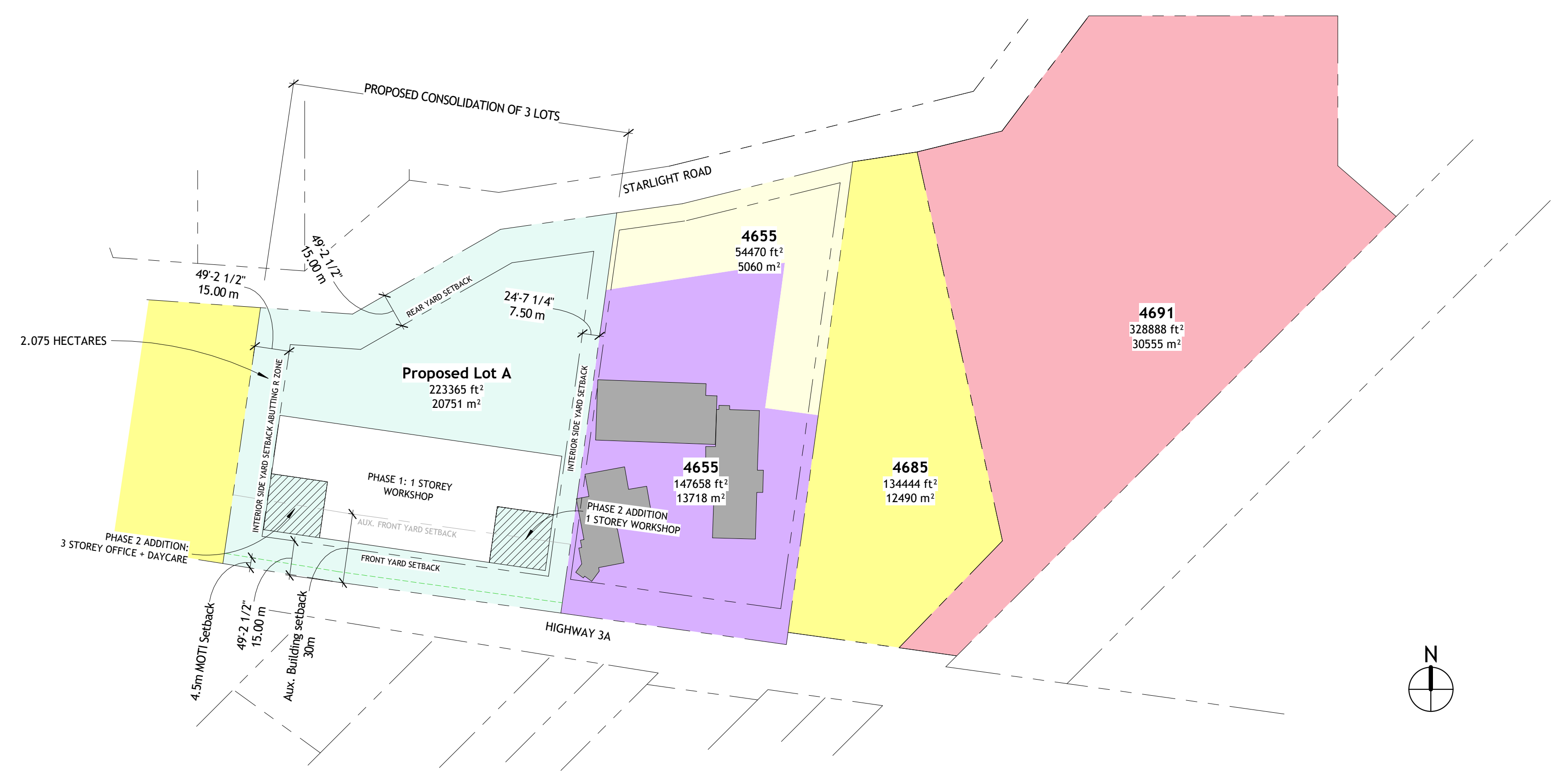
### Zoning Legend

- C2
- CD
- M1
- R1F
- R2



1 Existing Zoning  
1 : 1500

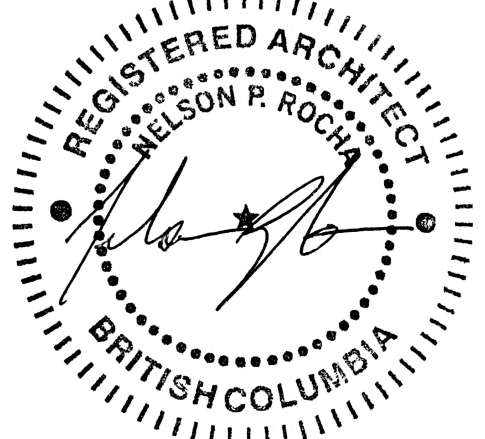
PROJECT DATA		
Legal Description	LOT 5, LOT 4 & LOT 3, PLAN NEP2449, DISTRICT LOT 790, KOOTENAY LAND DISTRICT	
PID	015-282-228/015-289-567/015-289-559	
Land Use	NONE/DUPLEX/SFH	
Development Permit Area	AREA F	
Zoning	Custom Light Industrial (Proposed) - Change from R2	
ZONING REQUIREMENTS		
Item	Required	Proposed
<b>Parcel Size and Coverage</b>		
Parcel Area	20751m <sup>2</sup> (2.075 H)	
Parcel Width	146.2 m	
Site Coverage	50%	
<b>Principal Buildings</b>		
Setbacks		
front yard	15 m	
rear yard	15 m	
interior side yard that abuts agricultural or residential	15 m	
interior side yard	7.5 m	
Height (maximum)	15 m	
<b>Auxiliary Buildings</b>		
Setbacks		
front yard	30 m	
rear yard	15 m	
interior side yard that abuts agricultural or residential	15 m	
interior side yard	7.5 m	
Height	15 m	
<b>Parking</b>		
Number of spaces		
Industrial (7,294m <sup>2</sup> )	1.5 spaces per 100m <sup>2</sup> of GFA, 1 space/employee plus one for every commercially licensed vehicle for that address (110 total)	1 for every person expected to be working at the facility (30)
Childcare Center (67m <sup>2</sup> )	4.4 spaces per 100 m <sup>2</sup> GFA (3 total)	1 for every person expected to be working at the facility (2)
Office (1,003m <sup>2</sup> )	3.4 spaces per 100m <sup>2</sup> of GFA (33 total)	1 for every person expected to be working at the facility (33)
Total	146	65 (+19 for adjacent lot) = 84
Number of accessible spaces	provide one (1) disabled person's parking space for every ten (10) parking spaces required (8 total)	1 for every 100 spaces (per BCBC) x2 = 2
standard	2.6 m x 5.8 m x 2.2 m (wxbx) Adjacent to Wall 3.2 m x 5.8 m x 2.2 m (wxbx)	Abv. Grade 2.75 m x 6 m x 2.2 m (wxbx) Below Grade 3.05 m x 6 m x 2.675 m (wxbx) Below Grade (adjacent to wall) 3.2 m x 6 m x 2.675 m (wxbx)
accessible	2.4 m-1.5m aisle x 5.4 m x 2.2 m (wxbx)	2.4 m-1.5m aisle x 5.4 m x 2.2 m (wxbx)
Parking provided for an alternate parcel	Where some or all of the off-street parking is provided on a parcel other than that on which the use, building or structure being served is located, a covenant under Section 219 of the Land Title Act must be registered in the Land Title Office in favour of the Regional District of Central Kootenay against the parcel to be used for parking, reserving the off-street parking spaces that are not on the same parcel as the use, building or structure that they are intended to serve, for as long as that use, building or structure exists.	19 Spaces to be registered for existing facility - PARCEL A, PLAN NEP2449, DISTRICT LOT 790, KOOTENAY LAND DISTRICT, (BEING A CONSOLIDATION OF LOTS 1 & 2 SEE CA5564282)PID: 029-966-574-



2 Proposed Development  
1 : 1500

NOT FOR CONSTRUCTION

ISSUE	DATE	DESCRIPTION
2	241015	Issue for OCP and Zoning Amendment
1	241010	Proposed CD



PROJECT #: 231106  
DRAWN BY: AW  
CHKD BY: NR  
COPYRIGHT: 2024 STUDIO 9 ARCHITECTURE + PLANNING LTD.

CD Zone  
**A103**  
SCALE: 1 : 1500