



Request for Decision Bylaw Amendment Application

File No: P 724 221
Reference: Bylaw Nos. 3360 and 3361
Date: June 4, 2025

Subject: Bylaw No. 3360 & Bylaw No. 3361 (Grasmere / Rogers)
Applicant: Mitchel and Amy Rogers
Agent: N/A
Location: 2280 Elko-Grasmere Road, Grasmere
Legal: The west half of Sublot 16 District Lot 360 Kootenay District Plan X40, except (1) Parcel 1 (Reference Plan 23416A) and (2) part included in Plans 5916, 6638 and 7891 (PID: 016-146-841)

Proposal: To rezone a portion of the property to accommodate a four-lot subdivision.

Development Agreement: None

Options:

1. THAT Bylaw No. 3360 cited as "Regional District of East Kootenay – Lake Koocanusa Official Community Plan Bylaw No. 2432, 2013 – Amendment Bylaw No. 10, 2024 (Grasmere / Rogers)" be introduced.
2. THAT Bylaw No. 3361 cited as "Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 45, 2024 (Grasmere / Rogers)" be introduced.
3. THAT Bylaw No. 3360 cited as "Regional District of East Kootenay – Lake Koocanusa Official Community Plan Bylaw No. 2432, 2013 – Amendment Bylaw No. 10, 2024 (Grasmere / Rogers)" not proceed.
4. THAT Bylaw No. 3361 cited as "Regional District of East Kootenay – South Country Zoning & Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 45, 2024 (Grasmere / Rogers)" not proceed.

Recommendation: **Options 1 & 2**

The application is consistent with the OCP objectives and policies for the Grasmere Subarea.

Property Information: **Current OCP Designation:** RR, Rural Resource which supports agricultural, rural residential and rural resource land uses with parcel sizes 8.0 ha and larger. The RR designation also recognizes the use of these lands for public utility use, resource extraction, green space and recreation.

**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 ha to 2.0 ha.

OCP Objectives and Policies:

- Maintain minimum parcel sizes that reflect the rural character of the area.
- Encourage single family residential development on a range of rural parcel sizes.
- During the public consultation process the Grasmere Subarea (Schedule C1) was identified as both an important agricultural zone due to good farm capability and the availability of water, and as an area suitable for additional residential subdivision due to the existence of commercial activity and smaller lot sizes. The following policies attempt to mesh these two values by protecting viable agricultural land while providing opportunities for future year-round, single family residential development on smaller lot sizes.

These policies recognize that limited areas within the Grasmere Subarea are not suitable for agricultural use due to topography and other limitations. The intent is to cluster residential growth on land of low agricultural capability and suitability in order to reduce rural sprawl and preserve the agricultural value of larger parcels in the area.

Applications for residential subdivision of the Grasmere North Parcels located north of Grasmere, between Letcher Road and Canyon Cut-Off Road adjacent to either Highway 93 or the Elko Grasmere Road (Figure 4.3) will be reviewed on an individual basis in relation to the following criteria:

- (i) compatibility of proposed lot size and density with existing and surrounding land uses and parcel sizes;
- (ii) potential impacts of the proposed subdivision on the agricultural capability and suitability of both the parcel proposed for subdivision and on neighbouring parcels;
- (iii) potential impact of the proposal on groundwater;
- (iv) the capability to provide onsite sewage disposal in accordance with provincial requirements; and
- (v) identification and mitigation of potential alluvial fan/debris torrent hazards identified on Schedule F.

Current Zone Designation: RR-60, Rural Resource Zone which supports a minimum parcel area of 60 ha.

Proposed Zone Designation: RR-1, Rural Residential (Estate) Zone; permits a minimal parcel size of 1.0 ha.

Parcel Size: 19.9 ha (49.3 ac)

**Property
Information –
Cont'd:**

Minimum Useable Site Area: 1,670 m² when the parcel is serviced by a well and sewage disposal field.

Density: One single family dwelling (SFD) exists on the parcel. If the future proposed subdivision proceeds, each lot will be permitted:

- one SFD and a secondary suite; or
- one duplex.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: High, moderate and low; does not fall within a fire protection service area.

Flood Hazard Rating: The Provincial Floodplain Map identifies the subject property as being within a flood torrent hazard area where shallow flooding with low velocity flow is possible. Protection measures require a 0.6 m flood construction level with a minimum floodplain setback outlined in the Flood Hazard Area Land Use Management Guidelines.

BC Assessment: Acreage; 2 acres or more - SFD, Duplex.

Servicing: Onsite services.

**Professional
Studies:**

None

**Additional
Information:**

The subdivision proposed will create four lots in total. The applicants are proposing to amalgamate one lot with Lot 1 adjacent to the south property line.

Consultation:

Advisory Planning Commission – Area B: Support recommended.

Referral Agencies:

- **Interior Health Authority:** No concerns.
- **Ministry of Transportation & Transit:** No concerns.
- **Water, Land & Resource Stewardship:** Standard Letter (attached)
- **Ktunaxa Nation Council:** No response.
- **Yaqit ʔa·knuqʔi'it:** No response.
- **School District No. 5:** No concerns.
- **Telus:** No comment.

**Documents
Attached:**

- OCP and Zoning Bylaws
- Location & Land Use Map
- OCP Designation Map
- Zone Designation Map
- Aerial Map
- Proposal

**Documents
Attached – Cont'd:**

- Water, Land & Resource Stewardship referral response

RDEK

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