



Committee Report

Date of Report: July 02, 2026
Date & Type of Meeting: July 15, 2026, Rural Affairs Committee
Subject: A, B, C, D, I - ZONING BYLAW TEXT AMENDMENTS
File: \\FILES\RDCK\10\5110\20\PROVINCIAL HOUSING CHANGES\2025
ZONING AMENDMENTS
Electoral Area/Municipality A, B, C, D, I

SECTION 1: PROPOSED AMENDMENTS

1. That *Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2026* being a bylaw to amend the *Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013* is hereby given FIRST and SECOND and THIRD READING by content.
 - And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3049, 2026* until the following item has been obtained:
 - Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).
2. That *Electoral Area 'B' Comprehensive Land Use Amendment Bylaw No. 3050, 2026* being a bylaw to amend the *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* is hereby given FIRST and SECOND and THIRD READING by content.
 - And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3050, 2026* until the following item has been obtained:
 - Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).
3. That *Electoral Area 'C' Comprehensive Land Use Amendment Bylaw No. 3051, 2026* being a bylaw to amend the *Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013* is hereby given FIRST and SECOND and THIRD READING by content.
 - And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3051, 2026* until the following item has been obtained:
 - Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).
4. That *Electoral Area 'D' Comprehensive Land Use Amendment Bylaw No. 3052, 2026* being a bylaw to amend the *Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016* is hereby given FIRST and SECOND and THIRD READING by content.
 - And that the consideration of adoption BE WITHHELD for *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3052, 2026* until the following item has been obtained:
 - Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

5. That *Regional District of Central Kootenay Zoning Amendment Bylaw No. 3076, 2026* being a bylaw to amend the *District of Central Kootenay Zoning Bylaw No. 1675, 2004* is hereby given FIRST and SECOND and THIRD READING by content.
 - And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3076, 2026 until the following item has been obtained:
 - Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

SECTION 2: EXECUTIVE SUMMARY

In January and February 2026, the Rural Affairs Committee directed staff to prepare amendments to change the way residential density is calculated in most residential zones in Electoral Areas A, B, C, D and one zone in Area I.

The proposed amendments would shift residential density calculations from a "lot area" basis to a "site area" basis, allowing some larger parcels to accommodate additional principal dwellings without subdivision or rezoning approval. This reflects the way residential density was calculated prior to amendments adopted in 2024.

Current	Proposed
One principal dwelling ¹ is permitted per lot.	One principal dwelling is permitted per 'x' ² ha of site area.
The total number of dwelling units ³ permitted is two and the types of permitted dwelling units vary by lot size.	The total number of dwelling units permitted is dependent on lot size and servicing. The minimum number of dwelling units permitted is two.
Lots under 1.0 Hectare (ha) may have a Single Detached House (SDH) with a Secondary Suite, <u>or</u> a Duplex.	At least one secondary suite ⁴ is permitted in addition to a SDH in all zones. Some zones allow multiple secondary suites if the lot is sufficiently large while others only allow one secondary suite per lot ⁵ .
Lots 1.0 ha or larger may have a SDH with a Secondary Suite, <u>or</u> a Duplex, <u>or</u> a SDH and an Accessory Dwelling Unit (ADU).	Not all zones allow an ADU ⁶ .

¹ "Principal Dwelling" means a principal dwelling unit that consists of a self-contained set of rooms located in a building; is used or intended for use as a residential premises, and contains kitchen and bathroom facilities that are intended to be exclusive to the unit; and is not an accessory dwelling unit, or any vehicle;. Examples of principal dwellings are Single Detached Housing and Duplexes.

² 'x' ha reflects the fact that different zones specify different site areas.

³ "Dwelling Unit" means one or more rooms with self-contained kitchen, living, sleeping and sanitary facilities, used or intended to be used as a residence for no more than one household. Examples of dwelling units are Single Detached Homes, Duplexes, Secondary Suites and ADUs.

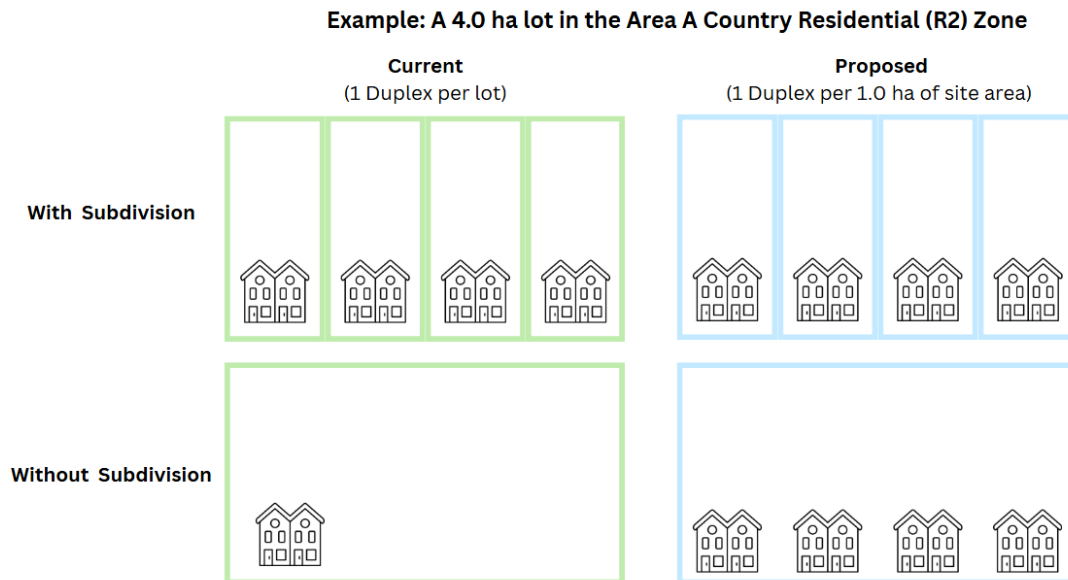
⁴ Prior to 2024, not all zones permitted secondary suites (or ADUs). However, provincial legislation requires that all zones allow at a minimum one secondary suite in addition to a SDH. Thus, the proposed zoning includes the provision for each lot to have a secondary suite, even though this is a departure from the regulations prior to 2024.

⁵ Prior to 2024, only one secondary suite or ADU was permitted per lot in Areas A, B, and C (if one was permitted at all). In Areas D and I, one secondary suite was permitted in addition to each SDH that was permitted.

⁶ Only zones which allowed ADUs prior to the 2024 amendments are proposed to allow ADUs in line with direction from the Rural Affairs Committee. The exception is the R3I zone for which the Director requested that the permission for an ADU be included in the proposed amendments.

Larger lots may achieve higher densities through a subdivision ⁷ or a zoning bylaw amendment.	Larger lots may achieve higher densities without the oversight of a subdivision or a zoning bylaw amendment.
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To illustrate the changes further, an example of how the density calculation framework differs is shown below using the Area A Country Residential (R2) zone as an example:



In addition, minor housekeeping amendments to improve the clarity of the bylaws are also included. The full suite of proposed amendments can be viewed in the amendment bylaws and concurrence tables attached to this report. The proposed amendments were referred to all applicable Regional District departments, First Nations, government ministries and other applicable agencies. Responses to this referral are included in Attachment C.

CONCURRENCE

Acting Manager of Development and Community Sustainability – Amy Wilson **Approved**
 Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – Amending Bylaws
Attachment B – Concurrence Table
Attachment C – Referral Responses

⁷ The minimum lot size for subdivision is consistent in the current and proposed regulations.

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3049

A Bylaw to amend Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013, 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 'B' of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 be amended as follows:

- A. That Section 18(108)(c) General Regulations for Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots.

- B. That a new Section 18(108)(k) General Regulations for Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.

- C. That a new Section 18(108)(l) General Regulations for Accessory Dwelling Units be added as follows:

Despite 108(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.

- D. That Section 19(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 18(108)
Accessory Tourist Accommodation
Day Care Facility

Home Based Business
 Horticulture
 Keeping of Farm Animals
 Sale of Site Grown Horticultural Produce

- E. That Section 19(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare
 Community Water or Sewer: 0.4 hectare
 On Site Only: 1.0 hectare

- F. That Section 19(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare
 Community Water or Sewer: 0.4 hectare
 On Site Only: 1.0 hectare

- G. That Section 19(3) Suburban Residential (R1) Development Regulations be amended as follows:

The maximum Site Coverage is 50 percent of the lot area.

- H. That Section 19(4) Suburban Residential (R1) Development Regulations be amended as follows:

Buildings and structures shall not cover more than 33 percent of the lot area.

- I. That Section 20(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
 Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
 Accessory Dwelling Unit, subject to Section 18(108)
 Accessory Tourist Accommodation
 Day Care Facility
 Home Based Business
 Horticulture

Keeping of Farm Animals
 Sale of Site Grown Horticultural Produce
 Temporary Guest Accommodation
 Portable Sawmills (for processing of materials harvested on-site only)

- J. That Section 20(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 hectare.

- K. That Section 21(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
 Horticulture
 Micro Cultivation, Cannabis
 Micro Processing, Cannabis
 Nursery, Cannabis
 Single Detached Housing
 Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
 Accessory Tourist Accommodation
 Home Based Business
 Keeping of Farm Animals
 Sale of Site Grown Horticultural Produce
 Secondary Suite
 Small Scale Wood Product Manufacturing
 Temporary Guest Accommodation
 Temporary Farmworker Housing

- L. That Section 21(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 hectares.

- M. That Section 22(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
 Horse Riding Stables and Boarding Stables
 Horticulture
 Kennels
 Micro Cultivation, Cannabis
 Micro Processing, Cannabis
 Nursery, Cannabis
 Nurseries, Greenhouses and Florists
 Single Detached Housing

Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Agricultural Produce
- Secondary Suite
- Portable Sawmills
- Temporary Guest Accommodation
- Temporary Farmworker Housing

- N. That Section 22(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- O. That Section 25(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

- Agriculture
- All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time.
- Kennel
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nursery, Greenhouses and Florist
- Single Detached Housing
- Standard Cultivation, Cannabis
- Standard Processing, Cannabis
- Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business
- Farmworker Dwelling Unit
- Portable Sawmills for processing of material harvested on site only
- Secondary Suite
- Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- P. That Section 25(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 2.0 hectares.

- Q. That a new Section 25(2)(c) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- R. That Section 26(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- S. That Section 26(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 4.0 hectares.

- T. That a new Section 26(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as "Electoral Area 'A' Comprehensive Land Use Amendment Bylaw No. 3049, 2026."

READ A FIRST TIME this [Date] day of [Month] , 20XX.

READ A SECOND TIME this [Date] day of [Month] ,20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

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

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3050

A Bylaw to amend Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013, 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 'B' of Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 be amended as follows:

- A. That Section 16(108)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 108(b) secondary suites are permitted on all lots

- B. That a new Section 16(108)(k) General Regulations, Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

- C. That a new Section 16(108)(l) General Regulations, Accessory Dwelling Units be added as follows:

Despite 108(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.

- D. That Section 17(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to Section 16(108)
Accessory Tourist Accommodation
Day Care Facility

Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

- E. That Section 17(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer: 0.4 hectare

On Site Only: 1.0 hectare

- F. That Section 17(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED

Community Water and Sewer: 0.1 hectare

Community Water or Sewer: 0.4 hectare

On Site Only: 1.0 hectare

- G. That Section 18(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing

Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to Section 16(108)

Accessory Tourist Accommodation

Day Care Facility

Home Based Business

Horticulture

Keeping of Farm Animals

Sale of Site Grown Horticultural Produce

Portable Sawmills (for processing of materials harvested on-site only)

- H. That Section 18(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 1.0 hectare.

- I. That Section 18(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 1.0 hectare.

- J. That Section 19(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to Section 16(108)
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Horticultural Produce
- Small Scale Wood Product Manufacturing
- Temporary Farmworker Housing

- K. That Section 19(2) Country Residential (R2) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- L. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- M. That Section 20(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Nurseries, Greenhouses and Florists
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Tourist Accommodation
- Home Based Business

Keeping of Farm Animals
 Sale of Site Grown Agricultural Produce
 Secondary Suite
 Portable Sawmills
 Temporary Farmworker Housing

- N. That a Section 20(2) Rural Resource (R4) Development Regulations be amended as follows:

The minimum lot size for subdivision is 2.0 hectares.

- O. That Section 20(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use is 2.0 hectares.

- P. That Section 23(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time.

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- Q. That Section 23(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision is 4.0 hectares.

- R. That a new Section 23(2)(c) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- S. That Section 24(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and

Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- T. That Section 24(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.

- U. That a new Section 24(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- V. That Section 25(1) Agriculture 2 (AG2) Permitted Use be amended as follows:

Principal Uses:

Agriculture

All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

- W. That Section 25(2) Agriculture 3 (AG3) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.

- X. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- 2 This Bylaw shall come into force and effect upon its adoption.

CITATION

- 3 This Bylaw may be cited as “**Electoral Area ‘B’ Comprehensive Land Use Amendment Bylaw No. 3050, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

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

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3051

A Bylaw to amend Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013

WHEREAS it is deemed expedient to amend the Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013, 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 Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw be amended as follows:

- A. That Section 17(107)(c) Accessory Dwelling Units be amended as follows:

Despite section 107(b) secondary suites are permitted on all lots.

- B. That Section 17(107)(d) Accessory Dwelling Units be amended as follows:

The maximum gross floor area is 90.0 square metres.

- C. That a new Section 17(107)(k) Accessory Dwelling Units be added as follows:

An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.

- D. That a new Section 17(107)(l) Accessory Dwelling Units be added as follows:

Despite section 107(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.

- E. That Section 18(1) Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 17(107)
Accessory Tourist Accommodation
Day Care Facility

Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce

F. That Section 18(2) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be required as follows:

LEVEL OF SERVICES PROVIDED
Community Water and Sewer: 0.1 hectare
Community Water or Sewer: 0.4 hectare
On Site Only: 1.0 hectare

G. That Section 18(2)(B) Suburban Residential (R1) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be required as follows:

LEVEL OF SERVICES PROVIDED
Community Water and Sewer: 0.1 hectare
Community Water or Sewer: 0.4 hectare
On Site Only: 1.0 hectare

H. That Section 18(3) Suburban Residential (R1) Development Regulations be amended as follows:

The maximum Site Coverage is 50 percent of the lot area.

I. That Section 18(4) Suburban Residential (R1) Development Regulations be amended as follows:

Buildings and structures shall not cover more than 33 percent of the lot area.

J. That Section 19(1) Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 17(107)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals

Sale of Site Grown Horticultural Produce
Portable Sawmills (for processing of materials harvested on-site only)

K. That Section 19(2)(B) Country Residential (R2) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 1.0 ha.

L. That Section 20(1) Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Dwelling Unit, subject to section 17(107)
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Horticultural Produce
Portable Sawmills
Small Scale Wood Product Manufacturing
Temporary Farmworker Housing

M. That Section 20(2)(B) Rural Residential (R3) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

N. That Section 21(1) Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horse Riding Stables and Boarding Stables
Horticulture
Kennels
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis

Nurseries, Greenhouses and Florists
Single Detached Housing
Veterinary Clinics

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Keeping of Farm Animals
Portable Sawmills
Sale of Site Grown Agricultural Produce
Secondary Suite
Temporary Farmworker Housing

O. That Section 21(2)(B) Rural Resource (R4) Development Regulations be amended as follows:

The minimum site area for each Principal Use shall be 2.0 ha.

P. That Section 24(1) Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

Agriculture
All activities designated as “Farm Use” as defined in the Agricultural Land
Commission
Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or
replaced from time to time
Kennel
Micro Cultivation, Cannabis
Micro Processing, Cannabis
Nursery, Cannabis
Nursery, Greenhouses and Florist
Single Detached Housing
Standard Cultivation, Cannabis
Standard Processing, Cannabis
Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures
Accessory Tourist Accommodation
Home Based Business
Farm Product Processing of farm product from another parcel in the Regional
District of Central Kootenay (may require ALC non-farm use approval)
Farmworker Dwelling Unit
Portable Sawmills for processing of material harvested on site only
Secondary Suite
Temporary Farmworker Housing (may require ALC non adhering residential use
approval)

Q. That Section 24(2) Agriculture 1 (AG1) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 4 hectares.

R. That a new Section 24(2)(C) Agriculture 1 (AG1) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

S. That Section 25(1) Agriculture 2 (AG2) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

T. That Section 25(2) Agriculture 2 (AG2) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.

U. That a new Section 25(2)(C) Agriculture 2 (AG2) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

V. That Section 26(1) Agriculture 3 (AG3) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Nursery, Greenhouses and Florist

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Tourist Accommodation

Home Based Business

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Farmworker Dwelling Unit

Portable Sawmills for processing of material harvested on site only

Secondary Suite

Temporary Farmworker Housing (may require ALC non adhering residential use approval)

W. That Section 26(2) Agriculture 3 (AG3) Development Regulations be amended as follows:

The minimum lot size for subdivision shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.

X. That a new Section 26(2)(C) Agriculture 3 (AG3) Development Regulations be inserted as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘C’ Comprehensive Land Use Amendment Bylaw No. 3051, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

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

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3052

A Bylaw to amend Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016

WHEREAS it is deemed expedient to amend the Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016, 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 Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Zoning Bylaw be amended as follows:

A. That the following definition be removed from Section 21 Interpretation:

MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;

B. That Section 22(4) General Regulations, Site Areas be amended as follows:

The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.

C. Section 22 General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Reduction of Minimum Lot Size

D. That Section 22(9) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.

E. That Section 22(10) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements:

- a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application;
- b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or
- c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.

- F. That Section 22(11) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

The minimum lot size for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

- G. That Section 22(12) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size.

- H. That Section 22(46)(c) General Regulations, Accessory Dwelling Units be amended as follows:

Despite section 46(b) secondary suites are permitted on all lots

- I. That a new Section 22(46)(i) General Regulations, Accessory Dwelling Units be added as follows:

Despite section 46(a), in the R1, R2, and R3 Zones, where the principal use is single detached housing, one secondary suite will be permitted as an accessory use for each single detached housing that is permitted.

- J. That Section 23(1) Town-Site Residential (R1) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Single Detached Housing

Accessory Uses

Accessory Building or Structures

Bed and Breakfast Accommodation see Section 22(22)

Home-based Business see Section 22(21)

Horticulture

Keeping of Farm Animals see Section 22 (35)

Secondary Suite
Vacation Rentals see Section 22(23)

K. That Section 23(2) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum site area for each Principal Use:

Community Water System and Community Wastewater System – 0.1 hectares

Community Water System and On-site Wastewater Disposal - 0.2 hectares

Individual Water Source and Community Wastewater System -0.2 hectares

Individual Water Source and On-site Wastewater Disposal – 1.0 hectare

L. That Section 23(9) Town-Site Residential (R1) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System - 0.1 hectares

Community Water System and On-site Wastewater Disposal - 0.2 hectares

Individual Water Source and Community Wastewater System - 0.2 hectares

Individual Water Source and On-site Wastewater Disposal - 1.0 hectares

M. That Section 24(1) Country Residential (R2) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing

Horticulture

Single Detached Housing

Accessory Uses

Accessory Building or Structures

Bed and Breakfast Accommodation see Section 22(22)

Home-based Business see Section 22(21)

Keeping of Farm Animals see Section 22(35)

Secondary Suite

Vacation Rentals see Section 22(23)

N. That Section 24(2) Country Residential (R2) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 1.0 Hectare

O. That Section 24(9) Country Residential (R2) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectare

P. That Section 25(1) Rural Residential (R3) Permitted Uses be amended as follows:

Permitted uses, buildings and structures:

Principal Uses

Duplex Housing
Horticulture
Outdoor Recreational Activities
Parks
Resource Based Activities
Single Detached Housing

Accessory Uses

Accessory Building or Structures
Bed and Breakfast Accommodation see Section 22(22)
Home-based Business see Section 22(21)
Keeping of Farm Animals see Section 22(35)
Secondary Suite
Vacation Rentals see Section 22(23)

Q. That Section 25(2) Rural Residential (R3) Development Regulations be amended as follows:

Minimum site area for each Principal Use – 2.0 hectares

R. That Section 25(9) Rural Residential (R3) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 2.0 hectares

S. That Section 26(9) Town-Site Commercial (C1) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares
Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

T. That Section 27(9) Tourist Commercial (C2) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares
Community Water System and On-site Wastewater Disposal – 0.2 Hectares
Individual Water Source and Community Wastewater System – 0.2 Hectares
Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

U. That Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares

Community Water System and On-site Wastewater Disposal – 0.2 Hectares

Individual Water Source and Community Wastewater System – 0.2 Hectares

Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

V. That Section 29(9) Community Service (CS) Development Regulations be amended as follows:

Minimum lot size for Subdivision:

Community Water System and Community Wastewater System – 0.1 Hectares

Community Water System and On-site Wastewater Disposal – 0.2 Hectares

Individual Water Source and Community Wastewater System – 0.2 Hectares

Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares

W. That Section 30(9) Parks and Recreation (PR) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

X. Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

Y. That Section 32(7) Environmental Reserve (ER) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 1.0 hectares

Z. That Section 33(7) Resource Area (RA) Development Regulations be amended as follows:

Minimum lot size for Subdivision - 15.0 hectares

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Electoral Area ‘D’ Comprehensive Land Use Amendment Bylaw No. 3052, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month] ,20XX.

READ A THIRD TIME this [Date] day of [Month] , 20XX.

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

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3076

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

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, and amendments thereto.

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

APPLICATION

1 That Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended as follows:

A. That a new Section 623(10) be added as follows:

Despite section 623(1), in the R3I zone, where the principal use is single detached housing, one secondary suite will be permitted as an accessory use for each single detached housing that is permitted.

B. That Section 1600 Rural Residential I (R3I) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

C. That Section 1601(2) Rural Residential I (R3I) Development Regulations be amended as follows:

One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or Duplex Housing shall be permitted per every additional four (4) hectares of site area.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Regional District of Central Kootenay Zoning Amendment Bylaw No. 3076, 2026**”

READ A FIRST TIME this [Date] day of [Month], 20XX.

READ A SECOND TIME this [Date] day of [Month], 20XX.

READ A THIRD TIME this [Date] day of [Month], 20XX.

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

Approval Authority,
Ministry of Transportation and Transit

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

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Concurrence Table

Amendments to Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 18(108)(c) Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted on all lots.	AMEND Despite section 108(b) secondary suites are permitted on all lots.	Simpler language.
Section 18(108)(k) Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1 or R2 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 18(108)(l) Accessory Dwelling Units		NEW Despite 108(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

Section 19(2) Suburban Residential (R1) Development Regulations	The minimum lot size for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Clarifies regulation.
Section 19(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 19(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 19(4) Suburban Residential (R1) Development Regulations	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.
Section 20(1) Country	Dwellings: - Single Detached Housing - Duplex Housing	AMEND Principal Uses: Duplex Housing	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader

Concurrence Table

Residential (R2) Permitted Uses	Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Temporary Guest Accommodation - Portable Sawmills (for processing of materials harvested on-site only)	Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 18(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce Temporary Guest Accommodation Portable Sawmills (for processing of materials harvested on-site only)	to the accessory dwelling unit general regulations section.
Section 20(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units	AMEND The minimum site area for each Principal Use shall be 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 21(1) Rural Residential (R3) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Veterinary Clinics Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business	AMEND Principal Uses: Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	- Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing	Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing Secondary Suite Temporary Guest Accommodation Temporary Farmworker Housing	
Section 21(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 22(1) Rural Resource (R4) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Kennels Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	- Temporary Guest Accommodation - Temporary Farmworker Housing	Sale of Site Grown Agricultural Produce Secondary Suite Temporary Guest Accommodation Temporary Farmworker Housing	
Section 22(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2953 which was adopted by the Board in June 2024.
Section 25(1) Agriculture 1 (AG1) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farmworker Dwelling Unit	Clarifies which uses are principal rather than accessory and improves formatting.

Concurrence Table

	- Home Based Business - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 25(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 2.0 hectares.	AMEND The minimum lot size for subdivision shall be 2.0 hectares.	Consistent use of terms.
Section 25(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 2 (AG2) Permitted Use	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing	Clarifies which uses are principal rather than accessory and improves formatting.

Concurrence Table

	Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non- farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 26(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 4.0 hectares.	AMEND The minimum lot size for subdivision shall be 4.0 hectares.	Consistent use of terms.
Section 26(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Concurrence Table

Amendments to Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 16(108)(C) General Regulations Accessory Dwelling Units	Notwithstanding section 108(b) secondary suites are permitted on all lots.	AMEND Despite section 108(b) secondary suites are permitted on all lots.	Simpler language.
Section 16(108)(K) General Regulations Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 16(108)(L) General Regulations Accessory Dwelling Units		NEW Despite 108(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 17(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

		Sale of Site Grown Horticultural Produce	
Section 17(2) Suburban Residential (R1) Development Regulations	The minimum site area for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Clarifies regulation.
Section 17(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 18(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to Section 16(108)	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

	- Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only)	- Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only)	
Section 18(2) Country Residential (R2) Development Regulations	The minimum lot size is 1.0 hectare.	AMEND The minimum lot size for subdivision shall be 1.0 hectare.	Clarifies regulation.
Section 18(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	NEW The minimum site area for each Principal Use is 1.0 hectare.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 19(1) Rural Residential (R3) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Horticulture Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Veterinary Clinics Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Home Based Business	AMEND Principal Uses: - Duplex Housing - Horticulture - Micro Cultivation, Cannabis - Micro Processing, Cannabis - Nursery, Cannabis - Single Detached Housing - Veterinary Clinics Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit, subject to Section 16(108)	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

	- Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Small Scale Wood Product Manufacturing - Temporary Guest Accommodation - Temporary Farmworker Housing	Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Small Scale Wood Product Manufacturing Temporary Farmworker Housing	
Section 19(2) Rural Residential (R3) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 19(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 20(1) Rural Resource (R4) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing - Horse Riding Stables and Boarding Stables - Horticulture - Micro Cultivation, Cannabis - Micro Processing, Cannabis - Nursery, Cannabis - Nurseries, Greenhouses and Florists - Veterinary Clinics - Kennels Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses:	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	- Accessory Tourist Accommodation - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Farmworker Housing	Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Farmworker Housing	
Section 20(2) Rural Resource (R4) Development Regulations	The minimum lot size is 2.0 hectares.	AMEND The minimum lot size for subdivision is 2.0 hectares.	Clarifies regulation.
Section 20(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use is 2.0 hectares.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2954 which was adopted by the Board in June 2024.
Section 23(1) Agriculture 1 (AG1) Permitted Uses	Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis	AMEND Principal Uses: Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time. Kennel Micro Cultivation, Cannabis	Clarifies which uses are principal rather than accessory.

Concurrence Table

	Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
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Concurrence Table

Section 23(2) Agriculture 1 (AG1) Development Regulations	The minimum lot area shall be 4 hectares.	AMEND The minimum lot size for subdivision is 4.0 hectares.	Clarifies regulation.
Section 23(2)(c) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 24(1) Agriculture 2 (AG2) Permitted Use	Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business	AMEND Principal Uses: Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses:	Clarifies which uses are principal rather than accessory.

Concurrence Table

	- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Accessory Buildings or Structures Accessory Tourist Accommodation Home Based Business Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) Farmworker Dwelling Unit Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 24(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 24(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 25(1) Agriculture 3 (AG3) Permitted Use	Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and	AMEND Principal Uses: Agriculture All activities designated as "Farm Use" as defined in the	Clarifies which uses are principal rather than accessory.

Concurrence Table

	Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite	Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit	
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Concurrence Table

	- Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Portable Sawmills for processing of material harvested on site only Secondary Suite Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 25(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 30 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Clarifies regulation.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Concurrence Table

Amendments to Electoral Area 'C' Comprehensive Land Use Bylaw No. 2317, 2013 Schedule 'B' Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
17(107)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 107(b) secondary suites are permitted an all lots.	AMEND Despite section 107(b) secondary suites are permitted an all lots.	Simpler language.
17(107)(d) General Regulations, Accessory Dwelling Units	The maximum gross floor area is 100.0 square metres outside of the Agricultural Land Reserve.	AMEND The maximum gross floor area is 90.0 square metres.	Modified to align with the provisions permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
17(107)(k) General Regulations, Accessory Dwelling Units		NEW An accessory dwelling unit is only permitted as an accessory use to Single Detached Housing on any R1, R2 or R3 zoned lot.	Modified to align with the provisions permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
17(107)(l) General Regulations, Accessory Dwelling Units		NEW Despite section 107(b), on R1 zoned lots, the minimum lot size for an accessory dwelling unit shall be the same as the minimum lot size depending on level of services provided.	Modified to align with the provisions permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
18(1) Suburban Residential (R1) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

	- Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce	Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce	
Section 18(2) Suburban Residential (R1) Development Regulations	The minimum lot size for the following uses shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	AMEND The minimum lot size for subdivision shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Clarifies regulation.
Section 18(2)(B) Suburban Residential (R1) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be required as follows: LEVEL OF SERVICES PROVIDED Community Water and Sewer: 0.1 hectare Community Water or Sewer: 0.4 hectare On Site Only: 1.0 hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 18(3) Suburban Residential (R1) Development Regulations	The maximum Site Coverage is 50 percent of the site area.	AMEND The maximum Site Coverage is 50 percent of the lot area.	Consistent use of terms.
Section 18(4) Suburban Residential (R1)	Buildings and structures shall not cover more than 33 percent of the site area.	AMEND Buildings and structures shall not cover more than 33 percent of the lot area.	Consistent use of terms.

Concurrence Table

Development Regulations			
Section 19(1) Country Residential (R2) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Horticulture - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills (for processing of materials harvested on-site only)	AMEND Principal Uses: Duplex Housing Single Detached Housing Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business Horticulture Keeping of Farm Animals Sale of Site Grown Horticultural Produce Portable Sawmills (for processing of materials harvested on-site only)	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 19(2)(B) Country Residential (R2) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 1.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 20(1) Rural Residential (R3) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing - Horse Riding Stables and Boarding Stables - Horticulture - Kennels - Micro Cultivation, Cannabis - Micro Processing, Cannabis	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.

Concurrence Table

	Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Day Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Horticultural Produce - Portable Sawmills - Small Scale Wood Product Manufacturing - Temporary Farmworker Housing	Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Dwelling Unit, subject to section 17(107) Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Sale of Site Grown Horticultural Produce Portable Sawmills Small Scale Wood Product Manufacturing Temporary Farmworker Housing	
Section 20(2)(B) Rural Residential (R3) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 21(1) Rural Resource (R4) Permitted Uses	Dwellings: - Single Detached Housing - Duplex Housing - Horse Riding Stables and Boarding Stables - Horticulture - Kennels - Micro Cultivation, Cannabis - Micro Processing, Cannabis	AMEND Principal Uses: Duplex Housing Horse Riding Stables and Boarding Stables Horticulture Kennels Micro Cultivation, Cannabis Micro Processing, Cannabis	Clarifies which uses are principal rather than accessory and puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	Nursery, Cannabis Nurseries, Greenhouses and Florists Veterinary Clinics Accessory Uses: - Accessory Buildings or Structures - Accessory Dwelling Unit - Accessory Tourist Accommodation - Child Care Facility - Home Based Business - Keeping of Farm Animals - Sale of Site Grown Agricultural Produce - Portable Sawmills - Temporary Farmworker Housing	Nursery, Cannabis Nurseries, Greenhouses and Florists Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings or Structures Accessory Tourist Accommodation Day Care Facility Home Based Business Keeping of Farm Animals Portable Sawmills Sale of Site Grown Agricultural Produce Secondary Suite Temporary Farmworker Housing	
Section 21(2)(B) Rural Resource (R4) Development Regulations	The maximum density is 2 Dwelling Units.	AMEND The minimum site area for each Principal Use shall be 2.0 ha.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2955 which was adopted by the Board in July 2024.
Section 24(1) Agriculture 1 (AG1) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis	Clarifies which uses are principal rather than accessory.

Concurrence Table

	Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 24(2) Agriculture 1 (AG1)	The minimum lot area shall be 4 hectares	AMEND The minimum lot size for subdivision shall be 4 hectares	Consistent use of terms.

Concurrence Table

Development Regulations			
Section 24(2)(C) Agriculture 1 (AG1) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 25(1) Agriculture 2 (AG2) Permitted Uses	Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation	AMEND Principal Uses: Agriculture All activities designated as “Farm Use” as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)	Clarifies which uses are principal rather than accessory.

Concurrence Table

	- Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	- Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
Section 25(2) Agriculture 2 (AG2) Development Regulations	The minimum lot area shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 8 hectares in the Agricultural Land Reserve and 4 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 25(2)(C) Agriculture 2 (AG2) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.
Section 26(1) Agriculture 3 (AG3) Permitted Uses	Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced	AMEND Principal Uses: Agriculture All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use	Clarifies which uses are principal rather than accessory.

Concurrence Table

	from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite	Regulation as amended or replaced from time to time Kennel Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Nursery, Greenhouses and Florist Single Detached Housing Standard Cultivation, Cannabis Standard Processing, Cannabis Veterinary Clinic (may require ALC non-farm use approval) Accessory Uses: - Accessory Buildings or Structures - Accessory Tourist Accommodation - Home Based Business - Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval) - Farmworker Dwelling Unit - Portable Sawmills for processing of material harvested on site only - Secondary Suite - Temporary Farmworker Housing (may require ALC non adhering residential use approval)	
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Concurrence Table

	- Temporary Farmworker Housing (may require ALC non adhering residential use approval)		
Section 26(2) Agriculture 3 (AG3) Development Regulations	The minimum lot area shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	AMEND The minimum lot size for subdivision shall be 60 hectares in the Agricultural Land Reserve and 8 hectares outside the Agricultural Land Reserve.	Consistent use of terms.
Section 26(2)(C) Agriculture 3 (AG3) Development Regulations		NEW Only one Single Detached Housing is permitted per lot.	Clarifies principal dwelling density.

Concurrence Table

Amendments to Electoral Area 'D' Comprehensive Land Use Bylaw No. 2435, 2016 Schedule 'B' Ainsworth Townsite Zoning Bylaw

Section Number	Existing Item / Wording	Change	Rationale
Section 21 Interpretation	MINIMUM LOT AREA means the minimum lot size required for the purposes of subdivision as set out in the applicable zone;	DELETE	Consistent use of terms.
Section 22(4) General Regulations, Site Areas	The minimum lot area for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	AMEND The minimum lot size for a parcel subdivided under Section 514 of the Local Government Act shall be the minimum site area of the zone in which the parcel is located unless otherwise stated.	Consistent use of terms.
Section 22 General Regulations, Reduction of Minimum Lot Areas	Reduction of Minimum Lot Areas	AMEND Reduction of Minimum Lot Size	Consistent use of terms.
Section 22(9) General Regulations, Reduction of Minimum Lot Areas	Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot area required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	AMEND Where two or more contiguous lots registered prior to adoption of this bylaw have less than the minimum lot size required by this bylaw, the lots may be consolidated into fewer lots than exist at the time of application as long as no new lot created is smaller than any previously existing lot.	Consistent use of terms.
Section 22(10) General Regulations, Reduction of	Where it is not possible to create a lot that has the minimum lot area required for a zone, the minimum lot area requirement may be reduced	AMEND Where it is not possible to create a lot that has the minimum lot size required for a zone, the minimum lot size	Consistent use of terms.

Concurrence Table

Minimum Lot Areas	where the proposed subdivision involves any one of the following and meets local health authority requirements: a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application; b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.	requirement may be reduced where the proposed subdivision involves any one of the following and meets local health authority requirements: a. a boundary adjustment that does not create, or make it possible to create additional lots to those that exist at the time of application; b. a lot that, at the time of adoption of this bylaw, is divided by a highway or forest service road and where the boundaries of the highway or road will be the boundaries of the proposed lots; or c. a lot where two or more single detached, duplex or combination of single detached and duplex dwellings existed prior to adoption of this bylaw.	
Section 22(11) General Regulations, Reduction of Minimum Lot Areas	The minimum lot area for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	AMEND The minimum lot size for a lot created under sub-section 10 shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.	Consistent use of terms.
Section 22(12) General Regulations, Reduction of Minimum Lot Areas	Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot area.	AMEND Despite sub-section 11, where a dwelling has been constructed across a legal property line prior to the adoption of this bylaw, lot lines may be adjusted so as to allow property owners to legitimize the structure as long as no lot is reduced in lot size .	Consistent use of terms.

Concurrence Table

Section 22(46)(c) General Regulations, Accessory Dwelling Units	Notwithstanding section 46(b) secondary suites are permitted on all lots	AMEND Despite section 46(b) secondary suites are permitted on all lots	Simpler language.
Section 22(46)(i) General Regulations, Accessory Dwelling Units		NEW Despite section 46(a), in the R1, R2, and R3 Zones, where the principal use is single detached housing, one secondary suite will be permitted as an accessory use for each single detached housing that is permitted.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 23(1) Town-Site Residential (R1) Permitted Uses	Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Vacation Rentals see Section 22(23)	AMEND Permitted uses, buildings and structures: Principal Uses Duplex Housing Single Detached Housing Accessory Uses Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Horticulture Keeping of Farm Animals see Section 22 (35) Secondary Suite Vacation Rentals see Section 22(23)	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.
Section 23(2) Town-Site Residential (R1)	Maximum Density – 2 Dwelling units	AMEND Minimum site area for each Principal Use:	Density modified to align with the density permitted prior to Amendment

Concurrence Table

Development Regulations		Community Water System and Community Wastewater System – 0.1 hectares Community Water System and On-site Wastewater Disposal - 0.2 hectares Individual Water Source and Community Wastewater System -0.2 hectares Individual Water Source and On-site Wastewater Disposal – 1.0 hectare	Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 23(9) Town-Site Residential (R1) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System - 0.1 hectares Community Water System and On-site Wastewater Disposal - 0.2 hectares Individual Water Source and Community Wastewater System - 0.2 hectares Individual Water Source and On-site Wastewater Disposal - 1.0 hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System - 0.1 hectares Community Water System and On-site Wastewater Disposal - 0.2 hectares Individual Water Source and Community Wastewater System - 0.2 hectares Individual Water Source and On-site Wastewater Disposal - 1.0 hectares	Consistent use of terms.
Section 24(1) Country Residential (R2) Permitted Uses	Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing Horticulture Accessory Uses Accessory Building or Structures	AMEND Permitted uses, buildings and structures: Principal Uses Duplex Housing Horticulture Single Detached Housing Accessory Uses	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	Accessory Dwelling Unit see Section 22(46) Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	Accessory Building or Structures Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Secondary Suite Vacation Rentals see Section 22(23)	
Section 24(2) Country Residential (R2) Development Regulations	Maximum Density – 2 Dwelling units	AMEND Minimum site area for each Principal Use – 1.0 Hectare	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 24(9) Country Residential (R2) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectare	Consistent use of terms.
Section 25(1) Rural Residential (R3) Permitted Uses	Permitted uses, buildings and structures: Principal Uses Single Detached Housing Duplex Housing Horticulture Outdoor Recreational Activities Parks Resource Based Activities Accessory Uses Accessory Building or Structures Accessory Dwelling Unit see Section 22(46)	AMEND Permitted uses, buildings and structures: Principal Uses Duplex Housing Horticulture Outdoor Recreational Activities Parks Resource Based Activities Single Detached Housing Accessory Uses Accessory Building or Structures	Puts words into alphabetical order. Accessory uses modified to remove Accessory Dwelling Unit to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024. Secondary suite added as a permitted accessory use for clarity.

Concurrence Table

	Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Vacation Rentals see Section 22(23)	Bed and Breakfast Accommodation see Section 22(22) Home-based Business see Section 22(21) Keeping of Farm Animals see Section 22(35) Secondary Suite Vacation Rentals see Section 22(23)	
Section 25(2) Rural Residential (R3) Development Regulations	Maximum Density – 2 Dwelling Units	AMEND Minimum site area for each Principal Use – 2.0 hectares	Density modified to align with the density permitted prior to Amendment Bylaw no. 2956 which was adopted by the Board in July 2024.
Section 25(9) Rural Residential (R3) Development Regulations	Minimum lot area for Subdivision - 2.0 hectares	AMEND Minimum lot size for Subdivision - 2.0 hectares	Consistent use of terms.
Section 26(9) Town-Site Commercial (C1) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Consistent use of terms.
Section 27(9) Tourist	Minimum lot area for Subdivision: Community Water System and	AMEND	Consistent use of terms.

Concurrence Table

Commercial (C2) Development Regulations	Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 28(9) Ainsworth Resort Commercial (C3) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Consistent use of terms.
Section 29(9) Community Service (CS) Development Regulations	Minimum lot area for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares	AMEND Minimum lot size for Subdivision: Community Water System and Community Wastewater System – 0.1 Hectares Community Water System and On-site Wastewater Disposal – 0.2 Hectares Individual Water Source and Community Wastewater System – 0.2 Hectares	Consistent use of terms.

Concurrence Table

	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	Individual Water Source and On-site Wastewater Disposal – 1.0 Hectares	
Section 30(9) Parks and Recreation (PR) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 31(9) Parks and Recreation Ainsworth Resort (PR1) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 32(7) Environmental Reserve (ER) Development Regulations	Minimum lot area for Subdivision - 1.0 hectares	AMEND Minimum lot size for Subdivision - 1.0 hectares	Consistent use of terms.
Section 33(7) Resource Area (RA) Development Regulations	Minimum lot area for Subdivision - 15.0 hectares	AMEND Minimum lot size for Subdivision - 15.0 hectares	Consistent use of terms.

Concurrence Table

Amendments to Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 (F, I, J, K – but only applies to properties in Area I)

Section Number	Existing Item / Wording	Change	Rationale
Section 623(10), Accessory Dwelling Units		NEW Despite section 623(1), in the R3I zone, where the principal use is single detached housing, one secondary suite will be permitted as an accessory use for each single detached housing that is permitted.	Density modified to align with the density permitted prior to Amendment Bylaw no. 2958 which was adopted by the Board in July 2024.
Section 1600 Rural Residential I (R3I) Permitted Uses	Dwellings: Single Detached Housing Duplex Housing Horticulture Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	AMEND Principal Uses: Duplex Housing Horticulture Single Detached Housing Veterinary Clinics Accessory Uses: Accessory Buildings and Structures Accessory Dwelling Unit, subject to Section 623 Accessory Tourist Accommodation Home Based Business Micro Cultivation, Cannabis Micro Processing, Cannabis Nursery, Cannabis Keeping of Farm Animals Sale of Site Grown Farm Products Portable Sawmills for processing of material harvested on site only	Clarifies which uses are principal rather than accessory, puts words into alphabetical order and connects reader to the accessory dwelling unit general regulations section.
Section 1601(2) Rural Residential I (R3I)	The maximum density is 2 Dwelling Units.	AMEND One Single Detached Housing or Duplex Housing is permitted and one additional Single Detached Housing or	Density modified to align with the density permitted prior to Amendment Bylaw no. 2958 which was adopted by the Board in July 2024.

Concurrence Table

Development Regulations		Duplex Housing shall be permitted per every additional four (4) hectares of site area.	
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Referral Responses

Agency/Department/First Nation	Response
Area A Advisory Planning and Heritage Commission	That the Area A Advisory Planning and Heritage Commission SUPPORT the Bylaw Amendment Referral Form for Electoral Area A.
Area B Advisory Planning and Heritage Commission	That the Area B Advisory Planning Commission NOT SUPPORT the Bylaw Amendment Referral Form for Electoral Area B.
Area C Advisory Planning and Heritage Commission	Only 3 out of 7 voting Commission members were present and thus, the recommendation made by the APHC was not included as the meeting did not have quorum.
Area D Advisory Planning and Heritage Commission	That the Area D Advisory Planning and Heritage Commission SUPPORT the Amendment Bylaw No. 3052.
Area I Advisory Planning and Heritage Commission	That the Area I Advisory Planning and Heritage Commission SUPPORT the Amendment Bylaw No. 3076.
Agricultural Land Commission (ALC)	Thanks for referring this to the ALC. If I understand correctly, the <i>Agricultural</i> zones have been omitted from this new “site area” concept. I appreciate that, as the ALC Act and regulations apply to parcels and not site area. A maximum of three residences are permitted per parcel of any size in the ALR (a principal residence with a suite plus an additional residence). However, I noticed a few parcels that are partially or wholly in the ALR have other zoning (such as <i>Rural Residential</i>) and this change would affect them. I did a quick check and noticed that PIDs 005-174-414, 011-933-097, and 008-597-383 may be affected by this, and there are likely other parcels. In those cases, the site area zoning would be inconsistent with the ALC Act and could cause issues with non-compliant residences. It is very important for zoning rules regarding residences to align with the ALC Act because dealing with a non-compliance issue regarding someone’s home can be highly contentious and challenging for all parties. The best approach is always prevention. How does this proposed bylaw update deal with ALR parcels that are affected? To follow up, the specific concern is that the ALC Act and regulations permit a maximum of three residences <i>per parcel</i> - one principal residence, one suite within the principal residence, and one additional residence. The proposed ‘site area’ concept would appear to permit more residences than what the ALC Act permits on some ALR properties. It appears that the ‘site area’ concept doesn’t apply to <i>Agricultural</i> zones. While the majority of ALR land is zoned <i>Agricultural</i>, some ALR parcels have other zoning or are split-zoned. This can lead to confusion and non-compliance with the ALC Act. Section 46 of the ALC Act requires local governments to ensure their

	bylaws are consistent with the ALC Act and regulations and in cases where they aren't, the bylaw will have no force or effect to the extent of the inconsistency. We have seen many cases where inconsistent bylaws have led to non-compliance with the ALC Act, and these can be very costly and contentious to resolve, especially with residences. In its current state, the draft bylaw is inconsistent with the ALC Act.
Creston Valley Agricultural Advisory Commission	That the Creston Valley Agricultural Advisory Commission SUPPORT the Bylaw Amendment Referral Form for Electoral Areas A, B and C to roll back the imposed changes from 2024, the Commission feels that the OCP is a better avenue to adjust these issues.
Crown Land Authorizations – Kootenay Boundary Region Ministry of Water, Land and Resource Stewardship	On behalf of Crown Lands, we have no comments or concerns on the proposed Bylaw Amendment.
FortisBC	There are no FortisBC Inc (Electric) ("FBC(E)") facilities affected by this application. As such FBC(E) has no concerns with this circulation.
Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship	See attached letter.
Licensed Authorizations Officer - Kootenay Boundary Region Ministry of Water, Land and Resource Stewardship	Water, Land and Resource Stewardship (WLRS) staff have reviewed the proposed zoning bylaw amendments for Electoral Areas A, B, C, D and I. From a <i>Water Sustainability Act</i> perspective, staff do not have no concerns as the amendments clarify density calculations with no "works in and about a stream " or "use and diversion of water" proposed. The "Purpose of the Bylaw Amendment" section of the referral states: " Under the current zoning, a subdivision is typically required to achieve maximum density, whereas under the proposed approach, the same density could be attained without subdividing the land. " WLRS staff note that a domestic water license authorizes use of a specified quantity of water for a single dwelling located on the property to which the license is issued. Where subdivision is proposed, Part 8 (Water Supply) of <i>RDCK Subdivision Bylaw 2159, 2011</i> requires the applicant to demonstrate that sufficient water is available to service any potential future domestic dwellings resulting from the subdivision. This requirement helps ensure that new dwellings have an adequate water supply. If the proposed approach allows for the same density to be achieved without subdivision, the RDCK should consider implementing a process to confirm that adequate water supply is available to support the increased density.
Lower Similkameen Indian Band (LSIB)	The Lower Similkameen Indian Band (LSIB) would like to acknowledge receipt of the above referral. We have conducted a desktop review of it.

	The location of the project/activity to which the referral relates is within syilx Territory and may have impacts on inherent and constitutionally protected syilx Title and Rights, which LSIB holds as part of the syilx Nation. However, given the location of the project, we would support Okanagan Indian Band (OKIB), Osoyoos Indian Band (OIB), and Penticton Indian Band (PIB) in taking lead in further consultation and engagement on this project. Please keep us informed of any updates or changes to the project as this may change our assessment and our view on the need for further consultation with LSIB and an invoice will follow at a later date.
Ministry of Agriculture and Food	Thank you for sending the below noted referral to Ministry of Agriculture and Food (Ministry) staff for review. Ministry staff note that the proposed bylaw amendments apply to most R1, R2, R3, and R4 Zones and that further, the vast majority of land within the Agricultural Land Reserve (ALR) is contained within the various AG zones within respective Bylaws 2953, 2954, 2955, 2956, and 2958. Given this, and the paramountcy of the Agricultural Land Commission Act and its regulations which sets defined limits for residential uses, the proposed bylaw amendments do not appear to impact properties within the ALR.
Ministry of Transportation and Transit (MOTT)	Thank you for the opportunity to comment on the above noted referrals. The ministry has no concerns with the proposed amendments. Landowners will be required to ensure there is adequate parking on site for all dwelling that are proposed and setbacks should be a minimum of 4.5 metres from a property line adjacent to a road or 3.0 metres from a property line adjacent to a lane. Should the number of dwellings on the property exceed 3 the ministry requests that owners contact WKD@gov.bc.ca to determine whether they need to apply for a multi-family residential access permit to ensure safe access/egress can be made onto the highway. Please submit the final bylaws for signature pursuant to Section 52(3)(a) of the <i>Transportation Act</i> to WKD@gov.bc.ca if/when approval has been granted by the Board.
Okanagan Indian Band (OKIB)	See attached letter.
Osoyoos Indian Band (OIB)	Thank you for the above application. This email is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the Osoyoos Indian Band will be able to ensure that an informed review process will occur. We are setting the new timeline to be 60 days from the existing timeline. Most recently, the Supreme Court of Canada in the Tsilquot'in case confirmed that the province has been applying an incorrect and restrictive test to the determination of Aboriginal Title.

	Aboriginal Title includes the exclusive right of a First Nation to decide how that land is used and the right to benefit economical from those uses. Please note that not receiving a response regarding a referral from the Osoyoos Indian Band in the pre-application, current or post-application stage does not imply our support for the project.
Penticton Indian Band (PIB)	See attached letters.
RDCK Emergency Management	RDCK Emergency Management is concerned this bylaw amendment does not address any specific areas that indicate higher than normal risks to life and property, and further that densification may occur in areas where there are known risks resulting from natural and geotechnical hazards.
RDCK Water Services	Water Services has no objection in principle to the proposed amendments, and I don't identify any direct conflict with our Water Regulatory Bylaw No. 3078. Water Services notes that the proposed amendments may facilitate the creation of additional dwelling units on existing parcels without subdivision. While this does not necessarily increase the ultimate density otherwise permitted under existing zoning, it may alter how and when Water Services becomes involved in servicing review. Any future development, redevelopment, creation of additional dwelling units, increase in irrigation demand, or change in water demand within an RDCK water service area remains subject to Water Bylaw No. 3078, available system capacity, and any applicable servicing requirements, approvals, fees, and charges. Water Services further notes that some RDCK water systems have capacity or infrastructure constraints, and zoning permissions should not be interpreted as confirmation that water service capacity is available.
Westbank First Nation	See attached letter.



Referral Letter

WFN ID#: 1098
WFN Lead-Officer: Teighan Keller

June 15, 2026

Your File: Zoning Bylaw Amendments

Regional District of Central Kootenay

202 Lakeside Drive
Nelson BC V1L 6B9
Canada

SENT VIA EMAIL: planning@rdck.bc.ca, schezenko@rdck.bc.ca

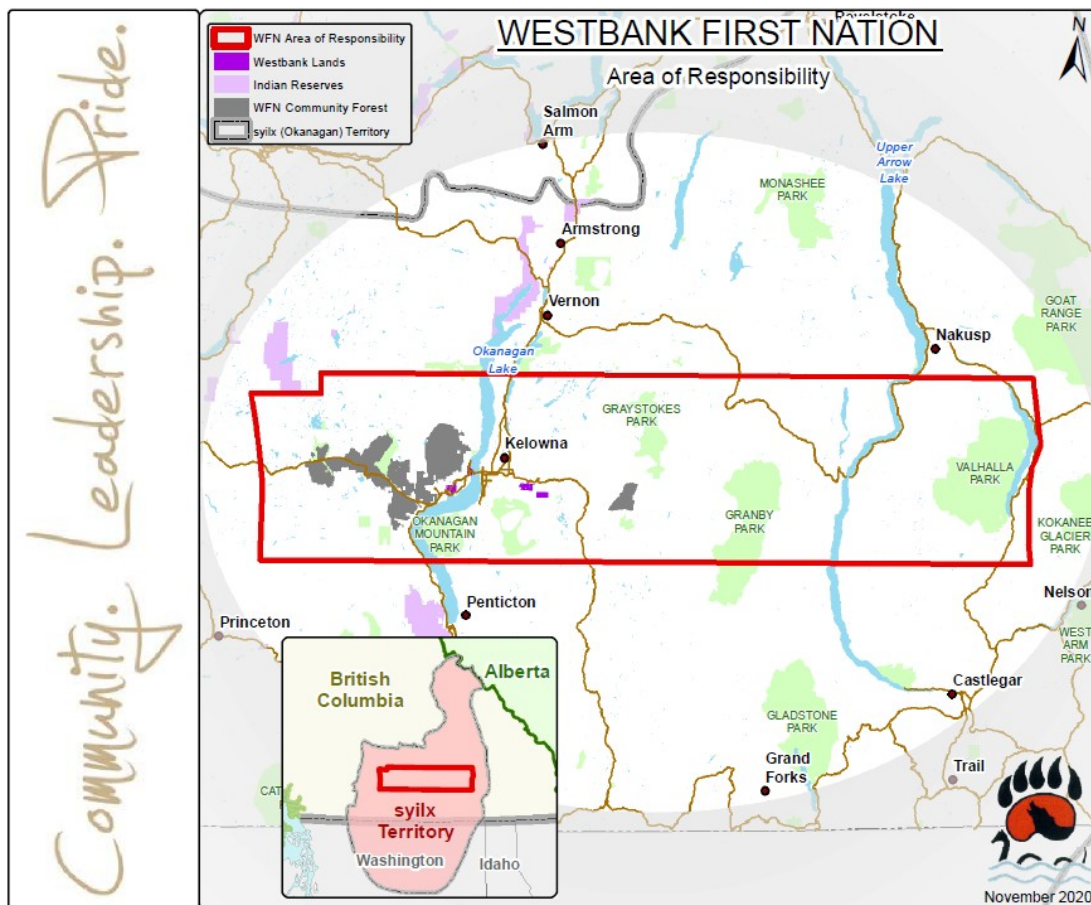
Dear Regional District of Central Kootenay,

Re: Amendments to Zoning Bylaws for Electoral Areas A, B, C, D and I – **Outside
Westbank's Area of Responsibility**

We write further to your referral submission dated 2026-05-26 concerning the above-noted application.

Your letter represents an opportunity for Westbank First Nation ("Westbank") to share important information about the syilx Okanagan Peoples. Westbank is one of the seven communities of the syilx Okanagan Peoples (also known as the Okanagan Nation) in Canada. The syilx Okanagan Peoples have established protocols and arrangements respecting the advancement and implementation of Rights and Title, both as individual communities and

collectively. Each community of the syilx Okanagan Peoples has an established caretaker area of responsibility within the syilx Territory. Westbank is recognized as the caretaker and the proper holder of syilx Rights and Title with respect to the Westbank Area of Responsibility (the “Westbank AOR”), as identified on the enclosed map.



As identified in your referral submission dated 2026-05-26 the Amendments to Zoning Bylaws for Electoral Areas A, B, C, D and I takes place on lands or involves resources which fall outside of the Westbank AOR. Where proposed activities or decisions involving lands and resources in direct proximity to the Westbank AOR, we fully expect to be notified and provided the opportunity to engage to protect and promote the inherent Aboriginal rights and title of the syilx Okanagan Peoples and of Westbank and its members.

We place a high value on the responsible management and safeguarding of our resources, environment and watersheds as reflected in our captik^{wł} - a collection of teachings about syilx Okanagan laws, customs, values, governance structures and principles that, together, define and inform syilx Okanagan rights and responsibilities to the land and to our culture. captik^{wł} reminds us that everything is interwoven and connected. Similarly, the United Nations Declaration on the Rights of Indigenous Peoples (“UNDRIP”), which has been adopted by both the provincial and federal governments, recognizes “that respect for indigenous knowledge, cultures and traditional practices contributes to sustainable and equitable development and proper management of the environment”. Further, UNDRIP recognizes that each of our

communities has the right to self-determination, including the right to make informed decisions respecting our lands, resources, waters and the environment.

At this time, we encourage you to contact and seek input from one of the other six-member bands who are part of the Okanagan Nation - Lower Similkameen Indian Band, Okanagan Indian Band, Osoyoos Indian Band, Penticton Indian Band, Upper Nicola Indian Band and Upper Similkameen Indian Band.

If you have any questions about the content of this letter or wish to discuss it further, please have your officials contact Referrals Officer Teighan Keller at the Westbank First Nation Title and Rights office at 250.769.4999 to make the appropriate arrangements.

Respectfully,

WESTBANK FIRST NATION

INTERGOVERNMENTAL AFFAIRS AND TITLE & RIGHTS

201 - 515 HWY 97 S, KELOWNA, BC V1Z 3J2

[REDACTED] [REDACTED]

Administrative Summary of Application

Project Name	Amendments to Zoning Bylaws for Electoral Areas A, B, C, D and I
WFN ID	1098
Issuing Agency file number(s)	Zoning Bylaw Amendments
Government statutes	Local Government Act
Project Description	Purpose of the Bylaw Amendments are (1) Density Calculation: The proposal would change how residential density is calculated in most R1, R2, R3, and R4 zones from a “lot area” basis to a “site area” basis. This does not increase the total density allowed on a property, but it does change how that density can be achieved. Under the current zoning, a subdivision is typically required to reach maximum density, whereas under the proposed approach, the same density could be achieved without subdividing the land. (2) Housekeeping: Clarify the bylaws through formatting and terminology updates.
Project Location	Electoral Areas A, B, C, D and I
Area (ha)	1044186.67
Project start date	August 4, 2026
Lifespan	years
Lead officer	Teighan Keller (WFN Referral Committee) (WFN - Title & Rights)
Applicant	Regional District of Central Kootenay
Proponent	Sadie Chezenko
Unpublished due date	June 9, 2026
Unpublished complete date	May 26, 2026
Committee Review due date	June 4, 2026

Committee Review complete date	May 26, 2026
WFN Council Authorization due date	June 22, 2026
WFN Council Authorization complete date	June 15, 2026
Decision Letter due date	June 25, 2026
Decision Letter complete date	June 15, 2026
Monitoring and Negotiation complete date	June 15, 2026
Final Decision Letter (optional) complete date	June 15, 2026
Awaiting Response complete date	June 15, 2026

Referral Impact Summary

This section summarizes topics identified through Westbank First Nation's review that are to be addressed by the Referral Issuant and Proponent. Upon receiving this report, please contact the Lead Referral Officer at Westbank First Nation in charge of this file to initiate engagement regarding these topics. Please be aware that any delays in a response from the Referral Issuant can result in delays to the overall referral process. For more information please see the [Westbank First Nation Crown Lands Referral Directive](#), available on the [WFNConnect](#) Knowledge Base.

Potential Impacts on Title & Rights

Please Note: As outlined in the Westbank First Nation Referral Directive:

The purpose of this Directive is to establish procedures for assessing Applications that may have an impact on the *syilx* Title and Rights of Westbank or the *syilx* Peoples.

The *syilx* Peoples hold *syilx* Title and Rights throughout *syilx* Territory, which are recognized and affirmed by section 35 of the Constitution Act, 1982, and which have never been ceded, surrendered or relinquished by the *syilx* Peoples. Within *syilx* Territory, Westbank shares in the responsibility to take care of *syilx* Territory and, in accordance with the *syilx* Decision-Making Protocol, Westbank is the caretaker of the lands in and about the area depicted as the Westbank Area of Responsibility.

POTENTIAL IMPACT

Referral Impact Response

This section summarizes the engagement processes undertaken to address topics, if any, raised by Westbank First Nation in the Preliminary Response. It highlights any Outstanding Issues that still need to be addressed and provides the Westbank First Nation Council decision regarding the proposed works, along with any mitigation measures, conditions, and relevant rationale, if applicable.

WFN Review Status

Review Completed, WFN Decision Made

WFN Decision

Approve Application with Condition(s)

Rationale/Condition

(1) The proposed activity is located within the syilx (Okanagan) Territory. All lands and resources within the vicinity of this referral are subject to unextinguished syilx Title and Rights. At this time, Westbank First Nation is deferring the project to the Okanagan Indian Band, Penticton Indian Band, Okanagan Nation Alliance for their review as the project falls outside of the Westbank First Nation Area of Responsibility.

Please Note: Where applicable, Westbank First Nation expects to be continuously updated on any status and scope change of this application, as well as on any direct consultation with the engagement entities or info-sharing with the proponent.

WFN CHIEF & Council – Approval of Final Report

WFN AUTHORIZED SIGNATORIES

Approved By



ȳilmix^{wm} (Chief) Robert Louie



səx^{wk}wínmaʔm (Councillor) Jordan Coble



səx^{wk}wínmaʔm (Councillor) Sara Tronson



səx^{wk}wínmaʔm (Councillor) Mike De Guevara



səx^wk^wínmaʔm (Councillor) Andrea Alexander

Please Note: Westbank First Nation receives and responds to referrals in accordance with the Westbank First Nation Crown Land Referral Directive, Westbank First Nation Archaeology Directive, Westbank First Nation Constitution and the Westbank First Nation Self-Government Agreement. This report intends to capture information sharing and communication between the Federal, Provincial, Regional and Municipal Governments as well as the proponents, and communities involved. This report may contain sensitive and confidential information, and thus may not be duplicated, distributed or shared without prior consent of the Westbank First Nation.



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8



Consulting ID:

PIB-2026-1868

Project Name

PIB-2026-1868-Amendments to RDCK Zoning Bylaws for A, B, D and I.

Consulting Organization:

Regional District of Central Kootenay

21-May-2026 11:04 PDT

Attention: Sadie Chezenko - Laura Christie

RE: 40 (forty) day extension

Thank you for the above application that was received on 4-May-2026.

This letter is to inform you that due to current levels of internal capacity, we are unable to review your referral in your proposed timeline. With additional time, the snpink'tn (Penticton) Indian Band səx'wəxt'am' department will be able to ensure that an informed review process will occur. We are setting the new timeline to be 40 days from the existing timeline.

syilx (Okanagan Nation) Title includes snpink'tn right to proactively use and manage our resources. In Tsilhqot'in, the Supreme Court of Canada emphasizes the need to seek the consent of the title-holding Aboriginal group, and warns, without consent for a project, the proponent risks having the project cancelled. The obligation to seek free, prior and informed consent is further required by the United Nations Declaration on the Rights of Indigenous People (UNDRIP). UNDRIP requires that Indigenous peoples shall be consulted and cooperated with in good faith in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

Please note that not receiving a response regarding a referral from snpink'tn in the pre-application, current or post-application stage does not imply our support for the project.



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8



I appreciate your co-operation.

limləmt,

Caroline Stewart
Office Administrator
snpink'tn (Penticton) Indian Band səxʷtəxt'am' department
Natural Resources



address: 841 Westhills Drive
Penticton, British Columbia
Canada V2A 0E8



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

Consulting ID:

PIB-2026-1868

Project Name

PIB-2026-1868-Amendments to RDCK Zoning Bylaws for A, B, D and I.

Consulting Organization:

Regional District of Central Kootenay

21-May-2026 11:03 PDT

Attention: Sadie Chezenko

We are in receipt of the above referral. This proposed activity is within the snpink'tn (PIB) Area of Interest within the Okanagan Nation's Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights.

The Supreme Court of Canada in the *Tsilhqot'in* case has confirmed that the province and Canada have been applying an incorrect and impoverished view of Aboriginal Title, and that Aboriginal Title includes the exclusive right of Indigenous People to manage the land and resources as well as the right to benefit economically from the land and resources. The Court therefore concluded that when the Crown allocates resources on Aboriginal title lands without the Indigenous peoples' consent, it commits a serious infringement of constitutionally protected rights that will be difficult to justify.

snpink'tn (PIB) has specific referral processing requirements for both government and proponents which are integral to the exercise of our management right and to ensuring that the Crown can meet its duty to consult and accommodate our rights, including our Aboriginal title and management rights. According to this process, proponents are required to pay a \$500 processing fee for each referral. This fee must be paid within 30 days. Proper consultation and consideration of potential impacts cannot occur without the appropriate resources therefore it is only with payment that proper consultation can begin and the proposed activity/development can be reviewed.



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8
Referrals@pib.ca | www.pib.ca
Telephone: 250-492-0411
Fax: 250-493-2882

Invoice Number: PIB-2026-1868

Referrals Processing Fee

Sub Total \$ 500.00

Tax \$ 0.00

Total \$ \$500.00

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$500.00

We accept cash and cheque via mailing as well as EMT. Our mailing address is 841 Westhills Drive Penticton BC, V2A OE8. Our EMT is PIBPayments@pib.ca.

Please have 'ATTN: Natural Resources File # PIB-2026-1868 PC:132 ' in the notes if you are using EMT or if you are using another method, please supply the referral number with it .

Upon receipt of the processing fee, we will commence our review. You may then expect to receive a letter from us notifying you of the results of our review of potential impacts of the project within 30 to 90 days.

If the proposed activity requires a more in-depth review, snpink'tn (PIB) will notify the proponent and all parties will negotiate a memorandum of agreement regarding a process for review of the proposed activity.

Please note that our participation in the referral and consultation process does not define or amend snpink'tn (PIB) Aboriginal Rights and Title, or limit any priorities afforded to Aboriginal Rights and Title, nor does it limit the positions that we may take in future negotiations or court actions.

If you require further information or clarification, please do not hesitate to contact me.

limləmt,

Caroline Stewart
Office Administrator



Penticton Indian Band
Natural Resources Department
841 Westhills Drive | Penticton, B.C.
V2A 0E8

snpink'tn (Penticton) Indian Band səxʷtəxt'am' department
Natural Resources



address: 841 Westhills



Okanagan Indian Band

12420 Westside Road • Vernon, BC, • V1H 2A4

Telephone: 250-542-4328 • Facsimile 250-542-4990

Email: okibreferrals@okanagan.org

"This correspondence will not be construed so as to to prejudice, limit, or derogate from any rights, claims or interests in respect of any Aboriginal title, rights and interests of Okanagan or Syilx Nation recognized and affirmed under Section 35 of the Constitution Act, 1982 and nothing in this letter indicates acceptance by Okanagan of federal or provincial Crown jurisdiction over or ownership of land, water or other resources within the Territory."

May 6, 2026

Attention: Sadie Chezenko

Okanagan Indian Band (OKIB) is in receipt of the above referral. This proposed activity is within OKIB's Area of Interest within the Syilx (Okanagan Nation) Territory, and the lands and resources are subject to our unextinguished Aboriginal Title and Rights. For more information on our Title and Rights, please see the attached overview in Schedule A.

The Crown has an obligation to support our capacity to meaningfully participate in consultation(1). The failure to provide capacity funding where necessary to support an Aboriginal people's participation can significantly impair the quality of consultation and lead to a finding that consultation was inadequate(2). While supporting OKIB's capacity is ultimately the Crown's obligation, it may be delegated to proponents. Whether delegated or not, proponent contributions ensure we have sufficient capacity to participate in consultation on their activity so approvals are not delayed or denied due to a failure of the Crown to engage with us meaningfully.

To ensure OKIB has sufficient capacity to conduct a Preliminary Office Review of your referral for its potential adverse impact on the OKIB's Syilx Aboriginal Title and Rights we require payment of a Referral Processing Fee. This invoice must be paid within 30 days.

The processing fee is broken down as follows:

*Referral Processing Fee: \$300.00

* 5% GST: \$15.00

* Total: \$315.00

This Fee is based on review not exceeding 5 hours. This initial fee may not be sufficient for OKIB to engage in meaningful consultation, but it will provide necessary funding for OKIB's

Preliminary Office Review to determine if your referral is of potential concern and whether further consultation is necessary. If the proposed activity requires a more in-depth review, OKIB will notify the proponent after the Preliminary Office Review and will seek to negotiate an agreement to provide capacity for necessary consultation activities.

INVOICE AMOUNT FOR PRELIMINARY OFFICE REVIEW \$315.00

Please make cheque payable to Okanagan Indian Band (OKIB) re: RDCK Bylaw Amendments to Zoning bylaw: for A,B,D and I.

If payment is not received within 30 days of receipt of this invoice a warning letter will be issued outlining that we are unable to meaningfully respond, engage in consultation on the proposed activity or consent to the proposed activity. Proper consultation cannot occur without the appropriate resources, therefore it is only with payment that proper consultation can begin and the proposed project can be reviewed. Failure of the Crown, or the proponent as delegate of the Crown, to meaningfully consult with OKIB will put any permits or authorizations for the activity at risk of being delayed, suspended or revoked.

liml?mt | Thank You

Julie Richard
Referrals Management Clerk
Territorial Stewardship Division
Okanagan Indian Band
12420 Westside Road
Vernon BC, V1H 2A4

(1) *Clyde River (Hamlet) v. Petroleum Geo Services Inc.* 2017 SCC 40, [2017] 1 S.C.R. 1069 (“*Clyde River*”).

(2) *Clyde River* at paras 47-49, citing *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*, 2004 SCC 74, [2004] 3 S.C.R. 550 at paras 32, 37.