

**REGIONAL DISTRICT OF CENTRAL KOOTENAY  
BYLAW No. 2057**

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

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay, Zoning Bylaw No. 1675, 2004 and amendments thereto to include Electoral Area 'K-The Arrow Lakes'.

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

1. The Zoning portion of Electoral Area K – The Arrow Lakes Rural Land Use Bylaw No. 1248, 1997 is hereby repealed.
2. Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 **DIVISION 2** APPLICATION Section 200 be amended by adding the following Paragraph:
  - 3 All of Electoral Area K – The Arrow Lakes as identified on Schedule 'C' – Zoning Map (K).
3. Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 **DIVISION 2** APPLICATION Section 201 (3) be amended to read:
  - 3 Schedule 'C' – Zoning Map (K);
4. The following paragraph under Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 **DIVISION 2** APPLICATION Section 201 be added:
  - 4 The boundaries of the zones listed in this Bylaw, together with any explanatory legends, notations and reference in respect thereof, are delineated and described on the "Zoning Map" noted which consists of a computer record compiled by means of geographic information software. The "Zoning Map" is kept in the office of the Secretary and in the Planning Department at the Regional District office. The Schedules form part of this Bylaw. A generalized diagrammatic representation of the Zoning Map is annexed to this Bylaw as Schedule 'A', Schedule 'B' and Schedule 'C'. The Zoning Map forming part of this Bylaw is at a scale that provides clear and more detailed information than the generalized diagrammatic representation shown on Schedule 'A', Schedule 'B' and Schedule 'C'. In the event of a conflict or inconsistency between Schedules and the Zoning Map, and in the event that the Zoning Map shows and provides more information than Schedules, then in all such cases the Zoning Map shall govern.

5. Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 **DIVISION 6** GENERAL REGULATIONS Section 619 Zone Designations is hereby amended by adding the following to the list of zoning designations:

<b><u>ZONE</u></b>	<b><u>SHORT FORM</u></b>
Suburban Residential K	(R1K)
Country Residential K	(R2K)
Rural Residential K	(R3K)
Rural Resource K	(R4K)
Seasonal Residential	(R7)
Agriculture 4 K	(AG4K)
Small Scale Tourism Accommodation K	(C5K)
Resort Commercial	(C6)

6. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Suburban Residential K (R1K) zone after the Ootischenia Suburban Residential (R1A) zone and before the Country Residential (R2) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 7 B SUBURBAN RESIDENTIAL K (R1K)**

**Permitted Uses**

700 B Land, buildings and structures in the Suburban Residential K (R1K) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Accessory Uses:

- Accessory Tourist Accommodation;
- Day Care Facility;
- Home Based Business;
- Horticulture;
- Keeping of Farm Animals;
- Sale of Site Grown Horticultural Produce;
- Secondary Suite or Carriage House as per Section 702 B.

**Development Regulations**

701 B

- 1 The minimum site area for the following uses shall be required as follows:

**LEVEL OF SERVICES PROVIDED**

<b>Community Water and Sewer</b>	<b>Community Water or Sewer</b>	<b>On Site Servicing Only</b>
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<b>Single Detached Dwelling</b>	700 m <sup>2</sup>	0.2 hectares	1 hectare
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<b>Duplex Dwelling</b>	1000 m <sup>2</sup>	0.4 hectares	1 hectare
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- 2 The maximum Site Coverage is 50 percent of the site area.
- 3 Buildings and structures shall not cover more than 33 percent of the site area.
- 4 The keeping of farm animals shall comply with the requirements of Section 613.
- 5 Farm animals and poultry shall be caged, fenced or housed at all times.
- 6 No principal building may exceed ten (10) metres in height.
- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.
- 8 The maximum gross floor area of an accessory building or structure shall not exceed 100 square metres and the total gross floor area devoted to all accessory buildings and structures shall not exceed the cumulative gross floor area of all permitted dwellings.
- 9 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.

### **Secondary Suites and Carriage Houses**

702 B

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a single detached dwelling subject to the following:
  - the minimum site area for the suite shall be the same as for duplex dwelling above depending on level of servicing
  - a maximum gross floor area of 90 m<sup>2</sup>
  - the secondary suite or carriage house shall not be a vehicle
  - the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the single detached dwelling.
- 2 The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 3 A secondary suite shall not comprise more than 40% of the total floor area of the dwelling.
- 4 One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house.

- 5 Recreation vehicles shall not be used as rental accommodation.
  - 6 Secondary suites shall not be used as tourist accommodation.
7. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Country Residential K (R2K) zone after the Country Residential (R2SA – SOUTH ARROW) zone and before the Rural Residential (R3) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 9 B      COUNTRY RESIDENTIAL K (R2K)**

**Permitted Uses**

900 B Land, buildings and structures in the Country Residential K (R2K) zone shall be used for the following purposes only:

Dwellings:

- Single Detached
- Duplex;

Horticulture;

Accessory Uses:

- Bed and Breakfast Accommodation;
- Day Care Facility
- Home Occupation;
- Keeping of Farm Animals;
- Portable Sawmills for processing of material harvested on site only;
- Sale of Site Grown Horticultural Produce;
- Secondary, Garage and Garden Suites as per section 902 B
- Temporary Guest Accommodation as per Section 903 B.

**Development Regulations**

901 B

- 1 The minimum site area for each permitted use shall be one (1) hectare.
- 2 The minimum parcel size for a parcel subdivided for a relative under Section 946 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 Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 901 B. 1.

- 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.

### **Secondary Suites and Carriage Houses**

#### 902B

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) secondary suite OR carriage house per lot is permitted as an accessory use to a single detached dwelling subject to the following,
  - the minimum site area shall be 1 hectare
  - a maximum gross floor area of 90 m<sup>2</sup>
  - the secondary suite or carriage house shall not be a vehicle
- the secondary suite or carriage house shall have a separate entrance and separate living, sleeping sanitary and kitchen facilities from the single detached dwelling.
- 2 The minimum separation distance between a carriage house, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
- 3 A secondary suite shall not comprise more than 40% of the total floor area of the primary dwelling.
- 4 One (1) additional off-street parking space shall be provided for a secondary suite or a carriage house.
- 5 Recreation vehicles shall not be used as rental accommodation.
- 6 Secondary suites shall not be used as tourist accommodation.

### **Temporary Guest Accommodation:**

#### 903B

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to the following,
  - the minimum site area for the guest cabin shall be 1.4 ha, and
  - a maximum gross floor area per cabin of 75 m<sup>2</sup>.
2. Subject to Section 611.17, a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot and recreation vehicles shall be required

to be licensed and remain mobile consistent with the original design of the vehicle, and a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.

3. The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
  4. Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
8. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Rural Residential K (R3K) zone after the Rural Residential I (R3I) zone and before the Rural Resource (R4) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 12 B      **RURAL RESIDENTIAL K (R3K)****

**Permitted Uses**

- 1200B      Land, buildings and structures in the Rural Residential K (R3K) zone shall be used for the following purposes only:
- Dwellings:
    - Single Detached
    - Duplex;
  - Horticulture;
  - Veterinary Clinics;
  - Accessory Uses:
    - Bed and Breakfast;
    - Home Based Business;
    - Keeping of Farm Animals;
    - Sale of Site Grown Horticultural Produce;
    - Small Scale Wood Product Manufacturing subject to Section 1302
    - Temporary Guest Accommodation subject to Section 1303

**Development Regulations**

1201 B

- 1 The minimum site area for each permitted use shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 50 percent of the lot area.

- 3 The keeping of farm animals shall comply with the requirements of Section 613.
- 4 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 5 Despite Subsection 1, a manufactured home on a non-permanent foundation may be permitted in addition to a Single Detached dwelling.
- 6 A garage may be constructed on a lot prior to construction of a dwelling subject to the maximum size of 56 square metres.

### **Small Scale Wood Product Manufacturing**

1202B A small scale wood product manufacturing operation is subject to the following requirements:

- 1 The minimum parcel size shall be 2.0 hectares;
- 2 The sawmill is limited to a band sawmill powered by an engine of no more than 42 Horsepower;
- 3 The property owner will continue to reside in the principal residence on the property;
- 4 Despite the site area requirements detailed elsewhere in the R3K Zone, the maximum area used for a small scale wood processing business, including external storage shall not exceed 0.4 hectares;
- 5 Any portion of a property used for a small scale wood product manufacturing use shall be located a minimum of 30 metres from any property line;
- 6 No more than three (3) persons who are not residents of the principal dwelling may be employed in the business;
- 7 External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
- 8 No commodities may be offered for sale except those produced on the premises;
- 9 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;

- 10 Operation of the sawmill shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday;
- 11 There shall be no operation of the small scale wood product manufacturing operation on Sundays or Statutory Holidays;
- 12 Access to the small scale wood products manufacturing site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and
- 13 Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with the Zoning Bylaw.

**Temporary Guest Accommodation:**

1203B

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply, two (2) cabins per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to the following,
    - the minimum site area for the guest cabin shall be 1.4 ha, and
    - a maximum gross floor area per cabin of 75 m<sup>2</sup>.
  - 2 Subject to Section 611.17, a recreation vehicle may be used for temporary guest accommodation provided that no more than two (2) recreation vehicles shall be located on a lot and recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
  - 3 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
  - 4 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
9. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Rural Resource K (R4K) zone after the Rural Resource (R4SA – South Arrow) zone and before the Manufactured Home Park (R5) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 13 B      **RURAL RESOURCE K (R4K)****

**Permitted Uses**

- 1300 B    Land, buildings and structures in the Rural Resource (R4K) zone shall be used for the following purposes only:
- Dwellings:
    - Single Detached
    - Duplex;
  - Horse Riding Stables and Boarding Stables;
  - Kennels;
  - Horticulture;
  - Veterinary Clinics;
  - Accessory Uses:
    - Bed and Breakfast Accommodation;
    - Home Occupation;
    - Keeping of Farm Animals;
    - Sale of Site Grown Agricultural Produce;
    - Portable Sawmills;
    - Temporary Guest Accommodation as per Section 1302 B.

**Development Regulations**

1301 B

- 1    The minimum site area for each permitted use shall be two (2) hectares.
- 2    The maximum site coverage permitted shall be 50 percent of the lot area.
- 3    The keeping of farm animals shall comply with the requirements of Section 613.
- 4    Single detached dwellings and duplex dwellings shall be permitted subject to conformance with the density provisions of Section 1301 B 1.
- 5    Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
- 6    Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 7    The minimum setback for a kennel shall be 30 metres from any lot line.

**Temporary Guest Accommodation:**

1302 B

- 1 Subject to compliance with the requirements of the Interior Health Authority for sewage disposal and water supply one (1) cabin per lot for the temporary accommodation of guests is permitted as an accessory use to a single detached or duplex dwelling subject to a maximum gross floor area of 75 m<sup>2</sup>
  - 2 Cabins used as temporary guest accommodation may be located on existing lots less than the two (2) hectares minimum site area required pursuant to Section 1301 A provided that the subject lot has a minimum site area of 1.4 ha.
  - 3 Subject to Section 611. 17., a recreation vehicle may be used for temporary guest accommodation provided that:
    - no more than two (2) recreation vehicles shall be located on a lot; and
    - recreation vehicles shall be required to be licensed and remain mobile consistent with the original design of the vehicle, and
    - a recreation vehicle that has its wheels or towing hitch removed, or is placed on footings or foundation, or includes additions such as porches, decks or a roof structure or in any way is altered or situated so as to be permanently affixed to the lot shall be considered a dwelling or guest cabin.
  - 4 The minimum separation distance between a guest cabin, inclusive of attached decks and porches, and another dwelling shall be three (3) metres.
  - 5 Each guest cabin or recreation vehicle that is used as temporary guest accommodation shall have sufficient site area to accommodate two (2) off-street parking spaces.
  - 6 Temporary guest accommodation cabins or recreation vehicles shall not be used as rental accommodation.
- 10.** Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Seasonal Residential (R7) zone after the Small Scale Tourism Accommodation K (C5K) zone and before the Light Industrial (M1) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 15 A      SEASONAL RESIDENTIAL (R7)**

**Permitted Uses**

- 1500 B    Land, buildings and structures in the Seasonal Residential (R7) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached
  - Duplex;
- Accessory Uses:
- Accessory Tourist Accommodation;
  - Home Based Business;
  - Keeping of Farm Animals;
  - Sale of Site Grown Horticultural Produce.

**Development Regulations**

1501B

- 1    The minimum site area for the following uses shall be required as follows:

**LEVEL OF SERVICES PROVIDED**

	<b>Community Water Supply AND Community Sewer System</b>	<b>Community Water OR Sewer</b>	<b>On Site Servicing Only</b>
<b>Single Detached Dwelling</b>	700 m <sup>2</sup>	0.2 hectares	1 hectare
<b>Duplex Dwelling</b>	1000 m <sup>2</sup>	0.4 hectares	1 hectare

- 2    The maximum Site Coverage is 50 percent of the site area.
- 3    Buildings and structures shall not cover more than 33 percent of the site area.
- 4    The keeping of farm animals shall comply with the requirements of sections 613 except that under all circumstances swine shall not be kept on any lot.
- 5    Farm animals and poultry shall be caged, fenced or housed at all times.
- 6    No principal building may exceed ten (10) metres in height.

- 7 No accessory buildings or structures may exceed six (6) metres in height, except towers; retaining walls; radio and television antennae; and chimneys; flag poles; lighting poles; and scenery lofts.
  - 8 The maximum size of any accessory building shall not exceed 54 square metres. A maximum of one accessory building is permitted on lots less than 2000 square metres.
  - 9 Buildings and structures in the case of a lot that may be further subdivided, shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.
  - 10 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
  - 11 Fences not exceeding a height of two (2) metres may be sited to the rear of the front lot line setback or exterior side setback on a lot.
  - 12 Single family dwellings may be used for short term rentals.
11. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Agriculture 4 K (AG4K) zone after the Agriculture 4 (AG4) zone and before the Neighbourhood Commercial (C1) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 20 A      AGRICULTURE 4 K (AG4K)**

**Permitted Uses**

- 2000 A    Subject to the *British Columbia Agricultural Land Commission Act*, Regulations and Orders, land, buildings and structures in the Agriculture 4 K (AG4K) zone shall be used for the following purposes only:
- All activities designated as "Farm Use" as defined in the *Agricultural Land Commission Act* and Part 2 of the *Agricultural Land Reserve Use, Subdivision and Procedure Regulation*;
- Dwellings:
- Single Detached;
  - Duplex;
- Horse Riding Arena and Boarding Stables;
- Keeping of Farm Animals;
- Kennel;
- Nursery, Greenhouses and Florist;
- Recreation Reserve;
- Sale of Agricultural Produce Grown by the Agricultural Business;
- Veterinary Clinic;
- Small scale food processing facilities by Development Permit (with the

- exception of lands within Electoral Area J-Lower Arrow/Columbia);  
Accessory Uses:
- Accessory Tourist Accommodation;
  - Home Based Business;
  - Secondary Residences (subject to Section 2001A Sub-sections 3 and 4);
  - Small Scale Wood Product Manufacturing (subject to Section 2002A)

## **Development Regulations**

### 2001 A

- 1 The minimum lot area shall be two (2) hectares.
- 2 The maximum site coverage permitted shall be 35 percent of the lot area unless an area not larger than 60 percent of the lot is covered with greenhouses.
- 3 No more than one single detached dwelling or duplex may be located on a lot except where:
  - a lot is classified as a farm under the Assessment Act, one additional dwelling to accommodate people employed on the farm may be located on the lot as long as the lot is larger than four (4) hectares.
- 4 In addition to that permitted in Sub-section 3, one manufactured home to be inhabited by a member of the immediate family of the owner of the principal dwelling may be permitted where:
  - a the manufactured home is not sited on a permanent foundation with a basement excavation,
  - b the manufactured home is removed from the property within 90 days when no longer required by the member of the immediate family, and
  - c the manufactured home is no wider than nine (9) metres.
  - d additions, including porches, to a manufactured home permitted under this section shall not exceed 24 square metres in floor area.
- 5 No building, structures or enclosures used for housing farm animals; no drinking or feeding troughs and no manure piles may be located within five (5) metres of a lot line.
- 6 Sub-section 5 does not apply to fences adjacent to lot lines that are used for enclosures for the grazing of farm animals.
- 7 The minimum setback for a kennel *or small scale food processing that process more than 50% of off farm product and is limited to livestock processing* shall be 30 metres from any lot line.

- 8 The minimum lot size for a kennel shall be two (2) hectares.
- 9 The keeping of farm animals shall comply with the requirements of Section 613.
- 10 Despite Sub-section 8, parcels assessed as a farm by the BC Assessment Authority, shall not be required to comply with the farm animal requirements of Section 613.
- 11 Despite any other provision of this bylaw, development of lands within the Agricultural Land Reserve shall comply with all applicable regulations of the British Columbia Agricultural Land Commission Act, Regulations and Orders.
- 12 *Small scale food processing facilities serving local producers:*
  - ⇒ *must meet descriptions in Section 311 Food Manufacturing in the North American Industry Classification System (excluding Rendering from Carcasses);*
  - ⇒ *must be located on a minimum 2 hectare site outside the Agricultural Land Reserve or 3 hectares within the Agricultural Land Reserve;*
  - ⇒ *must have valid licenses to operate from the Province of BC, including:*
    - *meeting the BC Slaughter and Poultry Processing Policies;*
    - *approval by the Farm Industry Review Board;*
    - *approval of The Canadian Food Inspection Agency;*
    - *meeting BC Food Premises Regulations;*
    - *licensing approval from the Centre for Disease Control;*
    - *approval of Provincial Ministry responsible for water and wastewater systems and administration of the Meat Inspection Regulation (MIR); and*
    - *approval of the Agricultural Land Commission for composting; and*
  - ⇒ *must be located at least 30 meters from the nearest business or residence on another parcel.*

A development permit is required for any food processing facility.  
Any food processing facility considered a non-farm use must have ALC approval for an exemption.

### **Small Scale Wood Product Manufacturing**

2002 AA small scale wood product manufacturing operation is subject to the following requirements:

- 1 If the parcel is located within the ALR, the operator must apply to the ALC for a Non-Farm Use;
- 2 The minimum parcel size shall be 2.0 hectares;
- 3 The sawmill is limited to a band sawmill powered by an engine of no more than 42 Horsepower;

- 4 The property owner will continue to reside in the principal residence on the property;
  - 5 Despite the site area requirements detailed elsewhere in the AG4K Zone, the maximum area used for a small scale wood product manufacturing business, including external storage shall not exceed 0.4 hectares;
  - 6 Any portion of a property used for a small scale wood product manufacturing use shall be located a minimum of 30 metres from any property line;
  - 7 No more than three (3) persons who are not residents of the principal dwelling may be employed in the business;
  - 8 External storage of materials, mill and other equipment, finished product and parking shall be screened from view from adjacent residential uses and road right-of-ways with a landscape screen of no less than 1.8 metres in height;
  - 9 No commodities may be offered for sale except those produced on the premises;
  - 10 There shall be minimal noise, traffic, vibration, smoke, odour, glare or electrical interference or emissions other than that normally associated with a dwelling;
  - 11 Operation of the sawmill shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. Monday through Saturday;
  - 12 There shall be no operation of the small scale wood product manufacturing operation on Sundays or Statutory Holidays;
  - 13 Access to the small scale wood products manufacturing site shall minimize the impact of any related traffic on neighbouring properties and have approval from the applicable authorities; and
  - 14 Any sawmill operation under this section may be subject to an annual inspection to ensure compliance with the Zoning Bylaw.
12. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Small Scale Tourist Accommodation K (C5K) zone after the Small Scale Tourism Accommodation (C5) zone and before the Resort Commercial zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 25 A      SMALL SCALE TOURISM ACCOMMODATION K (C5K)**

**Permitted Uses**

- 2500A Land, buildings and structures in the Small Scale Tourism Accommodation (C5) zone shall be used for the following purposes only:
- Dwellings:
- Single Detached;
  - Duplex.
- Rental Cabin or Dwelling for Tourist Accommodation;  
 Bed and Breakfast Accommodation
- Accessory Uses:
- Accessory Tourist Accommodation;
  - Day Care Facility
  - Horticulture;
  - Keeping of Farm Animals
  - Sale of Site Grown Horticultural Products;
  - Home Based Business.

### **Development Regulations**

2501 A

- 1 The minimum lot size for Small Scale Tourism Accommodation K (C5K) shall be one (1) hectare:

	Level of Services Provided		
	<b>Community Water Supply and Community Sewer System</b>	<b>Community Water OR Sewer</b>	<b>On Site Servicing Only</b>
<b>Cabin, or Dwelling</b>			
<b>- first cabin, or dwelling</b>	0.5 hectare	0.5 hectare	1.0 hectare
<b>- each additional cabin, or unit</b>	200 m <sup>2</sup>	400 m <sup>2</sup>	0.1 hectare

- 2 Single detached dwellings, duplex dwellings, cabin for tourist accommodation shall be permitted subject to conformance with the above site area requirements.
- 3 Lot coverage by all permitted uses, buildings and structures shall not exceed 50% of the lot area.
- 4 There shall be a minimum distance of six (6) metres between any cabin or dwelling.
- 5 The maximum permitted floor area for any one (1) rental cabin or rental dwelling shall not exceed one hundred (100) square metres.

- 6 The property owner will continue to reside in the principal residence on the property.
  - 7 Despite the site area requirements detailed, the maximum number of cabins permitted to be rented at any one time shall be five (5) and shall not include the principal residence.
  - 8 One parking space per cabin shall be provided in addition to the requirements of Section 611.
13. Regional District of Central Kootenay Zoning Bylaw No. 1675 is hereby amended by inserting the following zoning regulations pertaining to the Resort Commercial (C6) zone after the Small Scale Tourism Accommodation K (C5K) zone and before the Light Industrial (M1) zone and re-number the Divisions of Zoning Bylaw 1675 accordingly:

**DIVISION 25 B      RESORT COMMERCIAL (C6)**

**Permitted Uses**

2500 B Land, building and structures in the Resort Commercial (C6) zone shall be used for the following purposes only:

- cluster development
- single detached dwellings
- duplex dwellings,
- multi-unit dwellings
- lodges and seasonal resorts
- hotels
- cabins
- campgrounds,
- neighbourhood pubs
- restaurants
- lake front oriented pub and/or restaurant
- spa, health club and wellness facilities
- personal service establishments
- recreation facilities including tennis, basketball, badminton and volley ball courts, bicycle, walking, cross country skiing, and horse riding trails, water craft facilities, playgrounds and other similar facilities but shall not include the following; a casino or similar gaming facility, off-road motorized recreation vehicle trails other than snow mobile trails, gun range, skeet shooting range or any activity that disturbs the peaceful enjoyment of the property by residents and tourists.

Accessory Uses:

- maintenance and infrastructure buildings and facilities
- employee accommodation

2501 B All development in the C6 zone used for residential habitation and/or tourist accommodation except, where provided unserviced campground sites, shall be serviced by a Community Water System and Community Sewer System installed, operated and maintained in accordance with provincial government requirements and regulations.

2502 B All development in the Resort Commercial Zone (C6) zone shall be subject to the requirements of a Development Permit.

### **Lot Coverage**

2503 B Lot coverage meaning the area of a lot covered by buildings, structures, driveways, parking and loading areas and outdoor storage shall not exceed 50% of the lot area.

### **Setbacks**

2504 B Unless otherwise stated in this Bylaw, no building or structure, except a fence, may be located within,

- 7.5 m (25 ft) of a front or exterior side lot line
- 1.5 m (5 ft) of any other lot line
- a minimum separation distance of 6 m (20 ft) shall be maintained between all buildings used for residential habitation or tourist accommodation

### **Parking Requirements**

2505 B In addition to the parking requirements specified under Section 5.12, the following off-street parking requirements shall apply,

- |                            |                          |
|----------------------------|--------------------------|
| - single detached dwelling | 1.5 parking stalls/unit  |
| - duplex dwelling          | 1.5 parking stalls/unit  |
| - multi-unit dwellings     | 1.0 parking stalls/unit  |
| - cabins                   | 1.0 parking stalls/cabin |
| - campground               | 1.0 parking stalls/site  |

### **Cluster Development**

2506 B

Cluster development shall be defined as development consisting of a combination of single detached dwellings, duplex dwellings and/or cabins arranged in clusters with a minimum of four dwelling units.

### Site Area Requirements

#### 2507 B

All development shall be subject to the following minimum site area requirements,

- single detached dwellings                      400 square metres (4306 sq. ft.)
- duplex dwellings                                      300 square metres (3229 sq. ft.)
- cabins (no kitchen facility)                      250 square metres (2691 sq. ft)
- campgrounds    4000 square metres (1 ac)
- Lodges, seasonal resorts and hotel development – 60 units per gross hectare (24.3 units per gross acre)
- Multi-unit dwellings – 30 units per gross hectare (12.15 units per gross acre)

#### 2508 B

Excluding underground parking areas, no lodge, seasonal resort, hotel or multi-unit dwelling building shall have a height greater than 25 metres (82 ft) above the natural ground elevation on which the building is located.

14. Schedule 'C' – Zoning (Sheets 1 – 13) shall be amended as per Schedule 'A' attached to and forming part of this Bylaw.
15. This Bylaw shall come into force and effect upon its adoption.
16. This Bylaw may be cited as Regional District of Central Kootenay Zoning Amendment Bylaw No. 2057, 2009.

READ A FIRST TIME this 23<sup>rd</sup> day of July, 2009.

READ A SECOND TIME this 23<sup>rd</sup> day of July, 2009.

WHEREAS A Public Hearing was held on the 18<sup>th</sup> of August, 2009.

READ A THIRD TIME this 20<sup>th</sup> day of August, 2009.

APPROVED under **Section 52 (3)(a) of the Transportation Act** this 18<sup>th</sup> day of September, 2009.

*"Rajeeta Bains"*

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District Development Technician, Ministry of Transportation and Infrastructure

ADOPTED this 26<sup>th</sup> day of November, 2009.

*"G.L. Wright"*

*"Dawn Atorp"*

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Chair

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Secretary

I hereby certify that this is a true and correct copy of **Regional District of Central Kootenay Zoning Amendment Bylaw No. 2057, 2009** as read a third time by the Regional District of Central Kootenay Board, on the 20<sup>th</sup> day of August, 2009.

DATED at Nelson, B.C. this            day of            , 20            .

\_\_\_\_\_  
Secretary

I hereby certify that this is a true and correct copy of the **Regional District of Central Kootenay Zoning Amendment Bylaw No. 2057, 2009**.

DATED at Nelson, B.C. this            day of            , 200            .

\_\_\_\_\_  
Secretary