



Bylaw Amendment Application

Referral Form – RDCK File Z2505F

Amendment to Zoning Bylaw No. 1675

Date: May 1, 2025

You are requested to comment on the attached Bylaw Amendment for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO May 31, 2025). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF THE BYLAW AMENDMENT:

The purpose of this proposed zoning bylaw amendment is to facilitate a proposed subdivision that would result in two lots that would both be smaller than the 1 hectare minimum lot size requirement in the R2 zone. The applicant is therefore required to rezone the subject property to a "Site Specific R2" zone in order to allow the lots proposed through a subdivision application to be a minimum of 0.8 hectares.

LEGAL DESCRIPTION & GENERAL LOCATION:

2315 West Road, 5 Mile, Electoral Area 'F'

LOT 2 DISTRICT LOT 7063 KOOTENAY DISTRICT PLAN NEP72348 (PID: 025-541-463)

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING DESIGNATION	OCP DESIGNATION
1.6 hectares 4.1 acres	N/A	Country Residential (R2)	Country Residential (CR)

APPLICANT/AGENT: Britney Mace and Braeden Mace

Please provide your response via email.

If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this permit.

If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

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

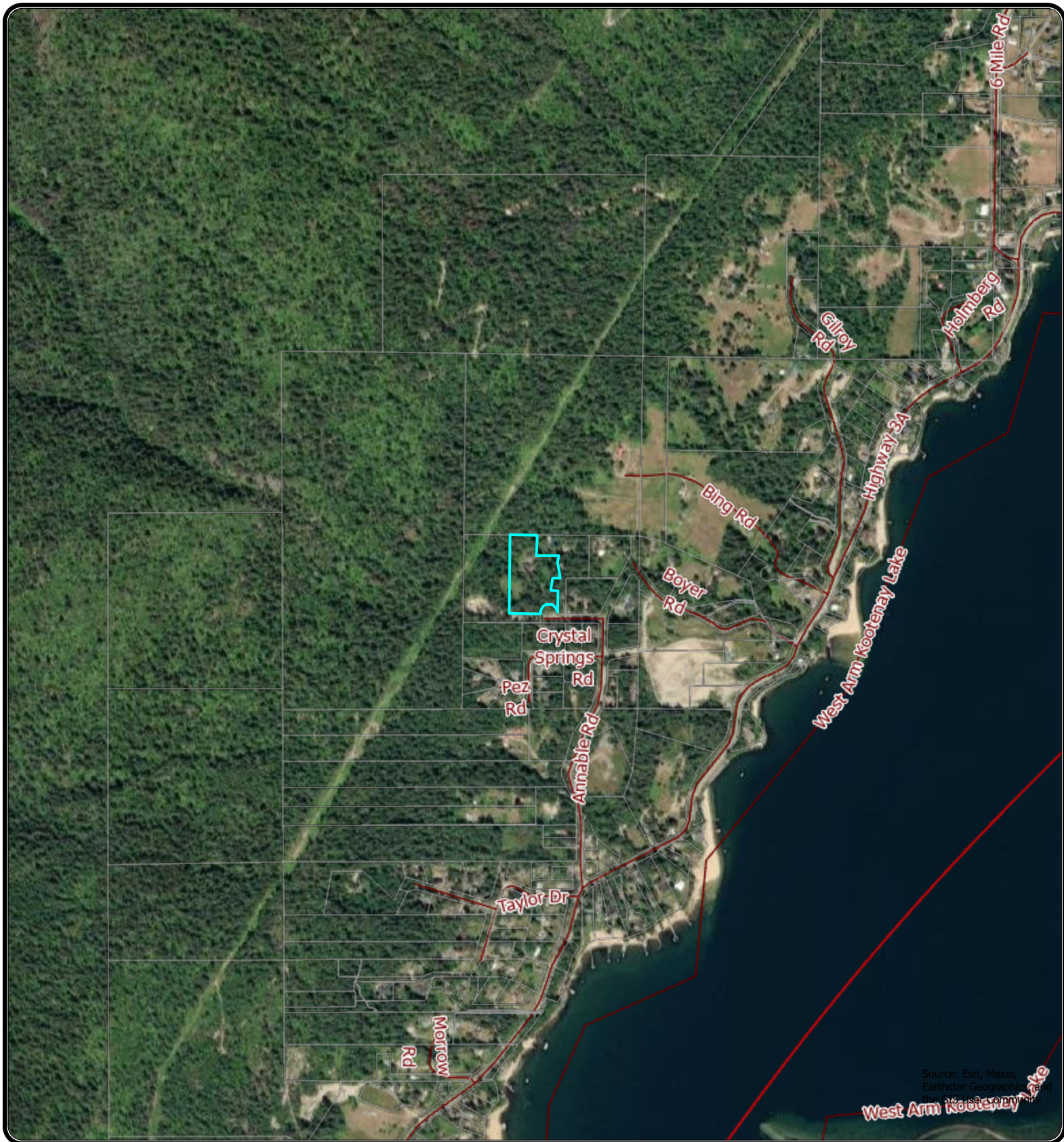
☒ TRANSPORTATION West Kootenay ☒ HABITAT BRANCH ☒ FRONT COUNTER BC (FLNRORD) ☐ AGRICULTURAL LAND COMMISSION ☐ REGIONAL AGROLOGIST ☐ ENERGY & MINES ☐ MUNICIPAL AFFAIRS & HOUSING ☒ INTERIOR HEALTH HBE Team, Nelson ☒ ARCHAEOLOGY BRANCH ☐ SCHOOL DISTRICT NO. ☐ WATER SYSTEM OR IRRIGATION DISTRICT	FIRST NATIONS ☒ KTUNAXA NATION COUNCIL (ALL REFERRALS) YAQAN NU?KIY (LOWER KOOTENAY) ?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS) ?AKISQNUK (COLUMBIA LAKE) ?AQ'AM (ST. MARY'S) ☒ OKANAGAN NATION ALLIANCE ☐ C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN) ☒ K?K'ƏR'MÍWS (LOWER SIMILKAMEEN) ☒ SNPÍNTKTN (PENTICTON) ☒ STQA?TKWƏ?WT (WEST BANK)
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☒ UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER) REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: ☐ A ☐ B ☐ C ☐ D ☐ E ☒ F ☐ G ☐ H ☐ I ☐ J ☐ K ALTERNATIVE DIRECTORS FOR: ☐ A ☐ B ☐ C ☐ D ☐ E ☒ F ☐ G ☐ H ☐ I ☐ J ☐ K ☐ APHC AREA ☒ RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA) ☐ RDCK EMERGENCY SERVICES ☒ RDCK BUILDING SERVICES ☐ RDCK UTILITY SERVICES ☐ RDCK REGIONAL PARKS	☒ SUKNAQÍN (OKANAGAN) ☒ SWÍWS (OSOYOOS) ☒ SPAXOMƏN (UPPER NICOLA) ☐ SHUSWAP NATION TRIBAL COUNCIL ☒ KENPÉSQT (SHUSWAP) ☐ QW?EWT (LITTLE SHUSWAP) ☐ SEXQELTQÍN (ADAMS LAKE) ☐ SIMPCW ((SIMPCW) ☐ SKEMTSIN (NESKONLITH) ☐ SPLATSÍN (SPLATSÍN FIRST NATION) ☐ SKEETCHESTN INDIAN BAND ☐ TK'EMLUPS BAND ☒ SINIXT CONFEDERACY
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The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

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

RDCK Map



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



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

Legend

- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

Map Scale:

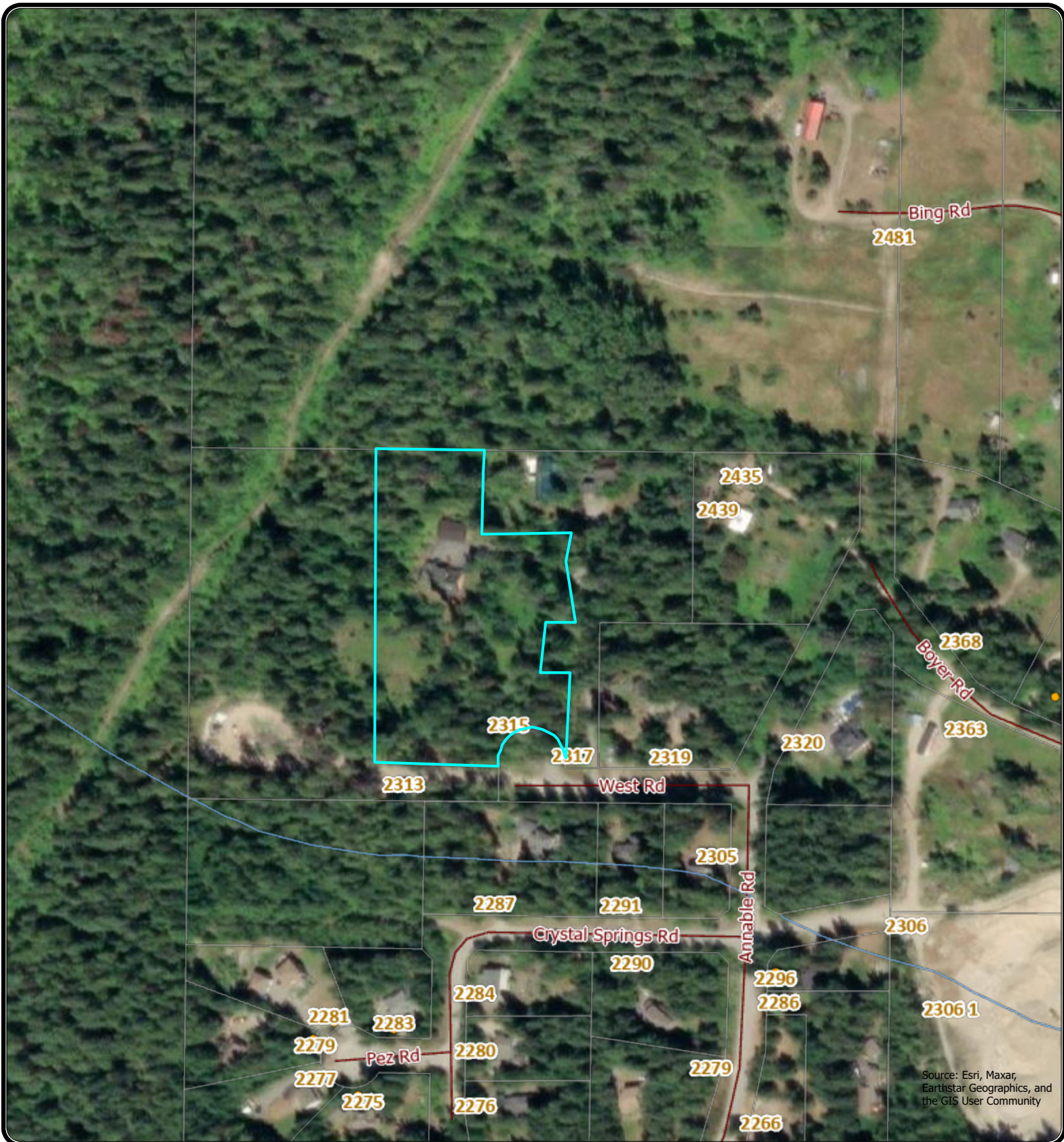
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Date: April 15, 2025



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

RDCK Map



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



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Legend

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

Map Scale:

1:4,514

Date: April 15, 2025



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RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY
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Phone: 1-800-268-7325 www.rdck.bc.ca
maps@rdck.bc.ca

Legend

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

Map Scale:

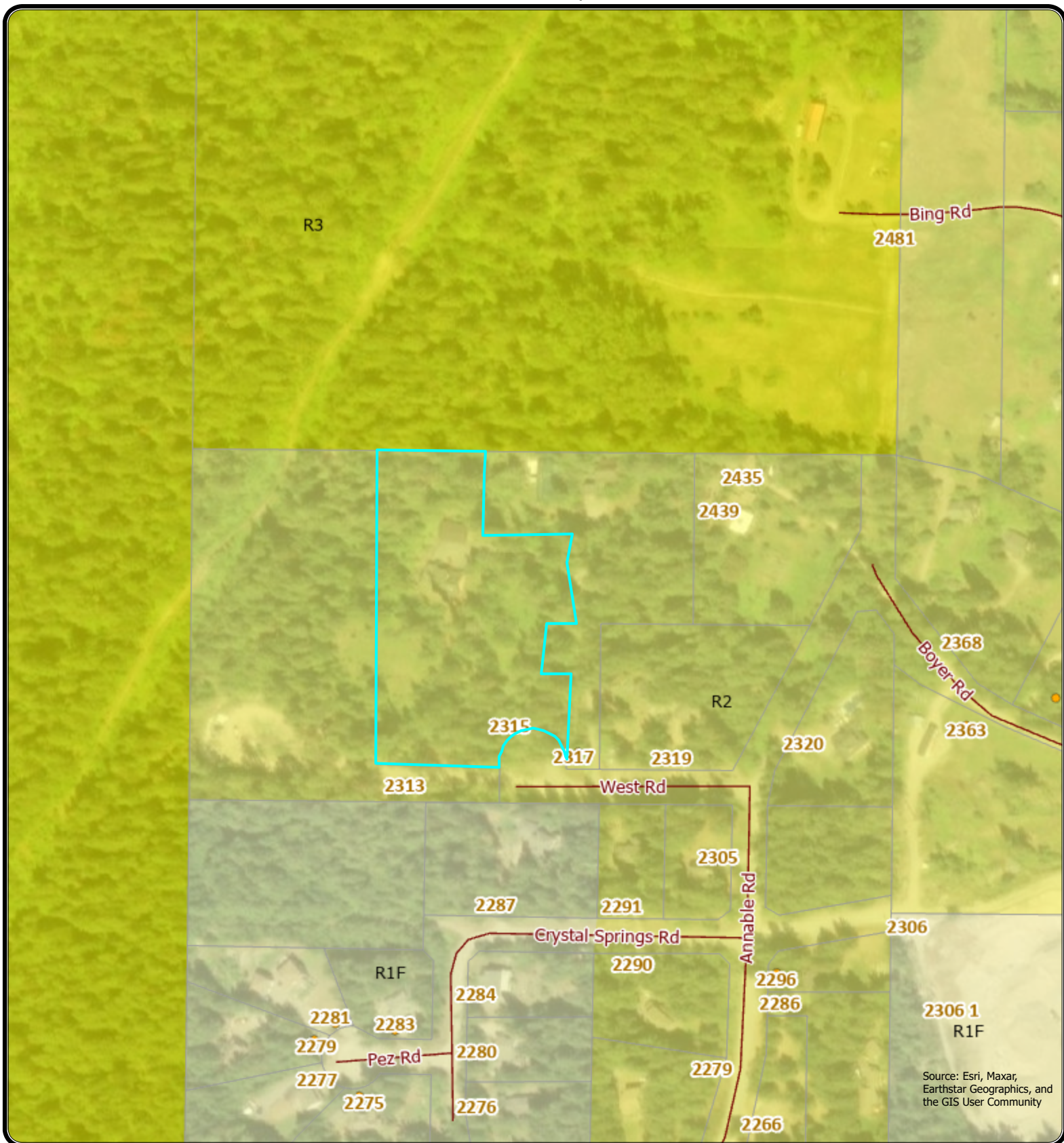
1:2,257

Date: April 15, 2025



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

RDCK Map



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maps@rdck.bc.ca

Legend

Zoning Class

- Residential 1
- Residential 2
- Residential 3

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

Map Scale:

1:4,514

Date: April 15, 2025



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Proposal Summary (Prepared by applicant)

Zoning Variance for Subdivision at 2315 West Road, Nelson, BC

Property Information:

- **Civic Address:** 2315 West Road, Nelson, BC, V1L 6K4
 - **Legal Description:** Lot 2, District Lot 7063, Kootenay District, Plan NEP72348
 - **Parcel Identifier (PID):** 025-541-463
 - **Total Property Size:** 4.11 acres (1.66 hectares)
-

Purpose of the Application & Zoning Context

Our bylaw amendment application seeks approval to subdivide the 1.66-hectare (4.11-acre) property into two equal parcels of 0.83 hectares (2.05 acres) each to facilitate the construction of a home for our aging father-in-law.

The property is currently zoned R2 (Large Holding Residential) under RDCK Zoning Bylaw No. 1675, which requires a minimum lot size of 1.0 hectare. While the proposed subdivision does not meet this requirement, we are seeking a variance rather than a zoning change, as the land use will remain residential and consistent with the surrounding community.

According to OCP Bylaw No. 2214, 2011, the property is designated Country Residential (CR), which supports low-density rural residential development. Our subdivision request aligns with that intent, maintaining the character of the area while providing much-needed housing flexibility.

This proposal also supports the BC government's broader housing strategies, including the Age-Friendly Communities Initiative and Regional Growth Strategies (RGS), which encourage diverse and sustainable housing options. Additionally, provincial investments in housing and seniors care emphasize the need for adaptable residential development to meet changing demographic needs.

What the New Subdivision Will Allow

Approval of this variance would enable the creation of two residential lots that would continue to align with the R2 zoning and Country Residential (CR) designation. Each lot would remain large enough to support residential use while ensuring compatibility with the surrounding properties.

Both lots have been assessed by qualified professionals, confirming they each have an adequate on-site water supply and septic capacity to support residential use, for both residences. Additionally, both parcels have access to hydro and gas. One lot will have direct frontage on the cul-de-sac, while the other will have access through an existing legal easement with the neighboring property, which is in good standing.

This subdivision would allow us to build a home for our aging father-in-law, who currently rents a home and lives alone, enabling him to live independently while staying close to family for support (physically, mentally, and financially) in a community of caring neighbors. Our application not only demonstrates that the proposed subdivision is viable, but also directly aligns with the RDCK OCP General Residential Policies (11.3), which encourage a variety of housing tenures, including seniors housing, in existing residential nodes with adequate services.

Effects on Surrounding Properties

The surrounding properties form a tight-knit community of caring and responsible families who are supportive of this subdivision and our desire to care for family. The properties directly to the south of our home (on Crystal Springs Road) are zoned R1F (Suburban Residential - Serviced) and are permitted to subdivide into lots as small as 0.5 hectares, provided a qualified professional assessment confirms adequate water and sewer capacity. Given that our proposed 0.83-hectare lots exceed this minimum standard, and we can demonstrate sufficient water and sewer capacity, our variance request aligns with existing subdivision allowances in the area.

Our proposed lots are well within the range of lot sizes already present in the area, and there would be no significant negative impacts on the community or homeowners, as we are not introducing any commercial or high-density development, nor are we requesting a change to the Country Residential OCP designation.

Conclusion

The requested variance would allow the subdivision of 2315 West Road into two equal residential lots (0.83 hectares each) while maintaining compliance with R2 zoning and the Country Residential OCP designation.

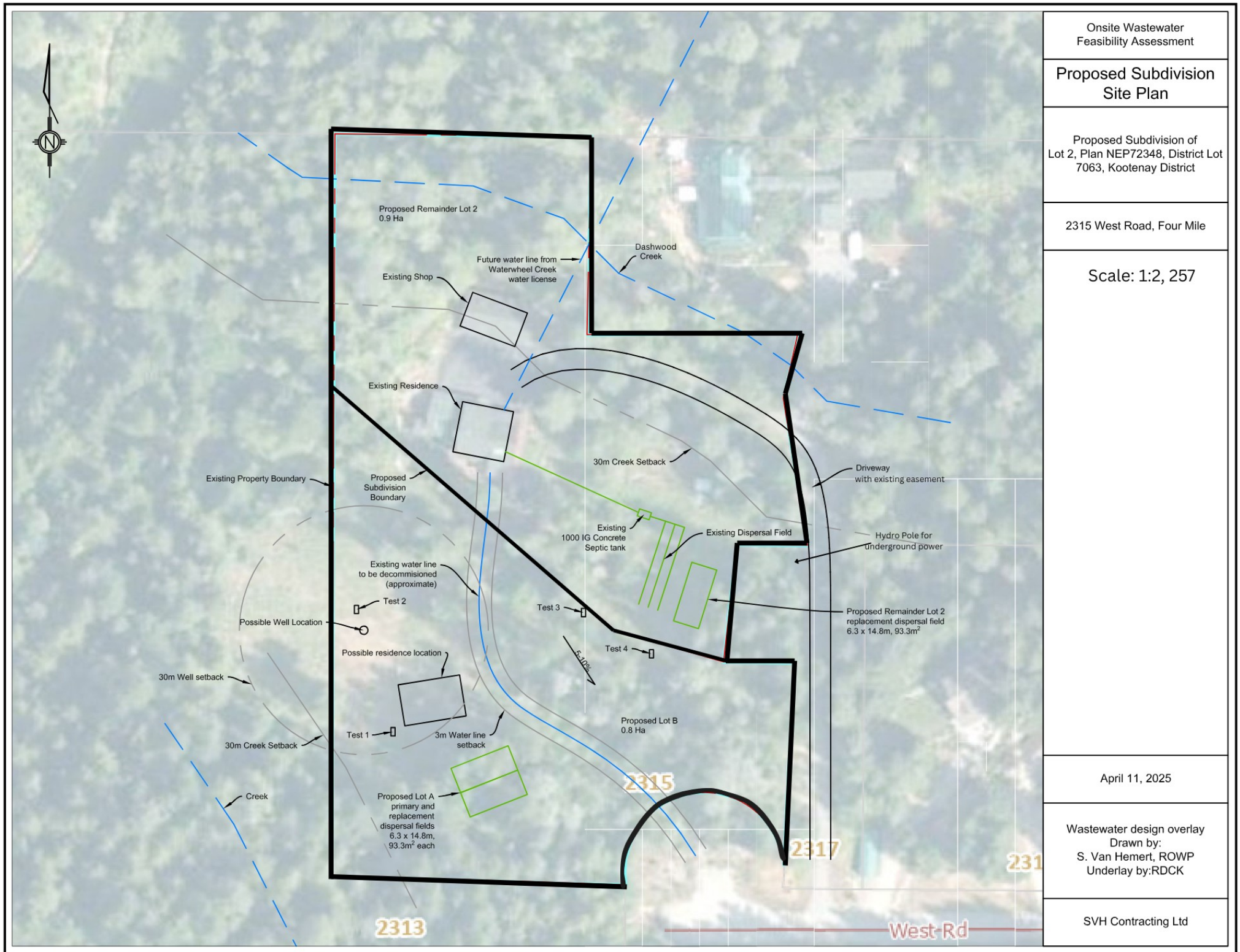
Given that:

1. The adjacent properties on Crystal Springs Road are already permitted to subdivide into similar-sized lots.
2. The proposal aligns with the RDCK's OCP General Residential Policies by supporting a variety of housing tenures (including seniors' housing).
3. All necessary services, including water, septic, hydro, and gas, are available and comply with regulations.

We kindly request your consideration of this zoning variance application to support our subdivision proposal, as it offers a logical and responsible solution that would help meet the needs of our family while aligning with the broader community goals of the RDCK, and the province's housing strategies.

Many thanks,

Britney & Braeden Mace (and father-in-law, Ron Mace)



Current Zoning

DIVISION 11 COUNTRY RESIDENTIAL (R2)

Permitted Uses

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

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

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

Development Regulations

1101

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

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