



# Bylaw Amendment Application

Referral Form – RDCK File Z2504J

Amendment to Zoning Bylaw No. 1675

Date: May 13, 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 JUNE 13, 2025). If no response is received within that time, it will be assumed that your agency's interests are unaffected.**

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

The subject property has been improved with a home, garden, shed and childcare home based business. The property has an approved water license to divert water from Lang Creek. The current childcare business is operated as an accessory use to the principal use, which is the residence. Under the current regulations (RDCK and the Community Care and Assisted Living Act), the owners are limited to the care of eight (8) children on their property.

The owners would like to expand their operation to care for ten to twelve (10-12) children as well as maintaining the primary residential use on the property. As such, the owners are proposing to rezone from Suburban Residential (R1) to Suburban Residential K (R1K) in order to add "Day Care Facility" as a permitted accessory use on the subject property. This proposal is consistent with the Official Community Plan (OCP) and the owners anticipate that there will be a maximum of two to three (2-3) regular staff on site as well as occasional temporary employees during leaves, illnesses or vacations.

The zoning bylaw defines "Day Care Facility" as a building Provincially licensed as a community care facility in which care, supervision or any form of educational or social training not provided under the School Act is provided for any portion of the day to three or more children under six years of age not forming part of the operator's household.

**LEGAL DESCRIPTION & GENERAL LOCATION:**

1057 Wildrose Road, Raspberry  
LOT 4 BLOCK 15 DISTRICT LOT 237 KOOTENAY DISTRICT PLAN 2933  
015-105-725

| AREA OF PROPERTY AFFECTED | ALR STATUS | ZONING DESIGNATION                                                    | OCP DESIGNATION                                |
|---------------------------|------------|-----------------------------------------------------------------------|------------------------------------------------|
| 0.2 ha (0.49 ac)          | N/A        | Suburban Residential 1 (R1)<br>In RDCK Zoning Bylaw no.<br>1675, 2004 | Suburban Residential (SR)<br>in OCP 1157, 1996 |

**APPLICANT/AGENT:**

Melanie Fontaine

**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.**

**SADIE CHEZENKO, PLANNER  
REGIONAL DISTRICT OF CENTRAL KOOTENAY**

|                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                           |
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| <input checked="" type="checkbox"/> TRANSPORTATION West Kootenay<br><input checked="" type="checkbox"/> HABITAT BRANCH<br><input checked="" type="checkbox"/> FRONT COUNTER BC<br><input type="checkbox"/> AGRICULTURAL LAND COMMISSION<br><input type="checkbox"/> REGIONAL AGROLOGIST | <b>FIRST NATIONS</b><br><input checked="" type="checkbox"/> KTUNAXA NATION COUNCIL (ALL REFERRALS)<br>YAQAN NU?KIY (LOWER KOOTENAY)<br>?AKINK'UM?ASNUQ?I?IT (TOBACCO PLAINS)<br>?AKISQNUK (COLUMBIA LAKE) |
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| <input checked="" type="checkbox"/> ARCHAEOLOGY BRANCH<br><input type="checkbox"/> ENERGY & MINES<br><input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING<br><input checked="" type="checkbox"/> INTERIOR HEALTH HBE Team, Nelson<br><input type="checkbox"/> KOOTENAY LAKES PARTNERSHIP<br><input type="checkbox"/> SCHOOL DISTRICT NO.<br><input checked="" type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT<br><input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)<br>REGIONAL DISTRICT OF CENTRAL KOOTENAY<br>DIRECTORS FOR:<br><input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input checked="" type="checkbox"/> J <input type="checkbox"/> K<br>ALTERNATIVE DIRECTORS FOR:<br><input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K<br><input checked="" type="checkbox"/> APC AREA J<br><input checked="" type="checkbox"/> RDCK FIRE SERVICES – DISTRICT CHIEF (BY AREA)<br><input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES<br><input checked="" type="checkbox"/> RDCK BUILDING SERVICES<br><input type="checkbox"/> RDCK UTILITY SERVICES<br><input type="checkbox"/> RDCK REGIONAL PARKS | ?AQ'AM (ST. MARY'S)<br><input checked="" type="checkbox"/> OKANAGAN NATION ALLIANCE<br><input type="checkbox"/> C'ƏC'ƏWIXA? (UPPER SIMILKAMEEN)<br><input checked="" type="checkbox"/> KŁK'ƏR'MÍWS (LOWER SIMILKAMEEN)<br><input checked="" type="checkbox"/> SNPÍNTKTN (PENTICTON)<br><input type="checkbox"/> STQA?TKWƏWT (WEST BANK)<br><input checked="" type="checkbox"/> SUKNAQÍN (OKANAGAN)<br><input checked="" type="checkbox"/> SWÍWS (OSOYOOS)<br><input checked="" type="checkbox"/> SPAXOMƏN (UPPER NICOLA)<br><input type="checkbox"/> SHUSWAP NATION TRIBAL COUNCIL<br><input checked="" type="checkbox"/> KENPÉSQT (SHUSWAP)<br><input type="checkbox"/> QW?EWT (LITTLE SHUSWAP)<br><input type="checkbox"/> SEXQELTQÍN (ADAMS LAKE)<br><input type="checkbox"/> SIMPCW ((SIMPCW)<br><input type="checkbox"/> SKEMTSIN (NESKONLITH)<br><input checked="" type="checkbox"/> SPLATSÍN (SPLATSÍN FIRST NATION)<br><input type="checkbox"/> SKEETCHESTN INDIAN BAND<br><input type="checkbox"/> TK'EMLUPS BAND<br><input checked="" type="checkbox"/> SINIXT CONFEDERACY |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), [info@rdck.bc.ca](mailto:info@rdck.bc.ca), or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

RETURN TO: SADIE CHEZENKO, PLANNER  
 DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES  
 REGIONAL DISTRICT OF CENTRAL KOOTENAY  
 BOX 590, 202 LAKESIDE DRIVE  
 NELSON, BC V1L 5R4  
 Ph. 250-352-1585  
 Email: [plandept@rdck.bc.ca](mailto: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](http://www.rdck.bc.ca)  
[maps@rdck.bc.ca](mailto:maps@rdck.bc.ca)

## Legend

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

## Map Scale:

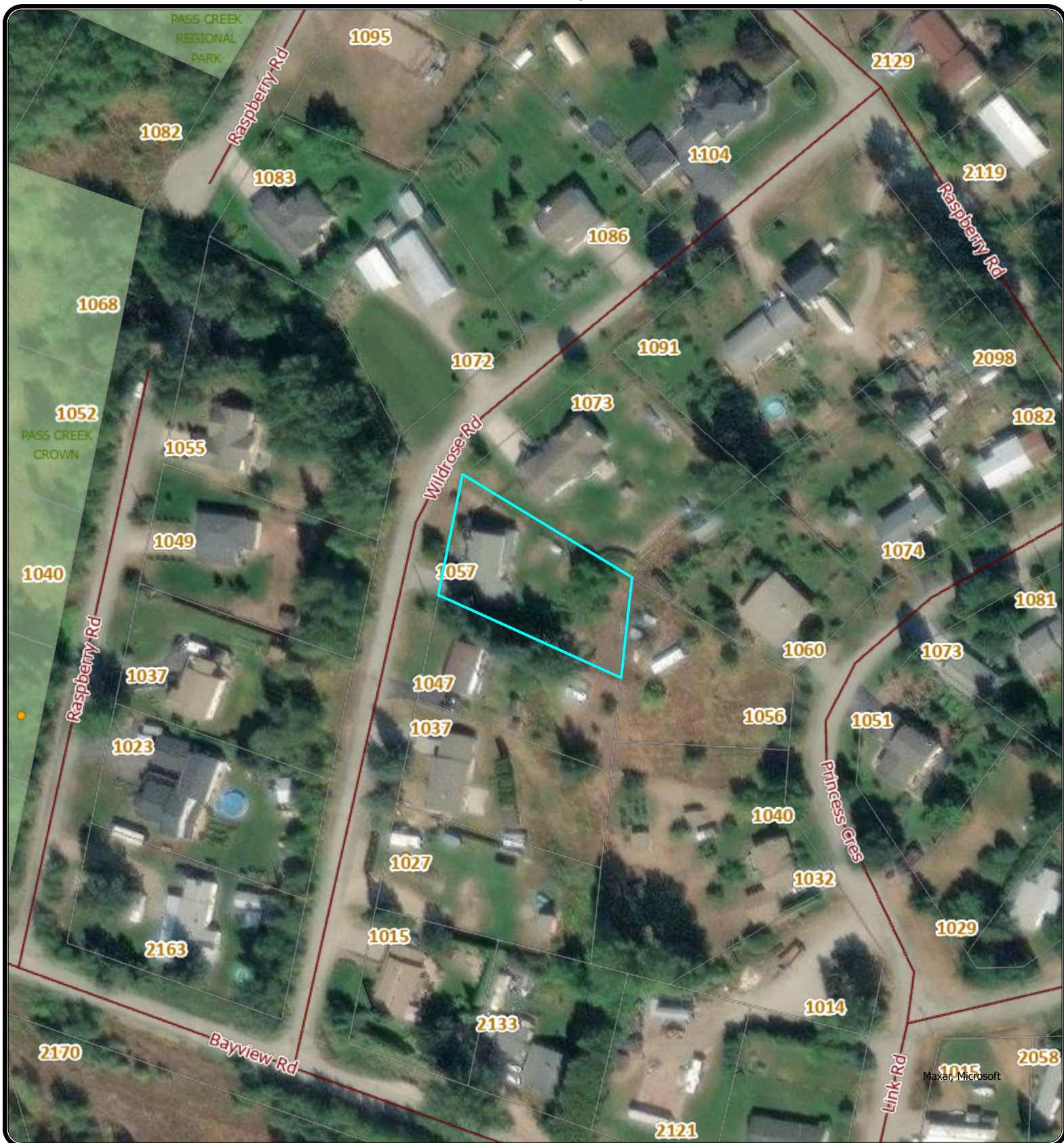
1:9,028

Date: April 8, 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.

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## Legend

- Parks and Rec
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

## Map Scale:

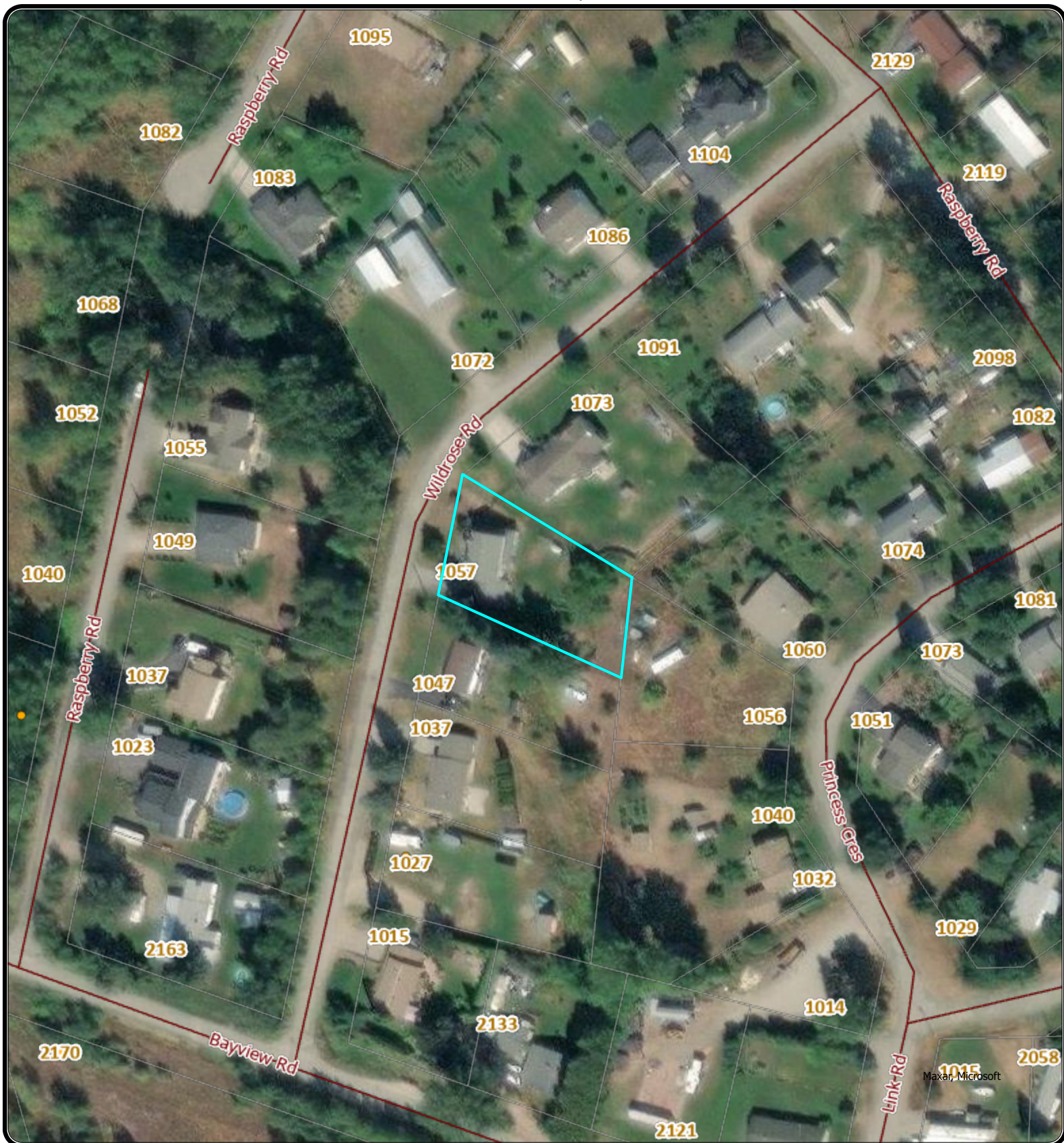
1:2,257

Date: April 8, 2025



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## RDCK Map



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### Legend

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-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

**Map Scale:**

1:2,257

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## Legend

**Official  
Community Plan**

Suburban Residential  
Electoral Areas

- RDCK Streets
- Cadastre - Property Lines
- Address Points

## Map Scale:

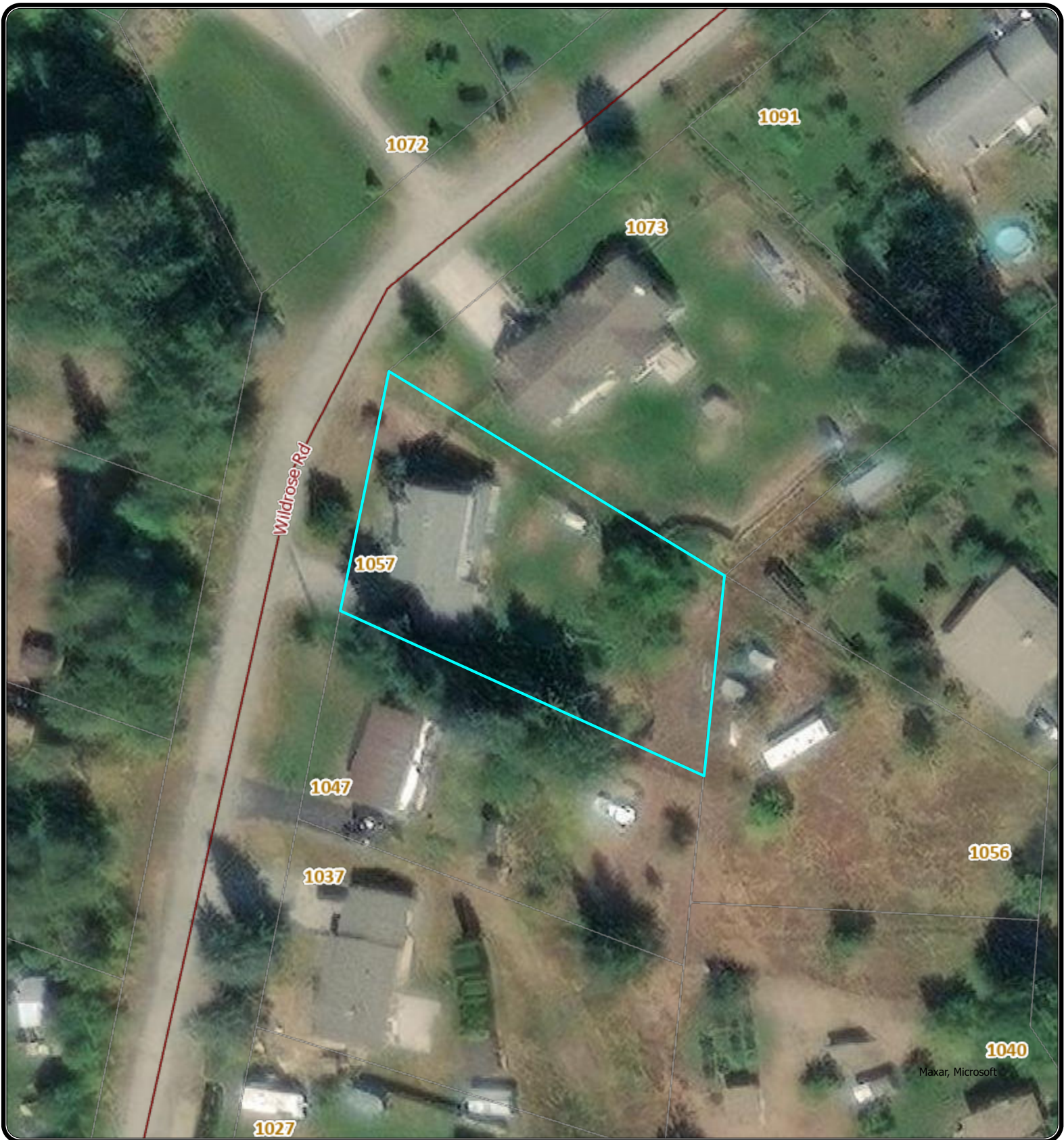
1:1,128

Date: April 8, 2025



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## Legend

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

## Map Scale:

1:1,128

Date: April 8, 2025



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## Zoning Class

- Residential 1
- Electoral Areas

## Legend

- RDCK Streets
- Cadastre - Property Lines
- Address Points

## Map Scale:

1:1,128

Date: April 8, 2025



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**DIVISION 7          SUBURBAN RESIDENTIAL (R1)**

**Permitted Uses**

700    Land, buildings and structures in the Suburban Residential (R1) 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

**Development Regulations**

701

1    The minimum lot size shall be required as follows:

|                                                      |                                |                           |
|------------------------------------------------------|--------------------------------|---------------------------|
| Community Water Supply and<br>Community Sewer System | Community Water<br>Supply Only | On-Site Servicing<br>Only |
| 0.1 hectare                                          | 0.4 hectare                    | 1.0 hectare               |

1B   The maximum density is 2 dwelling units.

- 2    The maximum site coverage is 50 percent of the site area.
- 3    Buildings and structures shall not cover more than 33 percent of the site area.
- 4    The keeping of farm animals shall comply with the requirements of section 613 except that under all circumstances swine shall not be kept on any lot.
- 5    Farm animals and poultry shall be caged, fenced or housed at all times.
- 6    No principal building may exceed ten (10) metres in height.
- 7    The maximum height of any accessory building or structure shall not exceed 6 metres.
- 8    The maximum gross floor area of any accessory building or structure shall not exceed 100 square metres.
- 9    The cumulative gross floor area of all accessory buildings or structures shall no exceed 200 square metres.
- 10   Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate the further subdivision of the lot or adjacent lots.

- 11 Landscape screens or fences not exceeding a height of one (1) metre may be sited on any portion of a lot.
- 12 Fences not exceeding a height of two (2) metres may be sited to the rear of the required front lot line setback only.

**DIVISION 10      SUBURBAN RESIDENTIAL K (R1K)**

**Permitted Uses**

1000 Land, buildings and structures in the Suburban Residential K (R1K) 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
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

**Development Regulations**

1001

1 The minimum lot size shall be required as follows:

|                                                         |                                   |                           |
|---------------------------------------------------------|-----------------------------------|---------------------------|
| Community Water<br>Supply and Community<br>Sewer System | Community<br>Water Supply<br>Only | On-Site Servicing<br>Only |
| 0.1 hectare                                             | 0.4 hectare                       | 1.0 hectare               |

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## Rezoning Proposal Summary – Wild Rose Child Care

### 1. Existing Bylaw, Current Zoning, and OCP Designation

Wild Rose Child Care currently operates within a residential property that is zoned **R1 – Suburban Residential** under the existing municipal bylaw.

Under the R1 zoning, home-based businesses such as childcare are limited in scope, including a cap of eight (8) children and restrictions on the number of non-resident employees.

### 2. Proposed Zoning and OCP Designation

We are requesting a rezoning of the property from **R1** to **R1K** to allow a daycare facility while still maintaining the property as primarily a residence. This proposed zoning designation is aligned with the OCP's **residential** classification and does not require a change to the OCP designation.

### 3. What the New Zoning Will Allow

Rezoning to R1K would allow Wild Rose Child Care to:

- Legally care for up to **ten (10) (or possibly 12 with an added toilet) children** at a time, compared to the current limit of eight.
- Employ staff beyond those residing in the home, while continuing to prioritize adherence to a maximum of **two-three regular staff**, with allowance for **occasional temporary employees** during leaves, illness, or vacation.
- Continue to operate in full compliance with licensing and safety standards established by **Interior Health**, who have confirmed our space is suitable for the increased children and will re-issue our license accordingly if rezoning is approved.

### 4. Rationale for the Rezoning Request

- **Urgent Community Need:** Wild Rose Child Care is **one of only three licensed group childcare centres for children under 36 months** in the Castlegar and surrounding area. We currently have a **waitlist of over 65 children**, highlighting a significant demand for infant and toddler care.
- **Support for Working Families:** Increasing childcare availability supports local families, enabling more parents to return to work and contributing to the economic development of the area.
- **Infrastructure Capacity:** The facility has ample **off-street parking**, minimizing traffic congestion and ensuring no disruption or overflow onto surrounding properties. Drop-off and pick-up are staggered to avoid peak congestion.

- **Compliance with Licensing Requirements:** Interior Health has verified that the physical space meets all criteria for an increased number of children and will update our license upon rezoning approval.

## 5. Effects on Surrounding Properties

### Positive Effects:

- **Enhanced Access to Childcare:** Additional childcare spaces directly benefit local families and support community stability and growth.
- **Minimal Neighborhood Disruption:** We maintain a quiet and respectful environment with predictable operating hours. Outdoor time is structured and noise is managed.
- **Increased Community Value:** Supporting small-scale, high-quality childcare within residential neighborhoods contributes positively to the overall livability of the community.
- **Stable Employment:** Staff are paid higher than industry standard wages, are offered benefit plans as well as a supportive workplace which works with Selkirk college to offer practicum placements to students, supporting our community workforce.

### Potential Concerns and Mitigations:

- **Traffic and Parking:** The property includes sufficient off-street parking to support both staff and family vehicles, avoiding strain on the public road network. This has been confirmed by the Ministry of Transportation in an approved permit.
- **Neighborhood Character:** The exterior appearance and residential character of the property will remain unchanged. Signage, landscaping, and operations are intentionally low-impact and consistent with the surrounding area.
- **Noise:** Outdoor activities are supervised and time-limited, ensuring that playtime does not disrupt neighbors.

## 6. Conclusion

We respectfully request a rezoning from R1 to R1K for Wild Rose Child Care. This change will allow us to serve more families, meet the high demand for infant and toddler care in our region, and continue operating a safe, professional, and community-oriented childcare centre. The rezoning will not negatively impact surrounding properties and will instead provide important support to local families, contribute to workforce participation, and uphold the principles of responsible neighborhood development.

Site Plan for 1057 Wildrose Rd - Wild Rose Child Care

