

Request for Decision Bylaw Amendment Application

File No: P 725 407
Reference: Bylaw Nos. 3393 & 3394
Date: April 24, 2025

Subject: Bylaw No. 3393 & Bylaw No. 3394 (Skookumchuck / Schreiber)
Applicant: Bolko and Brenda Schreiber
Agent: Jean Terpsma, Terpsma Land Development Consulting
Location: 4561 Barleban Road, Skookumchuck
Legal: Lot A District Lot 265 Kootenay District Plan 5406 (PID: 008-147-060)

Proposal: The applicant is proposing to amend the OCP and zone designations of the subject property to reflect the historic and current use of the land for residential purposes.

Development Agreement: None.

Options:

1. THAT Bylaw No. 3393 cited as “Regional District of East Kootenay – Wasa and Area Official Community Plan Bylaw No. 2501, 2014 – Amendment Bylaw No. 10, 2025 (Skookumchuck / Schreiber)” be introduced; and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.
2. THAT Bylaw No. 3394 cited as “Regional District of East Kootenay – Electoral Area E Zoning and Floodplain Management Bylaw No. 2502, 2014 – Amendment Bylaw No. 45, 2025 (Skookumchuck / Schreiber)” be introduced.
3. THAT Bylaw No. 3393 cited as “Regional District of East Kootenay – Wasa and Area Official Community Plan Bylaw No. 2501, 2014 – Amendment Bylaw No. 10, 2025 (Skookumchuck / Schreiber)” not proceed.
4. THAT Bylaw No. 3394 cited as “Regional District of East Kootenay – Electoral Area E Zoning and Floodplain Management Bylaw No. 2502, 2014 – Amendment Bylaw No. 45, 2025 (Skookumchuck / Schreiber)” not proceed.

Recommendation: Options 1 & 2

OCP policies support rezoning parcels from commercial to residential outside of Wasa. Skookumchuck has five other parcels that are used or zoned for commercial development and this parcel has never been utilized for commercial development.

Property Information: **Current OCP Designation:** C, Commercial which supports the limited range of local, service and commercial land uses identified in the zoning bylaw.

**Property
Information
cont'd:**

Proposed OCP Designation: SH, Small Holdings which supports low density residential development with minimum parcel sizes in the range of 0.2 hectares to 2.0 hectares.

OCP Policies:

- Applications to rezone parcels from commercial designations to residential designations will generally be supported outside of the Wasa subarea as shown on Schedule D7.
- Applications for bylaw amendments should address the following:
 - a) Compatibility of proposed development with surrounding land uses and parcel sizes;
 - b) Access to the development and proposed road networks;
 - c) Integration of Conservation Subdivision principles by utilizing a compact neighbourhood design and identifying and protecting wetlands, steep slopes, woodlands and wildlife corridors;
 - d) Capability of the natural environment to support the proposed development, and its impact on important habitat areas;
 - e) Identification of trail connectivity within the area under application and adjacent developments;
 - f) Consideration of water reduction measures for buildings and landscapes;
 - g) Consideration of building envelopes to maximize views and passive solar orientation;
 - h) Mitigation of visual impacts where development is proposed on hillsides and other visually sensitive areas;
 - i) Integration of FireSmart principles;
 - j) Consideration of the potential impacts on groundwater;
 - k) Susceptibility to natural hazards including but not limited to flooding, slope instability or wildfire risk;
 - l) Suitability of the parcel for onsite groundwater wells and septic systems; and
 - m) Consideration of vegetated buffers or setbacks where the proposed development is adjacent to agricultural land.

Current Zone Designation: C-7, Tourist Commercial Zone (minimum parcel size: 0.4 ha)

Proposed Zone Designation: RR-1, Rural Residential (Estate) Zone (minimum parcel size: 1 ha)

Parcel Size: 1.4 ha (3.45 ac)

Density:

Existing: There is currently one principal dwelling and one accessory seasonal dwelling.

Proposed: No change is proposed from what currently exists.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Low to high, not within a fire protection area

BC Assessment: Residential (SFD)

| | |
|-------------------------------------|--|
| Property Information cont'd: | Water and Sewer Services: Onsite. Flood Hazard Rating: The property abuts the Kootenay River. Floodplain regulations apply to any development. |
| Professional Studies: | None |
| Additional Information: | <ul style="list-style-type: none">▪ The application states the owners purchased the property in 1988 and lived in the original dwelling while the primary residence was constructed in 1989. There was not any commercial use of the property when they purchased it and there has not been any commercial use in the past 37 years. No changes to the existing land use or property size are contemplated.▪ The land was zoned commercial in the Wasa, Ta Ta Creek, Sheep Creek, Skookumchuck Land Use Bylaw, adopted in 2002. This zoning carried over to the Electoral Area E Zoning Bylaw. It is unknown why the property was originally designated for commercial use.▪ The properties adjacent to the subject parcel are zoned commercial.▪ The majority of the property is within an Environmentally Sensitive Development Permit Area for riparian ecosystems. |
| Consultation: | <p>Section 475 of the <i>Local Government Act</i> 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.</p> <p>APC Area E: Support recommended</p> <p>Referral Agencies:</p> <ul style="list-style-type: none">▪ Interior Health Authority: No response▪ Transportation & Transit: No concerns▪ Environment: No response▪ Ktunaxa Nation Council: No response▪ School District No. 6: No response▪ Telus: No response |
| Documents Attached: | <ul style="list-style-type: none">▪ Bylaws▪ Location Map▪ Land Use Map▪ OCP Designation Map▪ Zone Designation Map▪ Site Photos▪ Aerial Photo |

RDEK
Contact: Krista Gilbert, Planning Technician
Phone: 250-489-0314
Email: kgilbert@rdek.bc.ca