

Request for Decision

File No: P 037 770

Date February 21, 2020
Author Krista Gilbert
Subject Bylaw No. 2654 – SweetWater Zoning & Floodplain Management Bylaw – Housekeeping Amendments

REQUEST

Introduce Bylaw 2654.

OPTIONS

1. THAT Bylaw No. 2654 cited as “Regional District of East Kootenay – SweetWater Zoning & Floodplain Management Bylaw No. 2127, 2009 – Amendment Bylaw No. 5, 2015 (Miscellaneous / RDEK)” be introduced.
2. THAT Bylaw No. 2654 cited as “Regional District of East Kootenay – SweetWater Zoning & Floodplain Management Bylaw No. 2127, 2009 – Amendment Bylaw No. 5, 2015 (Miscellaneous / RDEK)” not proceed.

RECOMMENDATION

Option 1.

BACKGROUND/ANALYSIS

In 2013, the RDEK adopted the Campground Bylaw and concurrently amended the definition of cottage in RDEK zoning bylaws with the intention that cottages were now a use only permitted in campgrounds. Prior to the adoption of the Campground Bylaw, the SweetWater Zoning & Floodplain Management Bylaw defined cottages as a single family dwelling smaller than 93 m² with no basement and permitted this use in the R-1(C), small lot zone. The permitted use of cottage in the R-1(C) zone is now incorrect as a cottage is only permitted in a campground.

To correct this inconsistency, the use has been changed from cottage to single family dwelling and the provisions of a single family dwelling being smaller than 93 m² with no basement were inserted into R-1(C), small lot zone. Other references to cottage in the context of residential use (Section 1.18 – maximum number of dwelling units permitted on a parcel and Section 3.02 – off-street parking requirements for residential use) have been repealed.

These housekeeping amendments do not change any existing use within the R-1(C), small lot zone.

SPECIFIC CONSIDERATIONS

Public & First Nations Consultation (Referrals)

Referrals for Bylaw 2654 were sent on January 20, 2020 to the following agencies:

- **Ministry of Forests, Lands, Natural Resource Operations and Rural Development**
 - Environmental Protection
 - Water Stewardship
 - Environmental Stewardship
- Ktunaxa Nation Council
- School District No. 5
- **Interior Health Authority**
- **Transportation & Infrastructure**
- Telus

Comments from referral agencies had a reply deadline of February 20, 2020. Agencies that responded to the referral are highlighted in bold and had no concerns or comments related to Bylaw 2654.

At the February 19, 2020 Electoral Area B Advisory Planning Commission meeting, Bylaw No. 2654 was reviewed and discussed.

Attachment: Bylaw No. 2654 – SweetWater Zoning & Floodplain Management Bylaw No. 2127, 2009 – Amendment
Bylaw No. 5, 2015 (Miscellaneous / RDEK)