

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3271

A bylaw to amend Bylaw No. 3255 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 3255;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 3, 2023 (Toby Benches / Statham-Widmer).”
2. Section 3.3 is amended by adding the following:

Campground means an area of *land* designated and intended for the placement of tents, *recreational vehicles*, *park model trailers*, or *cottages*. A *campground* includes any parcel of *land* with any combination of 3 or more tents, *recreational vehicles*, *park model trailers* or *cottages* placed on it, occupied seasonally, not including *glamping cottages*, *glamping structures*, *prospector tents* or *stationary recreational vehicles*. A *campground* does not include a *manufactured home park*, a *motel*, a *nature resort* or a *hotel*.

Glamping cottage means a *building* that includes sleeping facilities and may include cooking and sanitary facilities. A *glamping cottage* may not have a *gross floor area* exceeding 53.5 m² including additions such as covered patios and covered or uncovered platforms, or sundecks at grade. A *glamping cottage* must not contain a basement. The maximum height of a crawl space below the first *storey* of a *glamping cottage* is 1.2 m. A *glamping cottage* is not a *dwelling unit*.

Glamping site means an area used or intended to be used, leased or rented for transient paying guests or employee accommodation within a *nature resort* only, containing one of the following units: *glamping cottages*, *glamping structures*, *prospector tents* or *stationary recreational vehicles*, within a *nature resort* only.

Glamping structure means a *one-storey structure* which is situated on an elevated platform and which is constructed of stick framing or other building materials and may include a canvas or other similar material roof and which is capable of providing overnight accommodation. A *glamping structure* includes sleeping facilities and may include cooking and sanitary facilities for the occupants of the *glamping structure*. A *glamping structure* may not have a *gross floor area* exceeding 70 m² including additions such as covered patios and covered or uncovered platforms and at grade sundecks. *Glamping structures* are designed and constructed to provide 3-season accommodation.

Nature resort means a group of self-contained units, limited to *glamping structures*, *prospector tents*, *glamping cottages* and *stationary recreational vehicles*, that are designed in a way that fits into the surrounding landscape and are intended to provide temporary accommodation to transient paying guests. *Nature resorts* have a central parking area so as individual vehicles cannot drive directly to accommodation to restrict impacts to the property, provide communal gathering areas for guests, and may provide food service to guests. *Nature resorts* provide four-season accommodation opportunities.

Prospector tent means a wall tent or canvas tent that has four straight vertical (or near vertical) walls made of heavy canvas or similar materials and which may or may not be situated on an elevated platform. A *prospector tent* includes sleeping facilities and may include cooking and sanitary facilities for the occupants of the *prospector tent*. A *prospector tent* may not have a *gross floor area* exceeding 53.5 m² including additions such as covered patios and covered or uncovered platforms or at grade sundecks. *Prospector tents* are designed and constructed to provide 3-season accommodation.

Stationary recreational vehicle means a *recreational vehicle* situated on a *glamping site* to provide sleeping facilities and may include cooking and sanitary facilities. A *stationary recreational vehicle* provides year-round nightly rental by the transient paying guest or

employee accommodation. A *stationary recreational vehicle* may not be licensed for travel on a public road.

3. Schedule A Section 3.2 (6) (d) is amended by adding the following:

- (vi) *Nature resort*
- 1 per *glamping site*

4. Part 4 of Schedule A is hereby amended by adding a new zone within the category of Resort Zone as follows:

Nature Resort Zone

NR-1

5. Part 4 of Schedule A is hereby amended by adding a new zone:

4.50 Nature Resort Zone: NR-1

(1) Principal Uses

- (a) *Nature resort*

(2) Accessory Uses

- (a) Food service
- (b) *Concession stand*
- (c) Gift shop, novelty, souvenir shop
- (d) *Employee accommodation*
- (e) Uses, *buildings*, and *structures accessory* to a permitted use

(3) Parcel Area

Subject to section 2 of Schedule A to this Bylaw, no *parcel* shall be created in the NR-1 zone which is less than 8.0 ha in area.

(4) Regulations

In the NR-1 zone, no *building* or *structure* may be constructed or placed which contravenes the regulation contained in the table below. Column 1 identifies the matter to be regulated. Column 2 establishes the regulations.

COLUMN 1	COLUMN 2
(a) Maximum density:	
▪ <i>Glamping sites per parcel</i>	90
(b) Maximum percentage of total permitted <i>glamping sites</i> permitted to be:	
▪ <i>Cottages</i>	40%
▪ <i>Glamping structures</i>	70%
▪ <i>Prospector tents</i>	50%
▪ <i>Stationary recreational vehicles</i>	20%
(c) Minimum <i>setbacks</i> :	
Buildings or <i>structures</i> from:	
▪ <i>front parcel line</i>	10.0 m
▪ <i>rear parcel line</i>	20.0 m
▪ <i>side parcel line</i>	10.0 m
▪ <i>side parcel line</i> adjacent to a <i>highway</i> other than a <i>lane</i>	10.0 m
(d) Maximum <i>height</i> :	
▪ <i>Cottage</i>	6.0 m
▪ <i>Glamping structure</i>	5.0 m
▪ <i>Prospector tent</i>	5.0 m

COLUMN 1	COLUMN 2
▪ Other <i>buildings</i> or <i>structures</i>	9.0 m
(v) Maximum <i>parcel coverage</i>	10%

(5) Other Regulations

- (a) All persons carrying out a use permitted in the NR-1 zone shall comply with the relevant provisions of Parts 1, 2 and 3 of Schedule A to this Bylaw.
- (b) The placement or parking of *recreational vehicles* is not permitted within the NR-1 zone, except as *Stationary Recreational Vehicles*.
- (c) The placement of *park model trailers* is not permitted in the NR-1 zone.
- (d) Each *glamping site* shall not be less than 140 m² in area and accessible from the internal pathway system of the *nature resort*. *Glamping sites* shall not be directly accessible from a *highway*.
- (e) The maximum number of *cottages*, *glamping structures*, *prospector tents* or *stationary recreational vehicles* permitted within a *glamping site* shall be either one (1) *cottage*, one (1) *glamping structure*, one (1) *prospector tent* or one (1) *stationary recreational vehicle*.
- (f) A food service as an *accessory use* shall not exceed 200 m².
- (g) A *concession stand* as an *accessory use* shall not exceed 50 m².
- (h) A gift shop, novelty, souvenir shop as an *accessory use* shall not exceed 50 m².
- (i) *Employee accommodation* shall be provided in *glamping cottages*, *glamping structures*, *prospector tents* or *stationary recreational vehicles* as permitted in this zone.
- (j) Storage sheds shall not be located within a *glamping site*.
- (k) A buffer shall be provided around the periphery of the NR-1 zone not less than 10.0 m wide adjacent to the *front* and *side parcel lines* and not less than 20.0 m wide adjacent to the *rear parcel line* within which no *glamping site*, parking, garbage disposal areas, privies, or recreational areas shall be permitted. The only roadways permitted in the buffer area are those which cross the *front parcel line* buffer at as close to right angles as practical and connect directly with the internal roadway system.
- (l) No person shall use or permit the use of any portion of a *parcel* in the NR-1 zone for:
 - i. The *wrecking and repair of vehicles*; or
 - ii. The storage of *derelict vehicles*.
- (m) All persons carrying out a use permitted in the NR-1 zone shall comply with the relevant provisions of section 1.14 of Schedule A to this Bylaw with respect to screening of outdoor storage.
- (n) The owner of the *nature resort* shall provide a potable water system in compliance with the *Drinking Water Protection Act*.
- (o) The owner of the *nature resort* shall provide for the disposal of all wastewater to be discharged into a community sewer system or into a private sewerage system in compliance with the Sewerage System Regulation (*Public Health Act*) or Municipal Wastewater Regulation (*Environmental Management Act*).

- (p) All *glamping cottages, glamping structures, prospector tents and stationary recreational vehicles* that contain a bathroom must be connected to a wastewater system for the disposal of sewage.
 - (q) Holdings tanks are not a permitted form of liquid waste disposal.
6. The designations for those parts of Lot 1, District Lot 375, Kootenay District, Plan 4119 outlined on the attached Schedule A, which is incorporated in and forms part of the Bylaw, is amended from A-2, Rural Residential (Country) Zone to SH-1, Small Holdings Residential Zone and NR-1, Nature Resort Zone.

READ A FIRST TIME the 11th day of April, 2025.

READ A SECOND TIME the 11th day of April, 2025.

READ A THIRD TIME the day of , 2025.

ADOPTED the day of , 2025.

CHAIR

CORPORATE OFFICER