



# Land Use Bylaw Amendment Application

RDCK File Z2407G

Proposed Amendment to Land Use Bylaw No. 2452, 2018

Date: August 7, 2024

**You are requested to comment on the attached LAND USE BYLAW AMENDMENT APPLICATION for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO September 7, 2024). If no response is received within that time, it will be assumed that your agency's interests are unaffected.**

**PRESENT USE AND PURPOSE OF THE BYLAW AMENDMENT:**

The subject property is located in Electoral Area 'G' approximately 2 km south of the village of Ymir. The fee simple lot has been improved with a single detached dwelling and 2 accessory buildings.

The purpose of this application is to rezone the subject property from General Commercial (C1) to Country Residential (R2) and amend the land use designation from General Commercial (GC) to Country Residential (RC). This is being sought to recognize the existing non-conforming residential use on the property and provide the property owner with an opportunity to construct an Accessory Dwelling Unit in the future.

**LEGAL DESCRIPTION & GENERAL LOCATION:**

8114 Highway 6, Ymir, Electoral Area 'G'  
 LOT 1 DISTRICT LOT 276 KOOTENAY DISTRICT PLAN 10571  
 PID: 012-929-409

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
3 hectares (7.43 acres)	n/a	General Commercial (C1)	General Commercial (GC)

**APPLICANT:**

Dianne Pallagi

**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.**

**ZACHARI GIACOMAZZO, PLANNER  
 REGIONAL DISTRICT OF CENTRAL KOOTENAY**

<input checked="" type="checkbox"/> TRANSPORTATION West Kootenay <input checked="" type="checkbox"/> HABITAT BRANCH <input checked="" type="checkbox"/> FRONT COUNTER BC (FLNRORD) <input type="checkbox"/> AGRICULTURAL LAND COMMISSION <input type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE Team <input checked="" type="checkbox"/> ARCHAEOLOGY BRANCH <input type="checkbox"/> SCHOOL DISTRICT NO.	<b>FIRST NATIONS</b> <input checked="" type="checkbox"/> KTUNAXA NATION COUNCIL (ALL REFERRALS) YAQAN NU?KIY (LOWER KOOTENAY) ?AKINK'UM?ASNUQ?IT (TOBACCO PLAINS) ?AKISQNUK (COLUMBIA LAKE) ?AQ'AM (ST. MARY'S) <input checked="" type="checkbox"/> OKANAGAN NATION ALLIANCE <input type="checkbox"/> C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN) <input checked="" type="checkbox"/> K?K'ƏR'MÍWS (LOWER SIMILKAMEEN) <input checked="" type="checkbox"/> SNPÍNTKTN (PENTICTON)
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- 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
- APHC AREA G
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)
- RDCK EMERGENCY SERVICES
- RDCK BUILDING SERVICES
- RDCK UTILITY SERVICES
- RDCK REGIONAL PARKS

- 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
- SINIXT CONFEDERACY

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: Z2407G    APPLICANT: DIANNE PALLAGI**

**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



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

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

## Map Scale:

1:18,056

Date: July 16, 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.

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-  Address Points

### Map Scale:

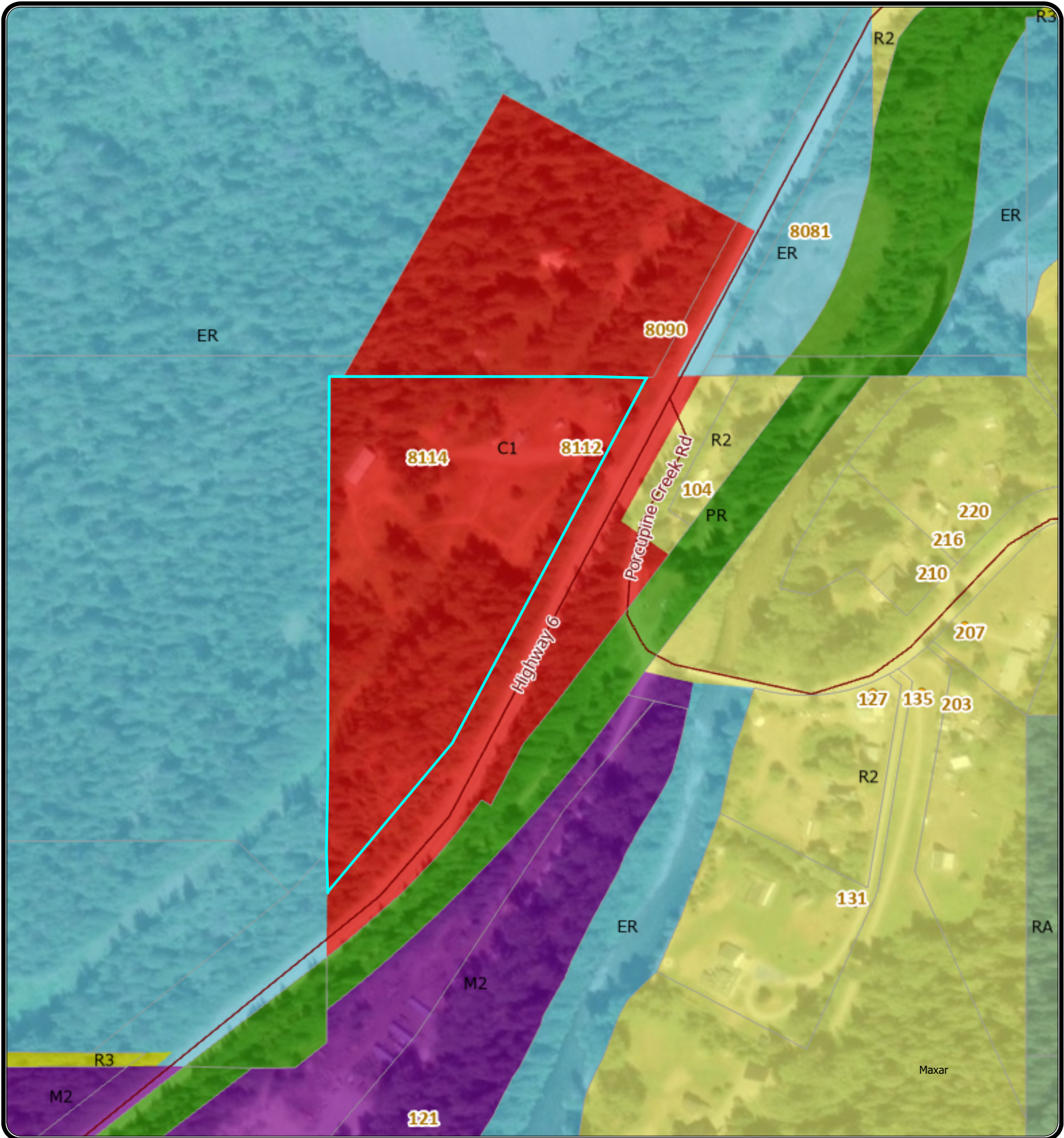
1:4,514

Date: July 16, 2024



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## Legend

### Zoning Class

- Commercial
- Environmental Reserve
- Industrial
- Parks and Recreation
- Residential 2

- Residential 3
- Resource Area
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

### Map Scale:

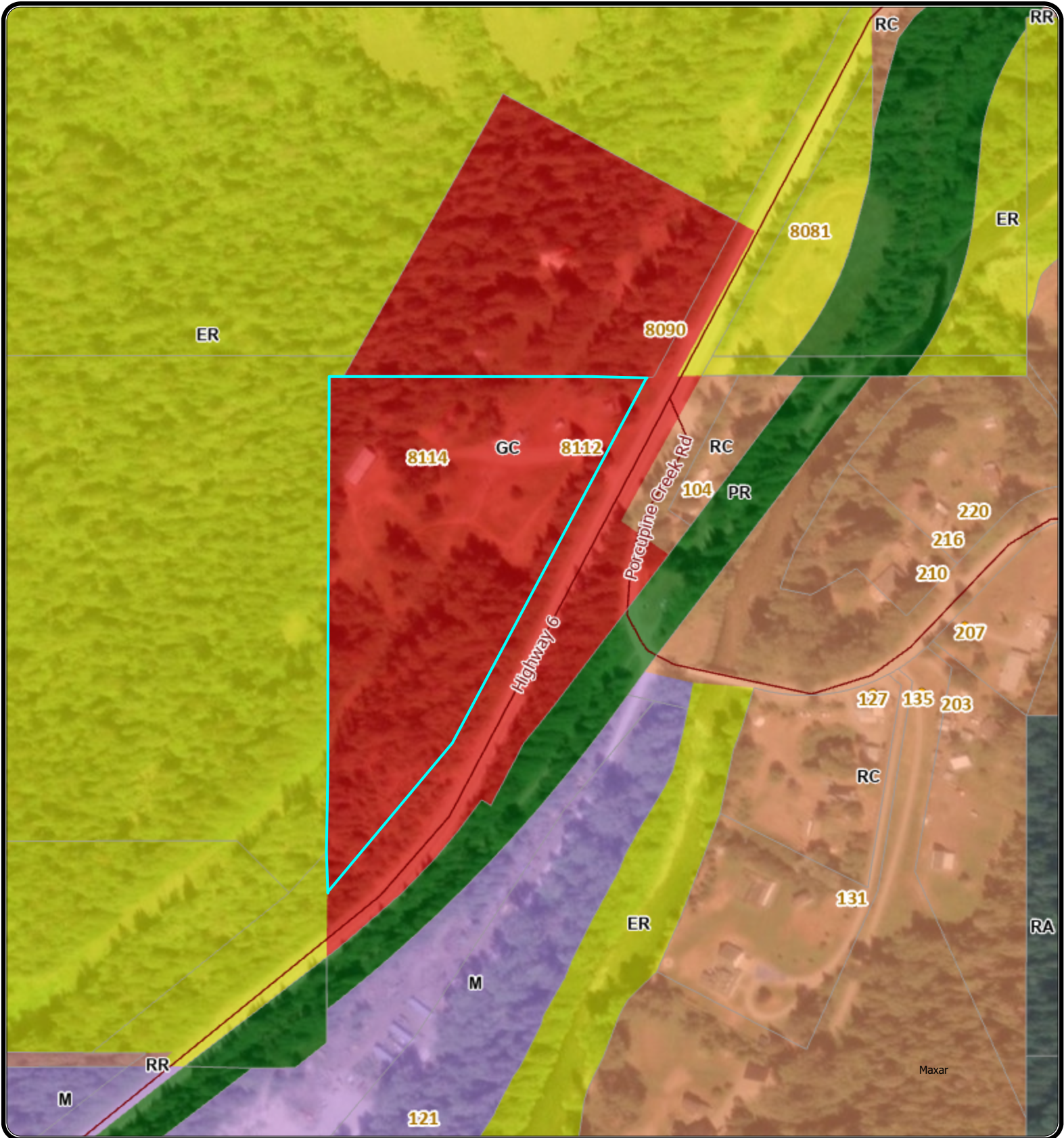
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## Official Community Plan

- Commercial
- Country Residential
- Environmental Reserve
- Industrial
- Parks and Recreation

### Legend

- Resource Area
- Rural Residential
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

### Map Scale:

1:4,514

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Land Use Bylaw Amendment: 8112 and 8114 Highway 6

I understand there are two addresses to this property. 8112 and 8114 Highway 6, Salmo BC.

Would like the property to be rezoned from commercial -C1 (light commercial) to rural country Residential R2. I have heard that this property has not been used commercially for a long time.

The property is currently being used as residential.

One dwelling on property was grandfathered.

Would like to build a second dwelling on the corner of the property next to the crown land, or possibly on the other side of the property. Not sure yet. Looking at possibly building next year.

There is crown land beside and behind property on one side, the other side has one neighbour. There are residents across the highway on porcupine road.

I do not want to use this property for commercial use.

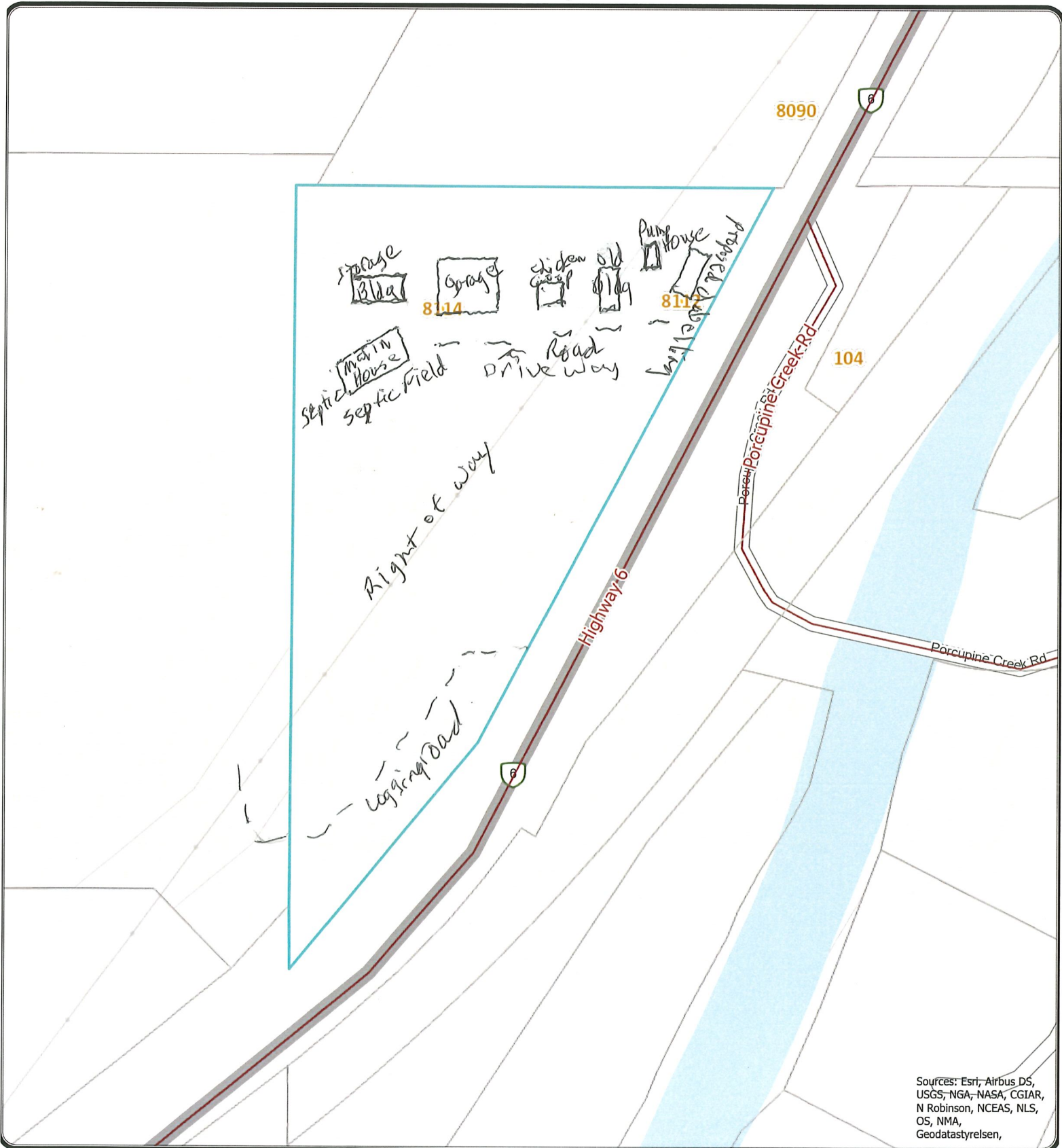
My daughter and her family would like to move here therefore we need a second dwelling. They want to be on the same property as me as they would be here to look after me when I get older and help with the property.

The effects would be positive as another family would move into the area and contribute to the community.

There is a private well, existing septic system and electricity to the current dwelling.

Dianne Pallagi





Sources: Esri, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen,



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**Legend**

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

**Map Scale:**

1:3,000

Date: July 11, 2024



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Esri Community Maps  
 Contributors, Esri Canada  
 Esri, TomTom, Garmin,  
 Safesat, GeoTechnologies



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*Existing Zone*

**24.0 GENERAL COMMERCIAL (C1)**

<b>PERMITTED USES TABLE FOR C1 ZONE</b>	
1	<p>Principal Uses</p> <ul style="list-style-type: none"> <li>Artisan Crafts Production and Sales</li> <li>Breweries and Distilleries</li> <li>Cannabis Retail Store</li> <li>Community Market</li> <li>Day Care Facility</li> <li>Eating and Drinking Establishment</li> <li>Farmer’s Market</li> <li>Food and Beverage Processing</li> <li>Golf Course</li> <li>Group Care Facilities</li> <li>Laundromat</li> <li>Liquor Store</li> <li>Mixed Use Development</li> <li>Offices</li> <li>Personal Service Establishment</li> <li>Repair Shop</li> <li>Retail Store</li> <li>Service Station</li> <li>Veterinary Clinic</li> </ul> <p>Accessory Uses</p> <ul style="list-style-type: none"> <li>Accessory Building or Structures</li> </ul>

<b>DEVELOPMENT REGULATIONS TABLE FOR C1 ZONE</b>		
2	<p>Minimum lot area for each Principal Use:</p> <ul style="list-style-type: none"> <li>Community Water System and Community Wastewater System</li> <li>Community Water System and On-site Wastewater Disposal or Individual Water Source and On-lot Wastewater Disposal</li> <li>Individual Water Source and On-site Wastewater Disposal</li> </ul>	<p>0.1 hectares</p> <p>0.4 hectares</p> <p>1.0 hectares</p>
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	50 percent
8	<p>Maximum building height:</p> <ul style="list-style-type: none"> <li>Principal buildings</li> <li>Accessory buildings and structures</li> </ul>	<p>10.0 metres</p> <p>6.0 metres</p>

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

*Proposed Zone*

**20.0 COUNTRY RESIDENTIAL (R2)**

<b>PERMITTED USES TABLE FOR R2 ZONE</b>	
1	Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals

<b>DEVELOPMENT REGULATIONS TABLE FOR R2 ZONE</b>		
2	Maximum density	2 Dwelling Units
3	Minimum front setback	7.5 metres
4	Minimum exterior side setback	7.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
8	Maximum building height: Principal buildings Accessory buildings and structures	10.0 metres 8.0 metres
9	Maximum gross floor area of any accessory building or structure	200 square metres
10	Cumulative gross floor area of all accessory buildings or structures	400 square metres
11	Minimum lot area for subdivision	1.0 hectares