



## **Request for Decision Bylaw Amendment Application**

File No: P 724 330  
Reference: Bylaw Nos. 3342 & 3343  
Date: September 23, 2024

**Subject:** Bylaw No. 3342 & Bylaw No. 3343 (Moyie / Teck Metals Ltd.)  
**Applicant:** Teck Metals Ltd.  
**Agent:** Jason McBain  
**Location:** Highway 3/95, directly north of Moyie Cemetery & south of Moyie Townsite.  
**Legal:** District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A (PID: 023-509-309)

**Proposal:** To amend the OCP and zoning designation of a 0.2 ha portion of the subject property to accommodate a subdivision and return to Crown due to encroachments by the Moyie Cemetery.

**Development Agreement:** None.

**Options:**

1. THAT Bylaw No. 3342 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)” be introduced; and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.
2. THAT Bylaw No. 3343 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)” be introduced.
3. THAT Bylaw No. 3342 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)” not proceed.
4. THAT Bylaw No. 3343 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)” not proceed.

**Recommendation:** **Options 1 & 2**

Existing encroachments on the area under application include a small number of gravesites, a storage shed and a fence. The area is more appropriately managed by the Moyie Cemetery Association under tenure by the Province.

**Property Information:**

**Current OCP Designation:** RR, Rural Resource

**Proposed OCP Designation:** INST, Institutional

**Property Information - cont'd:**

**OCP Objectives & Policies:**

- Support existing institutional and community land uses.
- Institutional uses of a local nature that are compatible with adjacent land uses are generally supported within the plan area.

**Current Zone Designation:** RR-60, Rural Resource Zone (minimum parcel size: 60 ha)

**Proposed Zone Designation:** P-1, Public Institutional Zone

**Parcel Size:** 18.6 ha (46 ac)  
Proposed Lot 1: 0.2 ha (0.5 ac)  
Proposed Remainder: 18.4 ha

**Density:**

Existing: One SFD and one secondary suite or one duplex is permitted in the RR-60 zone.

Proposed: The P-1 zone allows for one accessory dwelling unit.

**ALR Status:** Not within the ALR

**Interface Fire Hazard Rating:** Ranging from moderate to high, not within a fire protection area

**BC Assessment:** Residential (Vacant)

**Water and Sewer Services:** No services existing or proposed. The owners have also submitted a development variance permit application to waive RDEK Subdivision Servicing Bylaw requirements.

**Flood Hazard Rating:** The subject property is not identified as being within a flood hazard rating area.

**Professional Studies:**

None

**Additional Information:**

- The 0.2 hectare portion of the subject property that is under application has encroachments from the Moyie Cemetery, including a storage shed, a small number of gravesites, fencing and clearing.
- The proposed subdivision would result in a 0.2 ha piece of land that would be returned to Crown land. Subsequently the Moyie Community Association could submit an application for a licence over these lands to continue the existing uses.

**Consultation:**

Section 475 of the *Local Government Act* requires that local government consider the depth and breadth of consultation to be undertaken with persons or organizations that it considers may be affected by the proposed OCP amendment. Consultation completed to date for this amendment

includes referral of the bylaw to the following organizations. In addition, there will be opportunity for discussion with the public prior to the commencement of the public hearing.

**Advisory Planning Commissions:**

**APC Area C:** Support recommendation

**Referral Agencies:**

- **Interior Health Authority:** No response
- **Transportation & Infrastructure:** Application in conjunction with two ongoing MoTI applications, subdivision and a commercial access permit by the Moyie Community Association. Proposing parking lot improvements and improvements to the cemetery on/off the highway. MoTI is considering additional signage for “hidden access.” MoTI is considering design elements of current access and parking.
- **Environment:** No response
- **Ktunaxa Nation Council:** No concern
- **School District No. 5:** No response
- **Telus:** No issues

**Documents  
Attached:**

- Bylaws
- Location Map
- Land Use Map
- OCP Designation Map
- Zone Designation Map
- Proposal
- Aerial Photo

**RDEK  
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