

Have Your Say.

Notice of Public Hearing

Wednesday May 22, 2024 | 6:00 pm

Learn more.

The proposed land use bylaw amendment can be reviewed from April 29, 2024 - May 22, 2024.

Online: rdck.ca/landuseapplications

In Person: RDCK Office, 202 Lakeside Drive, Nelson, BC
Mon - Fri: 8:30 am - 4:30 pm

Tell us what you think.

Make a verbal submission at the public hearing or send a written submission before 4:00 pm on May 22, 2024.

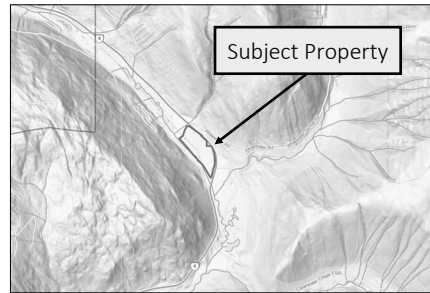
Attend a public hearing.

Online: Via Webex | Email zgiacomazzo@rdck.bc.ca for an emailed access invitation.

Phone: 1.604.449.3026 | Code: 2774 307 1657

In Person: RDCK Head Office — Board Room (202 Lakeside Drive, Nelson, BC)

Visit rdck.ca/publichearings for further details.



From: Parks and Recreation (PR)

To: Country Residential (RC/R2)

Location and Legal Description:

4650 Highway 6, Electoral Area 'G'
LOT A DISTRICT LOT 1241 KOOTENAY
DISTRICT PLAN 17958 (PID: 011-707-721)

Bylaw 2935: *Being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 by changing the Land Use Designation from Parks and Recreation (PR) to Country Residential (RC) and the Zoning from Parks and Recreation (PR) to Country Residential (R2) for an approximate 1 hectare portion of the subject property.*

**All written submissions are public information pursuant to the Freedom of Information and Protection of Privacy Act.*



rdck.ca/publichearings

Please direct enquiries to Zachari Giacomazzo | 250.352.8190
1.800.268.7325 | zgiacomazzo@rdck.bc.ca



Bylaw Amendment Application

RDCK File Z2308G

Proposed Amendment to Land Use Bylaw No. 2452

Date: September 11, 2023

You are requested to comment on the attached DEVELOPMENT PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO October 12, 2023). 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' on Highway 6, approximately 10 km south of the City of Nelson at the base of Whitewater Ski Hill Road. The property is presently used as a portion of and the main entrance (Apex Kiosk) to Nelson Nordic Ski Club.

The purpose of this application is to rezone a 1 hectare portion of the 14.4 ha subject property from Parks and Recreation (PR) to Country Residential (R2). This is being sought to facilitate the development of a one-family dwelling with on-site servicing. A subdivision application has been submitted to the Ministry of Transportation and Infrastructure to subdivide the 1 ha portion of the property being considered through this application so that the future dwelling would be on a separate fee simple lot.

LEGAL DESCRIPTION & GENERAL LOCATION:

4650 Highway 6, Hall Siding, Electoral Area 'G'
LOT A DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN 17958
PID: 011-707-721

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
14.4 hectares (35.6 acres) (1 hectare proposed to be rezoned)	n/a	Parks and Recreation (PR)	Parks and Recreation (TC)

APPLICANT:

Robert Filippo

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	FIRST NATIONS <input checked="" type="checkbox"/> KTUNAXA NATION COUNCIL (ALL REFERRALS) YAQAN NU?KIY (LOWER KOOTENAY)
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- 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
- APHC AREA G
- RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)
- RDCK EMERGENCY SERVICES
- RDCK BUILDING SERVICES
- RDCK UTILITY SERVICES
- RDCK REGIONAL PARKS

- ʔAKINK'UMʔASNUQʔIʔIT (TOBACCO PLAINS)
- ʔAKISQNUK (COLUMBIA LAKE)
- ʔAQ'AM (ST. MARY'S)
- OKANAGAN NATION ALLIANCE
 - C'ƏC'ƏWIXAʔ (UPPER SIMILKAMEEN)
 - KʔK'ƏR'MÍWS (LOWER SIMILKAMEEN)
 - SNPÍNTKTN (PENTICTON)
 - STQAʔTKWƏʔWT (WEST BANK)
 - SUKNAQÍN (OKANAGAN)
 - SWÍWS (OSOYOOS)
 - SPAXOMƏN (UPPER NICOLA)
- SHUSWAP NATION TRIBAL COUNCIL
 - KENPÉSQT (SHUSWAP)
 - QWʔEWT (LITTLE SHUSWAP)
 - SEXQELTQÍN (ADAMS LAKE)
 - SIMPCW ((SIMPCW)
 - SKEMTSIN (NESKONLITH)
 - SPLATSÍN (SPLATSÍN FIRST NATION)
 - SKEETCHESTN INDIAN BAND
 - TK'EMLUPS BAND

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

FILE: Z2308G APPLICANT: ROBERT FILIPPO

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



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 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
- Address Points

Map Scale:

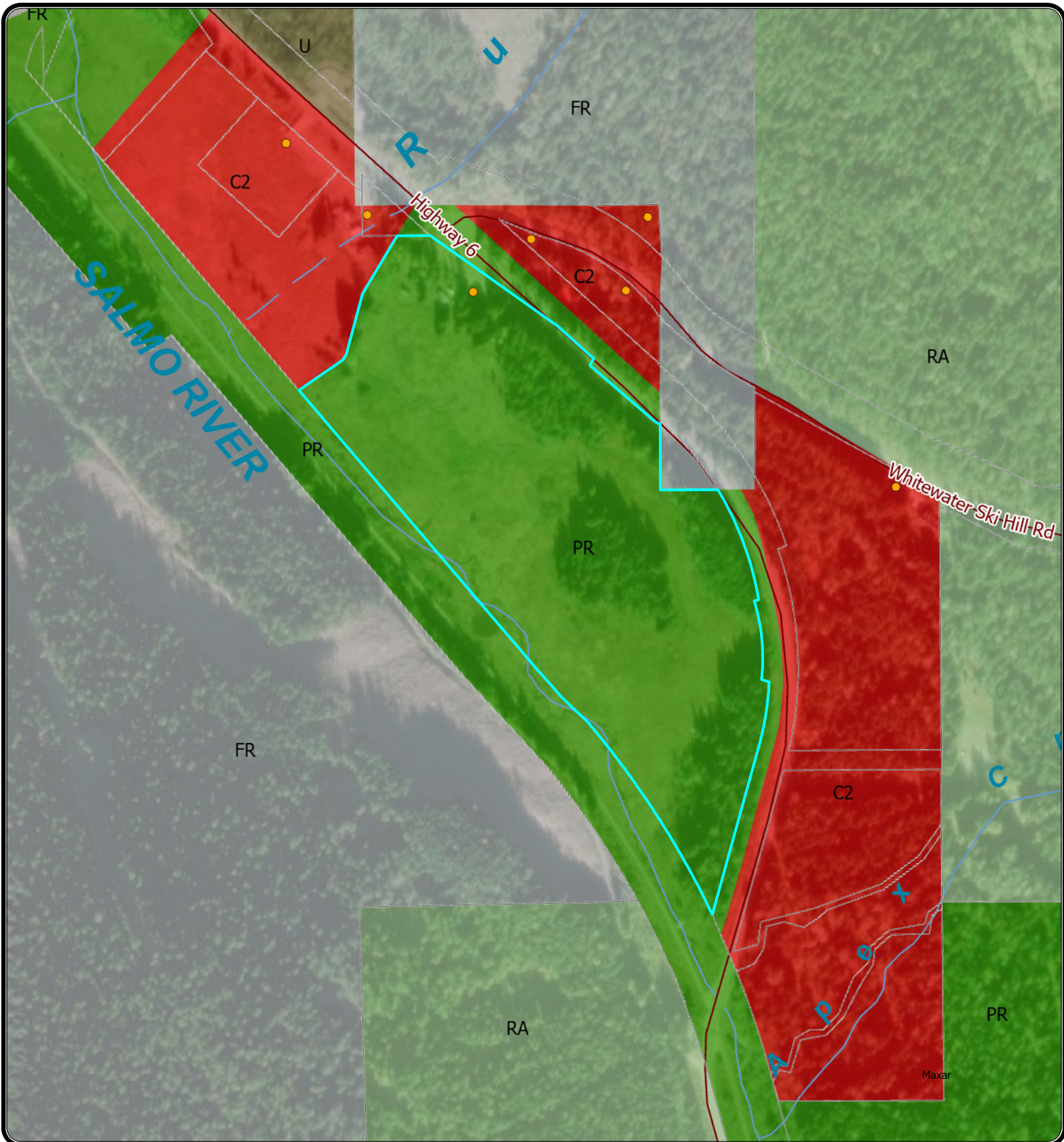
1:8,000

Date: September 1, 2023



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.

Z2308G: Land Use Bylaw Amendment (4650 Highway 6)



REGIONAL DISTRICT OF CENTRAL KOOTENAY
 Box 590, 202 Lakeside Drive,
 Nelson, BC V1L 5R4
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Zoning Class

- Commercial
- Forest Resource/ Reserve
- Parks and Recreation
- Public Utility

Legend

- Resource Area
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

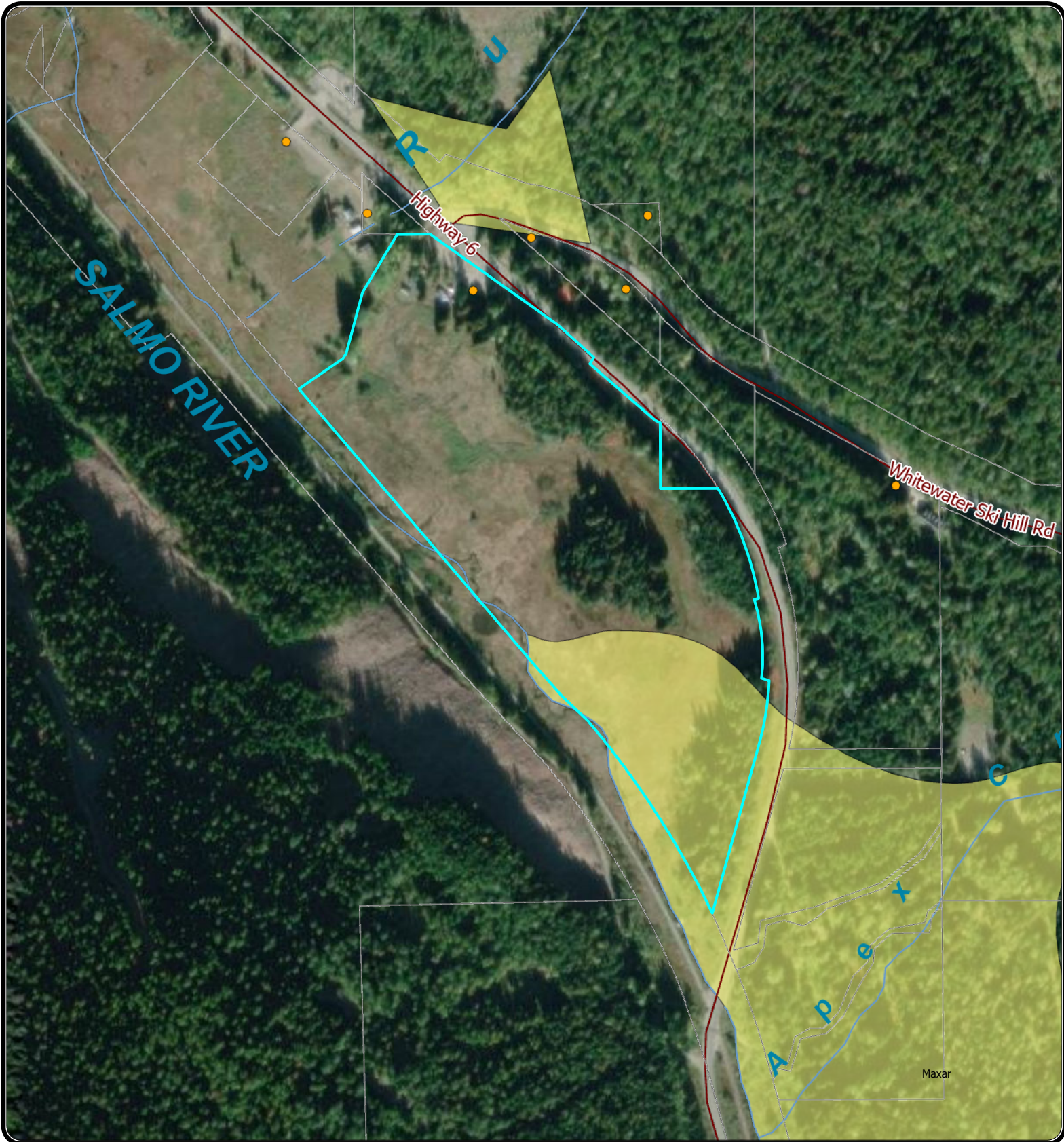
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 maps@rdck.bc.ca

Legend

- Non Standard Flooding Erosion Area
- RDCK Streets
- Streams and Shorelines
- Cadastre
- Electoral Areas
- Address Points

Map Scale:

1:8,000

Date: September 1, 2023



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Aug 5 2023

Development Application.

Re: Site plan, Proposal Summary, Landscape plan.

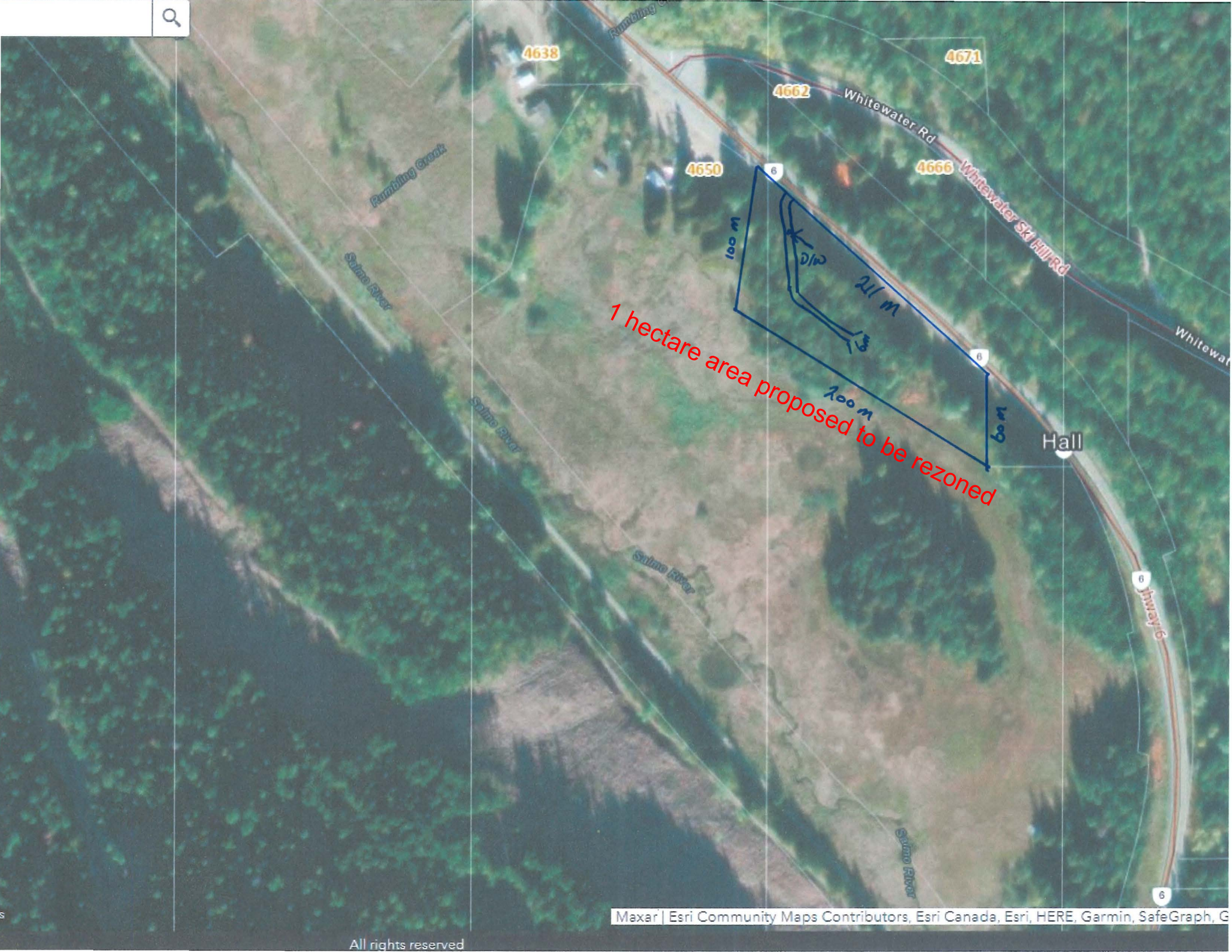
Site plan: Location of dwelling has yet to be determined. The dwelling will be placed on high ground well above Salmo river plane, as well above main field area. Dwelling will not be encroaching set backs as lots of room within lot.

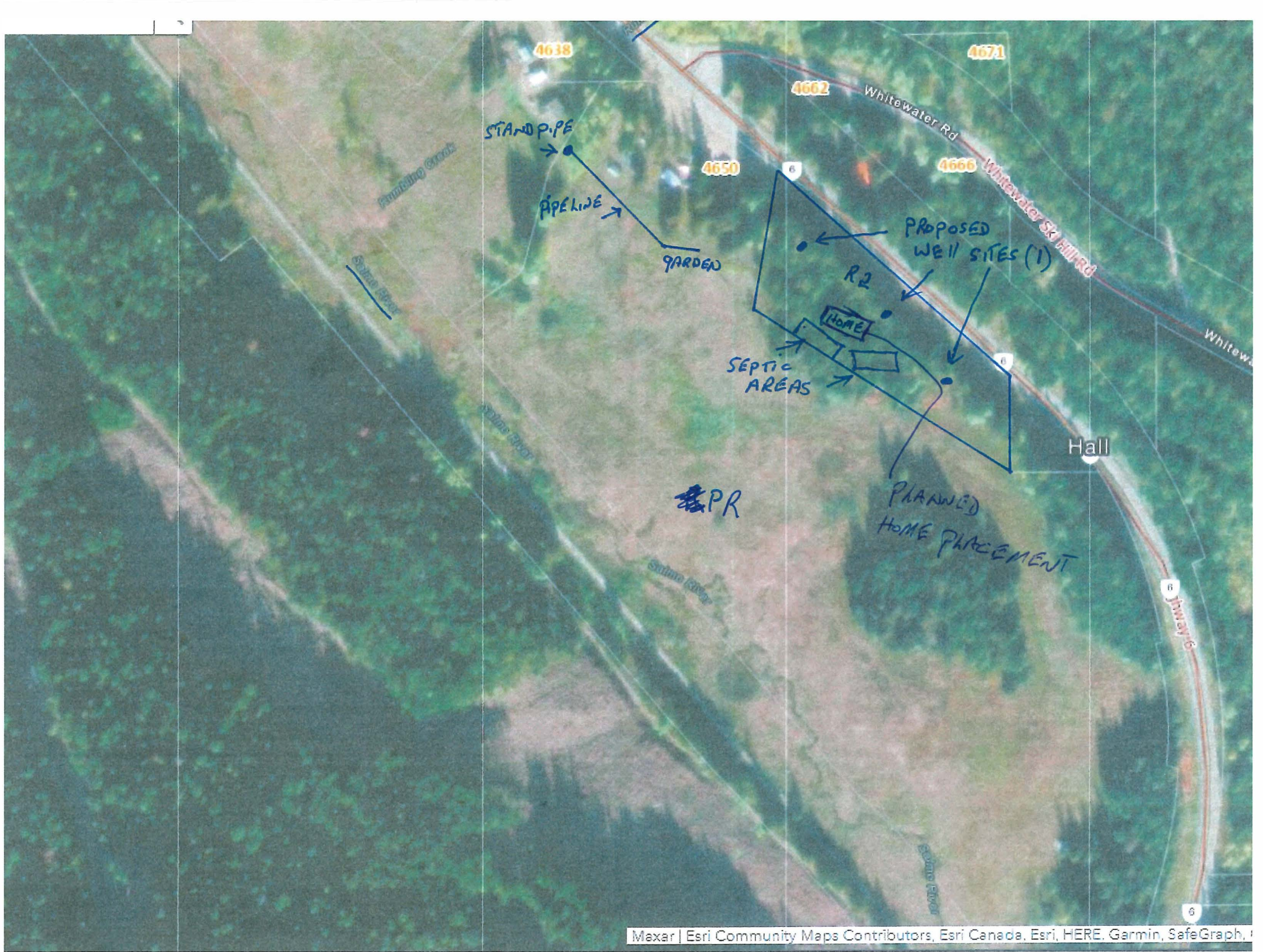
Driveway will be 6m in width built above natural ground by 600mm, allowing drainage on both sides as well area to place snow plowing. At highway access a culvert will be installed according to MOTI specifications. Access to highway will be at a 90 degree sight line. Driveway access has been applied for with MOTI.

Proposal Summary: In 1988 14.416Ha, of Apex area was purchased by the Filippo family, with intensions to use property for cross country skiing, as well in other seasons to maintain a wildlife habitat. The property has not been maintained for over 40 years and has gone a little too wild. I plan on building a small dwelling on a 1Ha piece to live out my retirement, and to maintain the property. With recent changes to WhiteWater as a year round resort, rails to trails, and the introduction of Rumbling creek resort, the area will see more public to use Apex area for recreation, wildlife viewing, and wild environment.

Flood plane: The dwelling location will be on high ground well out of Rumbling, Apex, and Salmo river plains. Map attached

Landscape Plan. I will be landscaping in a manner that will conform to the current surroundings. I will not be introducing any none native species. The intension is to keep area natural, any tree removal will be replaced with resistant white pine. Natural regeneration for grasses, only invasive plants will be removed by the recommended manner.





31.0 PARKS AND RECREATION (PR)

PERMITTED USES TABLE FOR PR ZONE	
1	Principal Uses Campground Community Garden Community Market Community Wharves and Boat Launches Farmer’s Market Nature Sanctuary Parks Accessory Uses Concessions Interpretative Facilities Washroom Facilities

DEVELOPMENT REGULATIONS TABLE FOR PR ZONE		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
9	Minimum lot area for subdivision	1.0 hectares

Proposed Zone

20.0 COUNTRY RESIDENTIAL (R2)

PERMITTED USES TABLE FOR R2 ZONE	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Accessory Uses Accessory Building or Structures Accessory Dwellings <i>with the exception of Hall Siding</i> Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals

DEVELOPMENT REGULATIONS TABLE FOR R2 ZONE		
2	Minimum lot area for each Principal Use	1.0 hectares
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

7.0 PARKS AND RECREATION

Background

Electoral Area G contains two RDCK Regional Parks: the Great Northern Rail Trail which extends through Electoral Area G from Apex to the Village of Salmo and the Rosebud Lake Wildlife Refuge. Provincial sites include Champion Lakes Provincial Park and the former Erie Lake Provincial Park. Provincial recreation sites in the area include Clearwater, Salmo Riverside, Barrett Lake, Huckleberry Hut and Erie Creek.



Ymir and the Village of Salmo also maintain community park space: including a campground, skateboard park and picnic areas in Ymir, and Knights of Pythias Park and Springboard Park in the Village of Salmo. A volunteer run ski hill and golf course operate just south and east of the Village of Salmo.

Public recreational trails and public spaces of all types exist informally or are managed by local interest groups on Crown lands or public lands throughout the Plan area. Coordination and partnership with the RDCK and other government agencies strive to ensure that land development does not inhibit the potential of establishing and maintaining an integrated trail network.

Parks and Recreation Objectives

1. Develop a comprehensive regional park and trail system that is consistent and complementary with other parks and trails in the RDCK.
2. Encourage the Province to provide on-going access to public recreation sites, trails and forest service roads for the purposes of outdoor recreation, foraging and wild harvesting.
3. Partner with the Village of Salmo to ensure that the long term recreational needs of the community are met.
4. Support the enhancement of opportunities for children, youth, and adult recreational and leisure activity and the creation of inter-generational programs to improve youth engagement and encourage social interaction for rural seniors.

Parks and Recreation Policies

The Regional Board:

5. Supports the existing network of public outdoor recreation lots and trails, as well as the creation and extension of a connected network of trails and public corridors to access community parks, recreation areas, public open space and amenities where feasible and as indicated on Schedules A.1 and A.3.
6. Recognizes the importance and significance of the Great Northern Rail Trail at a community and regional level.
7. Recognizes the importance and significance of the Fort Shepard to Salmo portion of the Dewdney Trail at a community and regional level.
8. Supports continued dialogue and investigation of options toward dedicated non-motorized use on portions of the Great Northern Rail Trail in collaboration with all users.
9. Encourages on-going dialogue between residents of Porto Rico and the operator of the Rifle Range to ensure that community impacts are mitigated.
10. Supports the establishment of public access points along the Salmo River for the purposes of swimming, fishing and other recreational pursuits.
11. Supports opportunities to re-establish and enhance recreational and visitor facilities at Erie Lake and Rosebud Lake.
12. Encourages investigation into options for the potential purchase or protection of conservation lands in the vicinity of Rosebud Lake.
13. Encourages investigation into options for the conservation and on-going access to recreational lands associated with rock climbing adjacent to Highway 6 in proximity to Hall Siding.
14. Recognizes and supports the establishment of an integrated trail network between the various unincorporated communities of the Plan area and the Village of Salmo; including on-going and proposed improvements at the Salmo Ski Hill and south slopes between Erie and the Village of Salmo.

3.0 RESIDENTIAL

Background



This section outlines the objectives and policies for Town-site Residential, Country Residential, Rural Residential, Remote Residential and Multi-Unit Residential designations in the areas covered by this Plan (OCP).

Electoral Area 'G' has a population of 1,627 persons based on 2016 census data. The area has a total of 794 dwellings, most of which are single person or two person households. One family dwellings and modular homes are the predominant housing type.

Development activity with regard to subdivision in the area remains small scale with an average of 14 new lots being created per year. Similarly, building activity tends to be focused on renovations and additions to existing residential structures.

Electoral Area 'G' is expected to grow due to parallel growth in the proximate communities of City of Nelson and Castlegar. It is anticipated that there will be an increase in population of 80 new residents within five years and 160 new residents over a ten year period¹.

General Residential Objectives

1. Accommodate anticipated residential growth in a manner that protects the rural character, environmental integrity, and the social and cultural diversity of the Plan area.
2. Encourage a variety of residential locations, types, tenures, and densities, including mixed use buildings in commercial areas to accommodate expected growth in the community and to accommodate options for housing affordability.
3. Direct residential development of less than 1 hectare (2.47 acres) to established residential areas and municipalities to ensure efficient use of existing services, amenities, and infrastructure.
4. Direct residential development that is not related to agricultural production or farm use to lands outside of the Agricultural Land Reserve (ALR).
5. Encourage high quality design, building, development and landscaping standards that improve energy efficiency and maintain and enhance rural character.

¹ Columbia Basin Selkirk College Rural Development Institute (2012) and (2016) Census Data

6. Support accessibility in housing to ensure that seniors and those with mobility challenges are able to reside safely in their respective communities.
7. Continue to provide for the keeping of farm animals and market gardens on residential properties provided that the keeping of farm animals is conducted in a manner that minimizes negative impact to adjacent property owners.
8. Continue to enable income-generating accessory uses including home based business and tourist accommodation opportunities, provided that they are compatible with the residential character of Plan area communities.

General Residential Policies

The Regional Board:

9. Will accommodate anticipated residential growth in the areas designated as residential on Schedule A.1 mapping.
10. Will increase housing diversity and choice in the community through allowing for accessory dwellings such as: secondary suites, cottages, carriage houses and garage suites to increase the number of dwellings available for rental occupancy and to single occupancy households.
11. Will support initiatives to provide for special needs housing required for seniors and those with mobility issues or in need of support, within the Village of Salmo or Ymir where servicing needs can be met given the predominately rural nature of the Plan area.
12. Will assess and evaluate proposed residential development based on the following:
 - a. capability of accommodating on-site domestic water and waste water disposal;
 - b. capability of the natural environment to support the proposed development, and any impacts on habitat and riparian areas;
 - c. susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - d. compatibility with adjacent land uses and designations, and how the form and character complements the surrounding rural area;
 - e. proximity and access to existing road networks and other community and essential services if they exist; and
 - f. mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas.
13. Recognizes that existing lots smaller than the minimum lot size permitted by designation may be used for the purposes permitted in the designation provided all other regulations are met.

14. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development where feasible.
15. Encourages the infill of vacant residential lots before development of new residential areas, in addition to the consolidation of small residential lots to address safe building and servicing requirements.
16. Recognizes the limitations for further residential development in specified areas of Ymir and Rosebud Lake where water supply may be limited or septic servicing at capacity.

Town-site Residential (RS) Policies

The Regional Board:

17. Directs that the principal use shall be one-family, two-family or multi-family dwellings.
18. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
19. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
20. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
21. Encourages mixed use development that builds upon existing infrastructure.

Country Residential (RC) Policies

The Regional Board:

22. Directs that the principal use shall be one-family or two-family dwellings.
23. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
24. Supports low density residential development with lot sizes for subdivision purposes determined by the capacity for on-site servicing, such as ground or surface water and Type 1 waste water disposal.

Rural Residential (RR) Policies

The Regional Board:

25. Directs that the principal use shall be one-family or two-family dwellings, horticulture or portable sawmills.
26. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture, keeping of farm animals, kennels and small scale wood product manufacturing as accessory uses.
27. Supports rural residential development with lot sizes for subdivision that generally exceed 2.0 hectares.
28. Supports remote residential development with lot sizes for subdivision that generally exceed 4.0 hectares for properties that do not have access to a maintained public road or other servicing constraints.

Multi-Unit Residential (RMU) Policies

The Regional Board:

29. Directs that the principal use shall be multi-family dwellings or manufactured home parks.
30. Will allow for accessory buildings and structures, home-based business and horticulture as accessory uses in Multi-Unit Residential developments.
31. Will allow for accessory buildings and structures, and common facilities associated with a Manufactured Home Parks.
32. Supports that new Manufactured Home Parks will meet the standards for servicing and design as required under any applicable Regional District Manufactured Home Park Bylaw.
33. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
34. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
35. Encourages mixed use development that builds upon existing infrastructure.



Committee Report

Date of Report: November 28, 2023
Date & Type of Meeting: December 13, 2023, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: LAND USE BYLAW AMENDMENT
File: Z2308G -Filippo
Electoral Area/Municipality G

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 for the subject property at 4650 Highway 6, In Electoral Area 'G'.

The applicant seeks to re-zone approximately 1 hectare of the property from Parks and Recreation (PR) to Country Residential (R2) and amend the OCP land use designation from Parks and Recreation (PR) to Country Residential (RC) in order to permit a one-family dwelling. A subdivision application has been submitted to the Ministry of Transportation and Infrastructure to subdivide the approximate 1 ha portion of the property being considered through this application so that the future dwelling would be on a separate fee simple lot.

Staff recommend that Amending Bylaw No. 2935, 2023 being a bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018 be given FIRST and SECOND reading by content and referred to a Public Hearing.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owner: Anne Filippo and Jerry Filippo

Property Location: 4650 Highway 6, Hall Siding, Electoral Area 'G'

Legal Description: LOT A DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN 17958
(PID 011-707-721)

Property Size: 14.4 hectares (35.6 acres)

Current Zoning: Parks and Recreation (PR) in Electoral Area 'G' Land Use Bylaw No. 2452, 2018

Current Official Community Plan Designation: Parks and Recreation (PR) in Electoral Area 'G' Land Use Bylaw No. 2452, 2018

SURROUNDING LAND USES

North: Tourist Commercial (TC)

East: Tourist Commercial (TC) and Forest Reserve (FR)

South: Tourist Commercial (TC) and Resource Area (RA)

West: Parks and Recreation (PR) and Forest Reserve (FR)

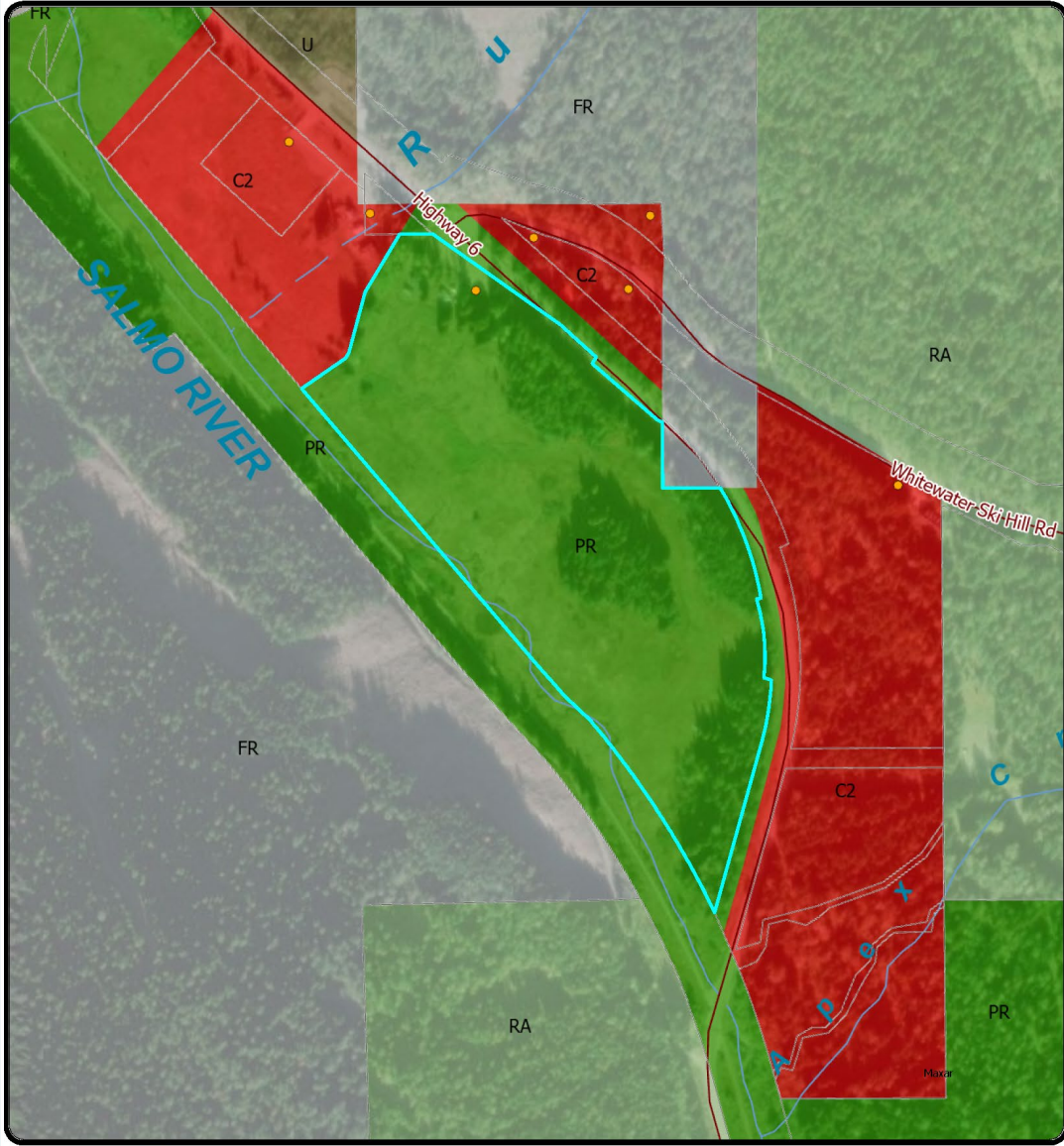
Background and Site Context

The subject property is located in Electoral Area 'G' on Highway 6, approximately 10 km south of the City of Nelson at the base of Whitewater Ski Hill Road. The property is presently used as a portion of and the main entrance (Apex Kiosk) to the Nelson Nordic Ski Club trails, however the location of the 1 hectare portion of land that is subject to this bylaw amendment application is not currently used for any or the Nordic ski trails. Please see Figure 3 for the location and dimensions of the proposed residential lot.



Figure 1 - Location map of the subject property

Z2308G: Land Use Bylaw Amendment (4650 Highway 6)



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

Zoning Class

- Commercial
- Forest Resource/ Reserve
- Parks and Recreation
- Public Utility

Legend

- Resource Area
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre
- Address Points

Map Scale:

1:8,000

Date: September 1, 2023



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.

Figure 2 - Zoning map



Figure 3 - Site Plan showing the location of the proposed residential lot.



Figure 4: The location of the proposed dwelling is marked with wooden stakes and has been outlined in red.

Planning Policy

Parks and Recreation Policies

The Regional Board:

5. Supports the existing network of public outdoor recreation lots and trails, as well as the creation and extension of a connected network of trails and public corridors to access community parks, recreation areas, public open space and amenities where feasible and as indicated on Schedules A.1 and A.3.
6. Recognizes the importance and significance of the Great Northern Rail Trail at a community and regional level.
8. Supports continued dialogue and investigation of options toward dedicated non-motorized use on portions of the Great Northern Rail Trail in collaboration with all users.
10. Supports the establishment of public access points along the Salmo River for the purposes of swimming, fishing and other recreational pursuits.
13. Encourages investigation into options for the conservation and on-going access to recreational lands associated with rock climbing adjacent to Highway 6 in proximity to Hall Siding.

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

Pursuant to Planning Fees and Procedures Bylaw No. 2457, 2015 the applicant has paid the Land Use Bylaw amendment fee of \$1600 in full.

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

The application was processed in accordance with Planning Fees and Procedures Bylaw No. 2457, 2015.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

A written notice of the proposed bylaw amendment was mailed to six (6) neighbouring property owners on September 11, 2023. No responses have been received from neighbouring property owners.

A letter of support has been received from the Nelson Nordic Ski Club, who operates Nordic ski trails on the subject property. This letter is included as Attachment 'C' to this report.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

The application was sent to 6 neighbouring property owners, relevant government agencies and First Nations.

The following responses were received from government agencies and First Nations:

RDCK Building Services

No comments from building for this project at the subdivision phase.

RDCK Emergency Services – Emergency Program Coordinator

The RDCK Emergency Dept has reviewed the subject application and has no significant concerns with the proposal.

There are no records of previous incidents affecting the property, and the change will not significantly affect the population level.

Access/egress is good (highway 6)

Adding a new residence will not substantially increase existing hazards or create any unreasonable new hazards.

No objections from us.

Ktunaxa National Council – Guardianship Referrals Administrator – Lands & Resources

The Ktunaxa Nation Council has no concerns with this application.

Penticton Indian Band – Referrals Coordinator

Penticton Indian Band has indicated that a Cultural Heritage Resource Assessment is required on the 1 hectare portion of the lot that is proposed to be rezoned.

Ministry of Water, Land and Resource Stewardship – Ecosystems Section Head – Kootenay-Boundary Region

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

- 1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.*
- 2. Changes in and about a “stream” [as defined in the Water Sustainability Act (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the Water Sustainability Regulation. Authorized changes must also be compliant with the Kootenay-Boundary Terms and Conditions and Timing Windows documents. Applications to conduct works in and about streams can be submitted through FrontCounter BC.*
- 3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the Riparian Areas Protection Regulation (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of RAPR are required to ensure that all development is compliant with RAPR.*
- 4. The federal Species at Risk Act (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to Resource Inventory Standard Committee (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific Recovery Strategy or Management Plan documents, and to ensure proposed activities will not adversely affect SEAR or their Critical Habitat for Federally-listed Species at Risk (Posted).*
- 5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: Natural Resource Best Management Practices - Province of British Columbia (gov.bc.ca) and Develop with Care 2014 - Province of British Columbia.*
- 6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial Wildlife Act and the federal Migratory Birds Convention Act. Guidelines to avoid harm to migratory birds can be found at: Guidelines to avoid harm to migratory birds - Canada.ca. If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:*

Bird Species	Least Risk Timing Windows
<i>Raptors (eagles, hawks, falcons, & owls)</i>	<i>Aug 15 – Jan 30</i>

Herons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. *The introduction and spread of invasive species is a concern with all developments. The provincial Weed Control Act requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: Invasive species - Province of British Columbia. The Invasive Species Council of BC provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder’s responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.*
8. *Section 33.1 of the provincial Wildlife Act prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.*
9. *If this referral is in relation to a potential environmental violation it should be reported online at Report All Poachers & Polluters (RAPP) or by phone at 1-877-952-RAPP (7277).*
10. *Developments must be compliant with all other applicable statutes, bylaws, and regulations.*

Interior Health Authority – Team Leader, Health Community Development

Thank you for the opportunity to comment. Interior Health interests are not affected by the proposed rezoning from Parks & Rec to Country Residential.

Please note, at the time of subdivision application, the Ministry of Transportation and Infrastructure usually sends us a referral for parcels less than 2 hectares. At that time a detailed technical review will be completed.

Ministry of Transportation and Infrastructure – District Technician

Ministry of Transportation has no objections to the rezoning of land.

An application for the residential access permit has been received by our agency and is currently under review along with the subdivision proposal.

Electoral Area ‘G’ Advisory Planning and Heritage Commission

These comments are from the approved minutes of the October 25, 2023 meeting:

*That the Area G Advisory Planning Commission **SUPPORT** the Land Use Bylaw Amendment Application to rezone a portion of the property to Country residential (R2) for the property located at 4650 Highway 6, Hall Siding and legally described as LOT A DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN 17958.*

FortisBC – Property Services

Land Rights Comments

- Additional land rights may be requested stemming from servicing the proposed development/subdivision.
- FBC(E) requests [appropriate / updated] land rights to protect the existing infrastructure to ensure proper delivery and maintenance of the service. **The applicant should contact the undersigned at 250-469-7927 or chelsea.stringer@fortisbc.com for further instruction regarding land rights and servicing requirements.**

Operational & Design Comments

- There are FortisBC Inc. (Electric) (“FBC(E)”) primary distribution facilities along Highway 6.
- Given to the proximity of the overhead line on Highway 6 to the boundary of the lot, the applicant should pay particular attention to Electrical Code and WorksafeBC requirements in regards to placement of structures on the proposed lots if applicable. **Proposed developments that do not meet the WorksafeBC safe limits of approach requirements around electrical facilities may not be eligible for electrical services if they are deemed unsafe.**
- The applicant has not provided a landscape plan; however, they are reminded that vegetation beneath or near overhead electrical facilities must meet FBC(E) guidelines to avoid excessive brushing in the future.
- To date, arrangements have not been made to initiate the design process and complete the servicing requirements.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.
- **To proceed, the applicant should contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.**

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician’s Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

For more information, please refer to FBC(E)’s overhead and underground design requirements:

FortisBC Overhead Design Requirements

<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

3.7 Staffing/Departmental Workplace Considerations:

Should the Board choose to give the amending bylaw First and Second reading and refer to public hearing, staff will organize the public hearing pursuant to the Planning 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 rezone an approximate 1 hectare portion of land in order to permit a one family dwelling to be constructed. The 1 ha portion of the subject property that is subject to this application would be rezoned from Parks and Recreation (PR) to Country Residential (R2) and the land use would be amended from Parks and Recreation (PR) to Country Residential (RC).

There is a concurrent subdivision application being reviewed by the Ministry of Transportation and the RDCK where the 1 hectare portion of land being considered in this bylaw amendment application is proposed to be subdivided from the 14.4 hectare subject property so that the proposed Country Residential portion of the existing lot will be its own fee simple lot.

Staff recommend first and second reading by content and referral to a public hearing for the proposed Zoning/Land Use Bylaw Amendment for the following reasons:

- There has been no opposition received from surrounding landowners or the general public related to the proposed bylaw amendment application.
- The Nelson Nordic Ski Club, who operate Nordic Ski Trails on the subject property have indicated that they support the proposed bylaw amendment application.
- The proposal to rezone/re-designate a portion of the subject property adjacent to Highway 6 is consistent with a concurrent subdivision application and at this time no significant concerns have been note by MoTI or the RDCK.
- There will be additional opportunity for consultation and feedback at a public hearing

Option 1

That *Land Use Amendment Bylaw No. 2935, 2023* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* 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 'G' Director Hans Cunningham is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Option 2

That further consideration of *Land Use Amendment Bylaw No. 2935, 2023* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* BE REFERRED to the January 17, 2023 Rural Affairs Committee meeting.

Option 3

That no further action be taken with respect to *Land Use Amendment Bylaw No. 2935, 2023* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018*.

SECTION 5: RECOMMENDATIONS

That *Land Use Amendment Bylaw No. 2935, 2023* being a bylaw to amend the *Electoral Area 'G' Land Use Bylaw No. 2452, 2018* 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 'G' Director Hans Cunningham is hereby delegated the authority to chair the Public Hearing on behalf of the Regional District Board.

Respectfully submitted,

Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Digitally approved**

Manager of Development and Community Sustainability – Sangita Sudan **Digitally approved**

Chief Administrative Officer – Stuart Horn **Digitally approved**

ATTACHMENTS:

Attachment A – Zoning/OCP excerpts (existing and proposed zoning and land use)

Attachment B – Draft Amending Bylaw No. 2935, 2023

Attachment C – Letter of Support from Nelson Nordic Ski Club

31.0 PARKS AND RECREATION (PR)

PERMITTED USES TABLE FOR PR ZONE	
1	Principal Uses Campground Community Garden Community Market Community Wharves and Boat Launches Farmer’s Market Nature Sanctuary Parks Accessory Uses Concessions Interpretative Facilities Washroom Facilities

DEVELOPMENT REGULATIONS TABLE FOR PR ZONE		
2	Minimum lot area for each Principal Use	1.0 hectares
3	Minimum front setback	4.5 metres
4	Minimum exterior side setback	4.5 metres
5	Minimum interior side setback	2.5 metres
6	Minimum rear setback	2.5 metres
7	Maximum lot coverage	35 percent
9	Minimum lot area for subdivision	1.0 hectares

20.0 COUNTRY RESIDENTIAL (R2)

PERMITTED USES TABLE FOR R2 ZONE	
1	Principal Uses Dwelling, One Family Dwelling, Two Family Accessory Uses Accessory Building or Structures Accessory Dwellings <i>with the exception of Hall Siding</i> Accessory Tourist Accommodation Accessory Camping Accommodation Home-based Business Horticulture Keeping of Farm Animals

DEVELOPMENT REGULATIONS TABLE FOR R2 ZONE		
2	Minimum lot area for each Principal Use	1.0 hectares
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

7.0 PARKS AND RECREATION

Background

Electoral Area G contains two RDCK Regional Parks: the Great Northern Rail Trail which extends through Electoral Area G from Apex to the Village of Salmo and the Rosebud Lake Wildlife Refuge. Provincial sites include Champion Lakes Provincial Park and the former Erie Lake Provincial Park. Provincial recreation sites in the area include Clearwater, Salmo Riverside, Barrett Lake, Huckleberry Hut and Erie Creek.



Ymir and the Village of Salmo also maintain community park space: including a campground, skateboard park and picnic areas in Ymir, and Knights of Pythias Park and Springboard Park in the Village of Salmo. A volunteer run ski hill and golf course operate just south and east of the Village of Salmo.

Public recreational trails and public spaces of all types exist informally or are managed by local interest groups on Crown lands or public lands throughout the Plan area. Coordination and partnership with the RDCK and other government agencies strive to ensure that land development does not inhibit the potential of establishing and maintaining an integrated trail network.

Parks and Recreation Objectives

1. Develop a comprehensive regional park and trail system that is consistent and complementary with other parks and trails in the RDCK.
2. Encourage the Province to provide on-going access to public recreation sites, trails and forest service roads for the purposes of outdoor recreation, foraging and wild harvesting.
3. Partner with the Village of Salmo to ensure that the long term recreational needs of the community are met.
4. Support the enhancement of opportunities for children, youth, and adult recreational and leisure activity and the creation of inter-generational programs to improve youth engagement and encourage social interaction for rural seniors.

Parks and Recreation Policies

The Regional Board:

5. Supports the existing network of public outdoor recreation lots and trails, as well as the creation and extension of a connected network of trails and public corridors to access community parks, recreation areas, public open space and amenities where feasible and as indicated on Schedules A.1 and A.3.
6. Recognizes the importance and significance of the Great Northern Rail Trail at a community and regional level.
7. Recognizes the importance and significance of the Fort Shepard to Salmo portion of the Dewdney Trail at a community and regional level.
8. Supports continued dialogue and investigation of options toward dedicated non-motorized use on portions of the Great Northern Rail Trail in collaboration with all users.
9. Encourages on-going dialogue between residents of Porto Rico and the operator of the Rifle Range to ensure that community impacts are mitigated.
10. Supports the establishment of public access points along the Salmo River for the purposes of swimming, fishing and other recreational pursuits.
11. Supports opportunities to re-establish and enhance recreational and visitor facilities at Erie Lake and Rosebud Lake.
12. Encourages investigation into options for the potential purchase or protection of conservation lands in the vicinity of Rosebud Lake.
13. Encourages investigation into options for the conservation and on-going access to recreational lands associated with rock climbing adjacent to Highway 6 in proximity to Hall Siding.
14. Recognizes and supports the establishment of an integrated trail network between the various unincorporated communities of the Plan area and the Village of Salmo; including on-going and proposed improvements at the Salmo Ski Hill and south slopes between Erie and the Village of Salmo.

3.0 RESIDENTIAL

Background



This section outlines the objectives and policies for Town-site Residential, Country Residential, Rural Residential, Remote Residential and Multi-Unit Residential designations in the areas covered by this Plan (OCP).

Electoral Area 'G' has a population of 1,627 persons based on 2016 census data. The area has a total of 794 dwellings, most of which are single person or two person households. One family dwellings and modular homes are the predominant housing type.

Development activity with regard to subdivision in the area remains small scale with an average of 14 new lots being created per year. Similarly, building activity tends to be focused on renovations and additions to existing residential structures.

Electoral Area 'G' is expected to grow due to parallel growth in the proximate communities of City of Nelson and Castlegar. It is anticipated that there will be an increase in population of 80 new residents within five years and 160 new residents over a ten year period¹.

General Residential Objectives

1. Accommodate anticipated residential growth in a manner that protects the rural character, environmental integrity, and the social and cultural diversity of the Plan area.
2. Encourage a variety of residential locations, types, tenures, and densities, including mixed use buildings in commercial areas to accommodate expected growth in the community and to accommodate options for housing affordability.
3. Direct residential development of less than 1 hectare (2.47 acres) to established residential areas and municipalities to ensure efficient use of existing services, amenities, and infrastructure.
4. Direct residential development that is not related to agricultural production or farm use to lands outside of the Agricultural Land Reserve (ALR).
5. Encourage high quality design, building, development and landscaping standards that improve energy efficiency and maintain and enhance rural character.

¹ Columbia Basin Selkirk College Rural Development Institute (2012) and (2016) Census Data

6. Support accessibility in housing to ensure that seniors and those with mobility challenges are able to reside safely in their respective communities.
7. Continue to provide for the keeping of farm animals and market gardens on residential properties provided that the keeping of farm animals is conducted in a manner that minimizes negative impact to adjacent property owners.
8. Continue to enable income-generating accessory uses including home based business and tourist accommodation opportunities, provided that they are compatible with the residential character of Plan area communities.

General Residential Policies

The Regional Board:

9. Will accommodate anticipated residential growth in the areas designated as residential on Schedule A.1 mapping.
10. Will increase housing diversity and choice in the community through allowing for accessory dwellings such as: secondary suites, cottages, carriage houses and garage suites to increase the number of dwellings available for rental occupancy and to single occupancy households.
11. Will support initiatives to provide for special needs housing required for seniors and those with mobility issues or in need of support, within the Village of Salmo or Ymir where servicing needs can be met given the predominately rural nature of the Plan area.
12. Will assess and evaluate proposed residential development based on the following:
 - a. capability of accommodating on-site domestic water and waste water disposal;
 - b. capability of the natural environment to support the proposed development, and any impacts on habitat and riparian areas;
 - c. susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - d. compatibility with adjacent land uses and designations, and how the form and character complements the surrounding rural area;
 - e. proximity and access to existing road networks and other community and essential services if they exist; and
 - f. mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas.
13. Recognizes that existing lots smaller than the minimum lot size permitted by designation may be used for the purposes permitted in the designation provided all other regulations are met.

14. Encourages the clustering of residential development to create separation between neighbouring developments and to avoid continuous sprawl-like development where feasible.
15. Encourages the infill of vacant residential lots before development of new residential areas, in addition to the consolidation of small residential lots to address safe building and servicing requirements.
16. Recognizes the limitations for further residential development in specified areas of Ymir and Rosebud Lake where water supply may be limited or septic servicing at capacity.

Town-site Residential (RS) Policies

The Regional Board:

17. Directs that the principal use shall be one-family, two-family or multi-family dwellings.
18. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
19. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
20. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
21. Encourages mixed use development that builds upon existing infrastructure.

Country Residential (RC) Policies

The Regional Board:

22. Directs that the principal use shall be one-family or two-family dwellings.
23. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture and the keeping of farm animals as accessory uses.
24. Supports low density residential development with lot sizes for subdivision purposes determined by the capacity for on-site servicing, such as ground or surface water and Type 1 waste water disposal.

Rural Residential (RR) Policies

The Regional Board:

25. Directs that the principal use shall be one-family or two-family dwellings, horticulture or portable sawmills.
26. Will allow for accessory buildings and structures, accessory dwellings, accessory tourist accommodation, home-based business, horticulture, keeping of farm animals, kennels and small scale wood product manufacturing as accessory uses.
27. Supports rural residential development with lot sizes for subdivision that generally exceed 2.0 hectares.
28. Supports remote residential development with lot sizes for subdivision that generally exceed 4.0 hectares for properties that do not have access to a maintained public road or other servicing constraints.

Multi-Unit Residential (RMU) Policies

The Regional Board:

29. Directs that the principal use shall be multi-family dwellings or manufactured home parks.
30. Will allow for accessory buildings and structures, home-based business and horticulture as accessory uses in Multi-Unit Residential developments.
31. Will allow for accessory buildings and structures, and common facilities associated with a Manufactured Home Parks.
32. Supports that new Manufactured Home Parks will meet the standards for servicing and design as required under any applicable Regional District Manufactured Home Park Bylaw.
33. Supports residential development with lot sizes for subdivision determined by the level of available or proposed servicing. Density may increase with the provision of community water and waste water disposal.
34. Encourages directing higher density residential development to municipalities or existing residential nodes where infrastructure services are available or can be provided.
35. Encourages mixed use development that builds upon existing infrastructure.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 2935, 2023

A Bylaw to amend Electoral Area 'G' Land Use Bylaw No. 2452, 2018

WHEREAS it is deemed expedient to amend the Electoral Area 'G' Land Use Bylaw No. 2452, 2018, 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.1' and 'B.1' of Electoral Area 'G' Land Use Bylaw No. 2452, 2018 be amended by changing the Land Use Designation from Parks and Recreation (PR) to Country Residential (RC) and the Zoning from Parks and Recreation (PR) to Country Residential (R2) for a portion of LOT A DISTRICT LOT 1241 KOOTENAY DISTRICT PLAN 17958 (PID: 011-707-721), as shown on Schedules 'A' and 'B' which are attached hereto and form part of this bylaw.
- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as **"Electoral Area 'G' Land Use Amendment Bylaw No. 2935, 2023."**

READ A FIRST TIME this 13th day of December, 2023.

READ A SECOND TIME this 13th day of December, 2023.

WHEREAS A PUBLIC HEARING was held this [Date] day of [Month], 2022.

READ A THIRD TIME this [Date] day of [Month], 2022.

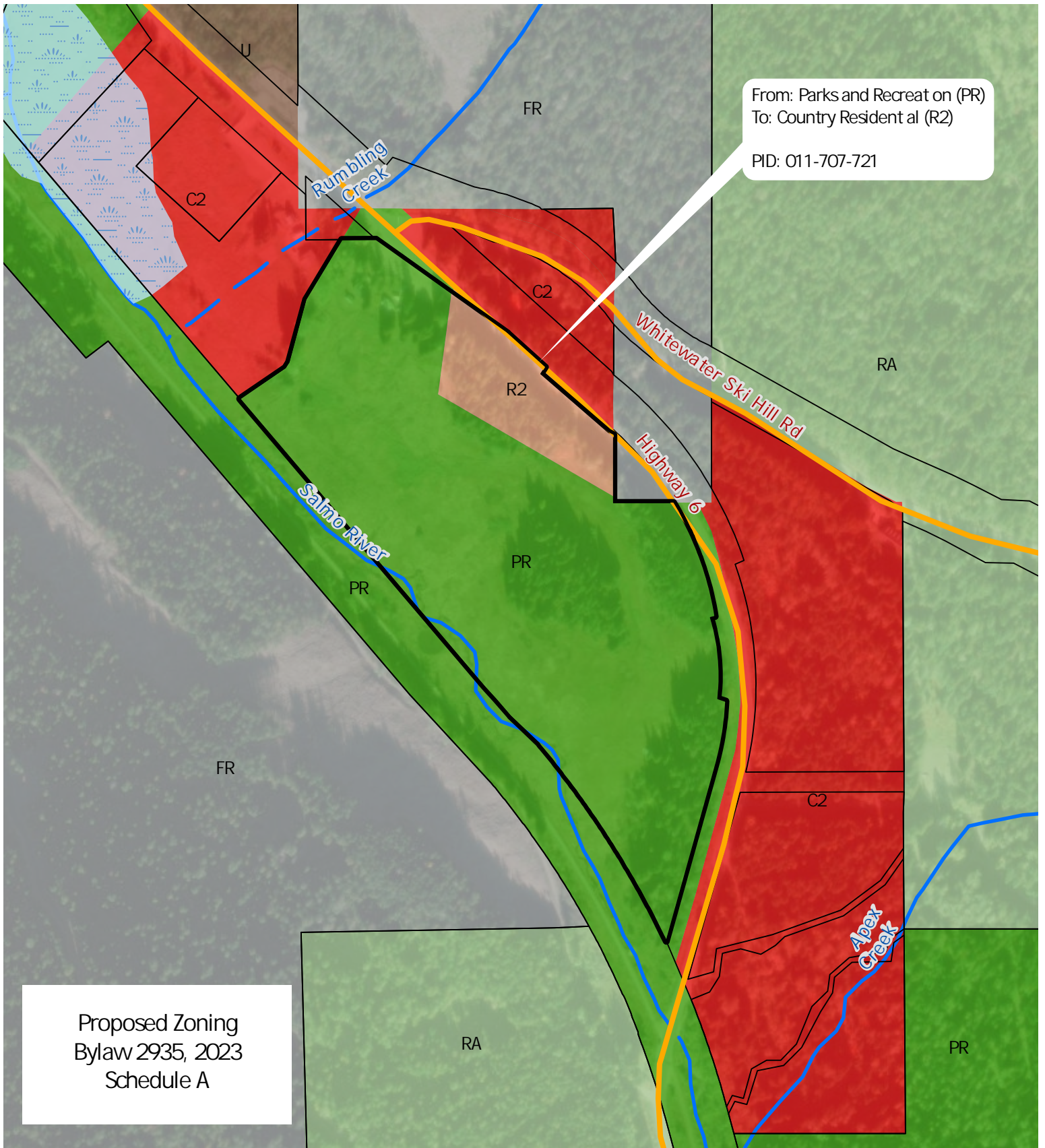
APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Infrastructure

ADOPTED this XX day of XX, 202X.

Aimee Watson, Board Chair

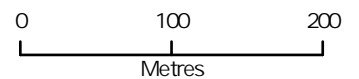
Mike Morrison, Corporate Officer



Proposed Zoning
Bylaw 2935, 2023
Schedule A

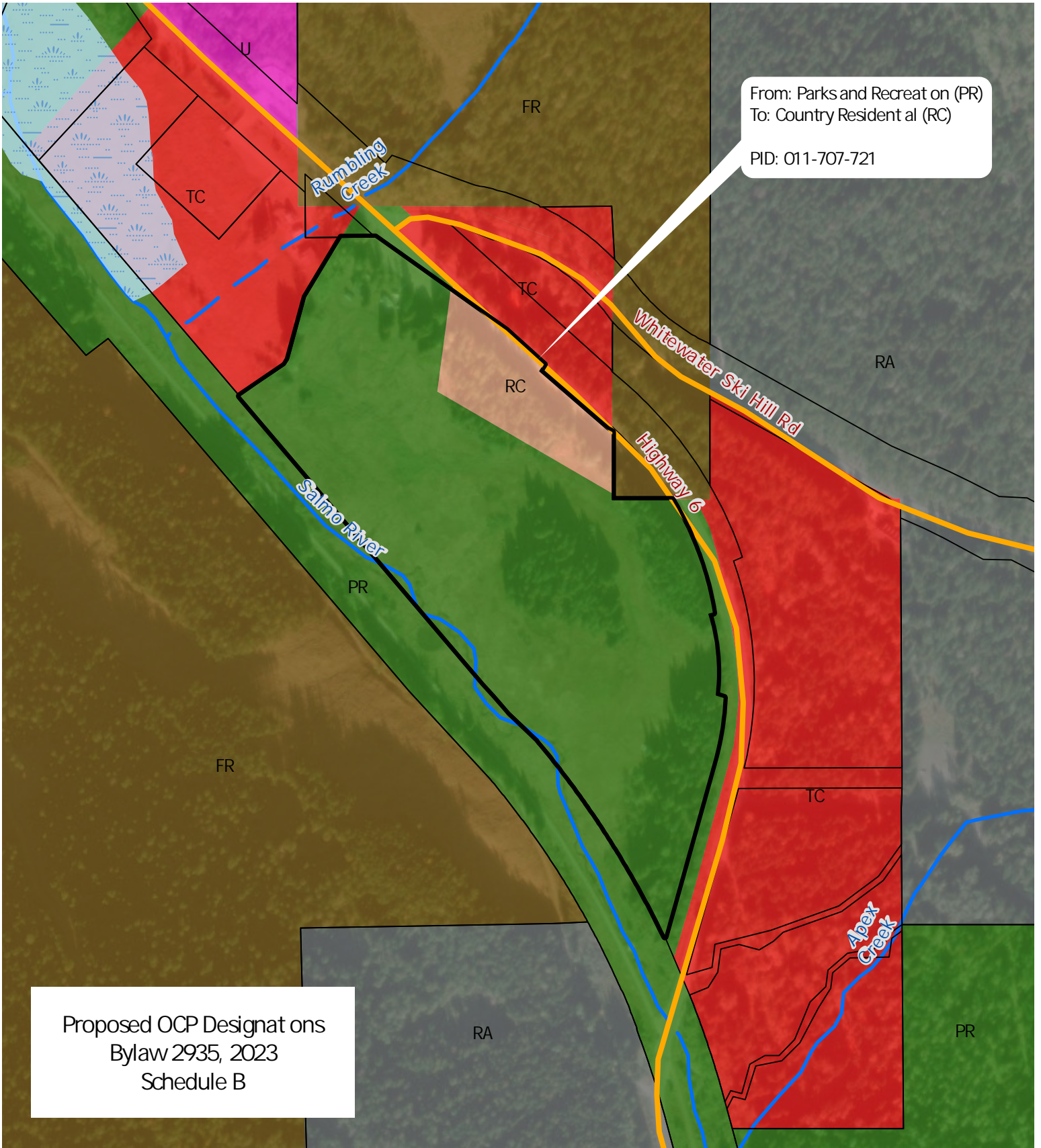
- Subject Property
- Lot Lines
- Road
- Stream
- Wetland
- Zoning Class**
- C2 - Tourist Commercial

- FR - Forest Reserve
- PR - Park and Recreation
- R2 - Country Residential
- RA - Resource Area
- U - Public Utility














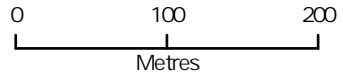
Scale: 1:5,000
Plot ed: Tuesday, November 28, 2023
Datum/Project on: NAD83/UTM Zone11N

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



Proposed OCP Designations
Bylaw 2935, 2023
Schedule B

-  Subject Property
-  Lot Lines
-  Road
-  Stream
-  Wetland
-  PR - Parks and Recreation
-  RA - Resource Area
-  RC - Country Residential
-  TC - Tourist Commercial
-  U - Public Utility
-  FR - Forest Reserve



Scale: 1:5,000
Plot ed: Tuesday, November 28, 2023
Datum/Project on: NAD83/UTM Zone 11N

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



October 11, 2023

RDCK File: Z2308G

Regional District of Central Kootenay
202 Lakeside Drive
Nelson, BC V1L 6B9

To whom it may concern:

Re: Robert Filippo Zoning Bylaw Amendment Application (RDCK file: Z2308G)

On behalf of the Nelson Nordic Ski Club (NNSC), I am pleased to provide a letter of support for Robert Filippo's application to rezone a one (1) hectare portion of Lot A, District Lot 1241, Kootenay District Plan 17958 to Country Residential.

For over 40 years, NNSC has benefited immeasurably from the support and generosity of the Filippo family in providing a beautiful property for the club to share with all Nordic ski enthusiasts. The maintained and groomed ski trails located there are the cornerstone to our youth and adult learn-to-ski programs, are vital to our annual Kootenay Cup races, and provide access to our network of trails administered through Rec Sites & Trails BC.

In addition, NNSC will benefit from the establishment of an adjacent residential property as it will provide additional on-site security for the club's assets (i.e., Apex day lodge, shop, groomers and equipment).

Again, NNSC fully supports Mr. Robert Filippo's application to amend the zoning bylaw to establish a residential lot. We understand that the remainder of Lot A, District Lot 1241, Kootenay District Plan 17958 will continue to be zoned as Parks and Recreation.

Sincerely,



Michael Knapik
President, Nelson Nordic Ski Club

pc. Karen Redfern, NNSC General Manager
