



**CAMPGROUND BYLAW  
NO. 2403, 2012  
CONSOLIDATION**

*This is a consolidation of the Campground Bylaw and adopted bylaw amendments. The amendments have been combined with the original Bylaw for convenience only. This consolidation is not a legal document.*

*July 3, 2015*

BYLAW AMENDMENTS				
Bylaw No.	Amend. No. / Yr.	Adopted	Short Citing	Legal Description
2566	1/14	03 Jul 15	Miscellaneous / RDEK	Text Amendment

## REGIONAL DISTRICT OF EAST KOOTENAY

### BYLAW NO. 2403

A bylaw to regulate the establishment, extension, design and servicing of campgrounds within the Regional District of East Kootenay.

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WHEREAS the Board of the Regional District of East Kootenay deems it necessary to adopt a bylaw to make provisions for the regulation of campgrounds within the Regional District of East Kootenay;

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

#### 1. TITLE

This Bylaw may be cited for all purposes as “Regional District of East Kootenay – Campground Bylaw No. 2403, 2012”.

#### 2. ADMINISTRATION AND ENFORCEMENT

##### 2.1 Administration

- (1) The Manager of Planning & Development Services, Manager of Building & Protective Services, and Compliance Officer, and any other person authorized to assist the aforementioned persons are authorized to administer this Bylaw.
- (2) Persons appointed under Subsection (1) may enter any building or premises at any reasonable time for the purpose of administering or enforcing this bylaw.

2.2 Any person who contravenes any provision of this Bylaw commits an offence punishable on summary conviction and is liable of a fine not exceeding \$10,000 and the costs of prosecution.

2.3 If a portion of this Bylaw is found invalid by a court, then it will be severed and the remainder of the bylaw will remain in effect.

#### 3. INTERPRETATION

##### 3.1 Relationship to Regional District of East Kootenay Bylaws

- (1) In the event that there are discrepancies between this Bylaw and other Regional District of East Kootenay zoning bylaws, the standards of the zoning bylaws shall apply to the establishment, construction, extension, expansion and operation of new or existing campgrounds.

##### 3.2 Measurements and Calculations

- (1) Numerical quantities are written in the International System of Units (metric).

##### 3.3 Definitions

In this Bylaw:

**Access route** means those portions of the common property in a bare land strata plan intended to provide vehicular access to the strata lots in the bare land strata plan.

**Accessory** means customarily incidental and subordinate.

**Accessory use** means:

- (a) a use which is *accessory* to the *principal building* or the use of the *principal building* on the same parcel; or
- (b) a use which is *accessory* to the *principal use* made of the *parcel* upon which such accessory use is carried on.

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**Arizona room** means a covered patio or covered porch adjoining a *recreational vehicle* or *park model trailer* consisting of a single room enclosed with insect screening or a combination of insect screening and a partial wall. An *Arizona room* shall be used only for recreational, outdoor living purposes and not as storage or a *habitable room*. An *Arizona room* may not be enclosed with windows or a combination of walls and windows. All openings between the *recreational vehicle* or *park model trailer* and the *Arizona room* shall remain closable as if opening onto an open patio. Emergency egress cannot open into an *Arizona room*.

**Arts, crafts and instructional service** means a photographer, arts and crafts service, artist, sculptor, wood craft, music instructor, teacher, tutor, furniture maker, clothing manufacturer, graphic designer, jeweler, composer, and sign maker.

**Basement** means a *storey* or *storeys* of a *building* located below the *first storey*.

**Bed and breakfast** means a *home based business* which provides not more than four rooms for the accommodation of sleeping purposes and the serving of breakfast only to transient paying guests carried on in a *single family dwelling*.

**Board** means the Board of Directors of the Regional District of East Kootenay.

**Buffer** means land within and adjoining to the exterior boundaries of a *parcel* of land intended to separate two adjacent land uses or *parcels* from one another and for which specific requirements are set out in this Bylaw.

**Building** means an exterior *structure* used or intended for supporting or sheltering any use or occupancy.

**Business service** means word processing, secretarial, courier/transport service, bookkeeping, and consulting.

**Campsite** means an area in a *campground* used or intended to be used, leased or rented for seasonal occupancy of tents, *recreational vehicles*, *park model trailers* or *cottages*.

**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. A *campground* does not include a *manufactured home park*, a *motel*, or a *hotel*.

**Campground permit** means a formal written approval of a *campground plan* by the Manager of Planning & Development Services or their delegate as meeting the requirements of this Bylaw. It is an authorization to proceed with the establishment, construction, extension, expansion or operation of a new or existing *campground*, in accordance with the approved *campground plan*.

**Campground plan** means a complete application for the establishment, construction, extension or expansion of a new or existing *campground*. The plan must include a completed application form along with all required information identified on the form.

**Computer and electronic service** means computer service, programming, consulting, software engineering, computer hardware repair, electronic service and repair.

**Common storage area** means a portion of a *campground* used or intended to be used by the occupants of the *campground* for storage of automobiles, *recreational vehicles*, boats and other equipment and materials.

**Concession stand** means a facility for the sale of souvenirs, takeout foods, and related sundries.

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**Cottage** means a *building* that includes sleeping facilities and may include cooking and sanitary facilities for the occupants of the *cottage*. *Cottages* are located in *campsites* within a *campground* and must not be occupied on a year round basis. A *cottage* is not a *dwelling unit*.

**Dwelling unit** means a *habitable room* or group of *habitable rooms* occupied or designed to be occupied by one or more persons, with facilities for living, sleeping, and not more than one *kitchen*.

**Finished grade** means the finished ground level at the perimeter of the *building* or *structure*; except localized depressions such as for vehicle or pedestrian entrances. Artificial embankments shall not be considered *finished grade*.

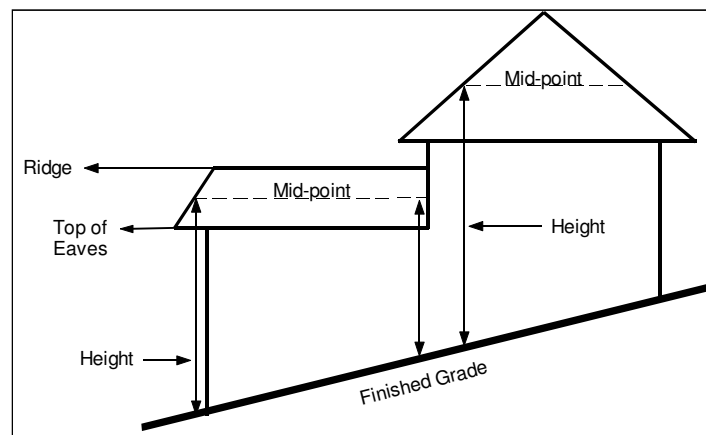
**First storey** means the uppermost *storey* having its floor level no more than 2.0 m above *finished grade*.

**Gross floor area** means the sum of the total horizontal area of all floors of a *building*, excluding any portion used for parking, open sun decks, and balconies.

**Habitable room** means a room designed for living or sleeping, but does not include a bathroom, *kitchen*, storage room, laundry room, *Arizona room*, utility room or closet.

**Health and social service** means a doctor, dentist, psychiatrist, physiotherapist, chiropractor, massage therapist, naturopath, child care facility, baby sitting, and family counseling.

**Height** means the vertical distance from the *finished grade* of the *building* or *structure* to the mid-point between the eaves and ridge of the primary roof or roofs. *Height* is shown on the diagram below.



**Highway** means a highway as defined in the *Land Title Act*, but excludes a walkway or common lot *access route*.

**Home based business** means an occupation, service, or craft which is clearly *accessory* to the use of a *dwelling unit* used for residential purposes or residential use of a *parcel* on which a *dwelling unit* is located and includes:

- (a) *Professional office*;
- (b) *Health and social service*;
- (c) *Personal care business*;
- (d) *Business service*;
- (e) *Arts, crafts, and instructional service*;
- (f) *Trade business*;
- (g) *Computer and electronic service*;
- (h) *Bed and breakfast*.

**Hotel** means a *building* or part wherein accommodation is provided for transient lodgers. Entrance and exit ways are shared and the *building* may include public areas such as a lobby, restaurant, meeting, entertainment and recreation facilities.

**Kitchen** means a room or portion of a room in a *dwelling unit* which contains one or more of the following cooking appliances: 220 volt stove, gas stove, countertop stove, wall oven, woodstove.

**Manufactured home** means any *structure*, whether ordinarily equipped with wheels or not, that is designed, constructed, or manufactured to be moved from one place to another by being towed or carried on its own chassis, and which contains a *dwelling unit*. *Recreational vehicles* and *park model trailers* are not *manufactured homes*.

**Manufactured home park** means land used or occupied by any person for the purpose of providing space for the accommodation of 2 or more *manufactured homes* and for imposing a charge or rental for the use of such spaces.

**Motel** means a *building* or group of *buildings* divided into six or more self contained *sleeping units* or cabins or combination of units for the use of transient paying guests. Each unit must have its own toilet, wash basin and bath or shower.

**Panhandle parcel** means any *parcel*, the *building* area of which is serviced and gains frontage through the use of a strip of land not less than 6 m in width, which is part of the *parcel* and is referred to as an access strip.

**Parcel** means any lot, block or other area in which land is held or into which it is subdivided, but does not include a *highway*.

**Parcel line** means a legal boundary of a parcel as shown or described on the records of the *Land Title Office*.

**Parcel line, front** means one of the following:

- (a) the line or cumulative lines common to a *parcel* and an abutting *highway*;
- (b) the *parcel line* or *parcel lines* having the shortest cumulative length abutting a *highway*;
- (c) the line or cumulative lines to which the majority of adjacent *buildings* face where the *front* and *rear parcel lines* both adjoin a *highway*; or
- (d) in the case of a *panhandle parcel*, the *parcel line* closest to the *highway* from which access is obtained, excluding the access strip.

**Parcel line, rear** means the *parcel line* or *parcel lines* opposite to and most distant from the *front parcel line*; or where the rear portion of the *parcel* is bounded by intersecting *side parcel lines*, it is the point of such intersection.

**Parcel line, side** means the *parcel line* or *parcel lines* other than the *front* or *rear parcel line* common to another *parcel* or *parcels* or to a *highway*.

**Park model trailer** means either a recreational unit designed to meet CSA Z-240 RV standards and which is not connected to wheels that can be used for conveyance on or off the *highway*, or a recreational unit designed to meet CSA Z-241 standards. *Park model trailers* are used for temporary or seasonal occupancy in a *campground*.

**Person** means any individual, association, partnership, corporation, agent or trustee and their heirs, executors or other legal representatives.

**Personal care business** means barber, beautician, cleaning service, pet grooming, caterer, wedding planner, travel consultant, disc jockey service, entertainment service, and home party business.

**Principal building** means an existing or proposed *building* in which or in relation to which the permitted *principal uses* are concentrated.

**Principal use** means the main purpose for which land, *buildings* or *structures*, are ordinarily used.

**Professional office** means the office of an accountant, agrologist, architect, draftsman, engineer, financial service, forester, lawyer, land use planner, real estate agent, and marketing and advertising agents.

**Recreational vehicle** means a *vehicle* which is or was originally designed to travel or to be transported on a *highway* and constructed or equipped to be used as temporary living or sleeping quarters for seasonal occupancy, or a *vehicle* which is designed as a recreational conveyance on or off the *highway* and, without limiting the generality of the foregoing, includes a trailer, travel trailer, tent trailer, coach, camper, motor home, but not a *manufactured home* or *park model trailer*. *Recreational vehicles* must be connected to wheels that can be used for conveyance on or off the *highway*.

**Secondary suite** means an *accessory dwelling unit* within a *single family dwelling* or detached garage. A *secondary suite* may not be located in a *single family dwelling* that is a *manufactured home*.

**Single family dwelling** means a *building* containing one principal *dwelling unit* and may contain one *secondary suite*.

**Sleeping unit** means one or more *habitable rooms* used for temporary lodging of a person or persons.

**Storey** means that portion of a *building* which is between the top of any floor and the bottom of the floor above it, or if there is no floor above it, that portion between the top of such floor and the ceiling above it.

**Structure** means any construction which is fixed to, supported by or sunk into land or water, excluding paving or surfacing materials such as asphalt or concrete.

**Trade business** means plumber, electrician, cabinet maker, welder, machinist, gunsmith, property maintenance, upholsterer, small appliance repair, motor vehicle repair, building contractor and logging contractor.

**Vehicle** means a mechanical device which is designed to transport people or things across the surface of land or upon a *highway*, but excludes a device designed to be moved by human power or used exclusively on stationary rails or tracks.

## 4. REGULATIONS

### 4.1 Prohibitions

- (1) No person shall establish, construct, extend, expand or operate a *campground* without being in possession of a valid and subsisting *campground permit* for that purpose.
- (2) No person may cause, suffer or permit the establishment, construction, extension, expansion or operation of a *campground* in a manner not authorized, nor in a manner prohibited, by the provisions of this Bylaw.

### 4.2 Campground Permit Approval

- (1) Prior to issuing a *campground permit* for the establishment, construction, extension, expansion or operation of a *campground*, the Manager of Planning & Development Services or their delegate must receive a complete *campground plan*.
- (2) The Manager of Planning & Development Services or their delegate shall examine each *campground plan*, and shall notify the applicant in writing that the *campground permit* is issued or that it is refused, and if refused, they shall state the reasons for refusal.
- (3) The Manager of Planning & Development Services or their delegate may:
  - (a) Conduct inspections in the vicinity of the site of the *parcel*;

- (b) Revoke a *campground permit* where there is a violation of the provisions of Section 4.3;
  - (c) Refer the application to the *Board* for consideration concurrently with a rezoning application.
- (4) A *campground permit* shall permit the establishment of a *campground* on the land concerned only, in compliance with the *campground plan* approved and *campground permit* issued.
  - (5) If the holder of the *campground permit* does not substantially commence the development permitted by the *campground permit* within one year of the date that the *campground permit* was issued, the *campground permit* lapses.
  - (6) The granting of a *campground permit* shall not in any way relieve the owner of the land from full responsibility for carrying out the work in accordance with the requirements of this Bylaw or any other rules, regulations or laws of an authority with jurisdiction.

#### 4.3 General Provisions

- (1) Parcel Size
  - (a) Notwithstanding Section 3.1(1), the minimum area on which a *campground* use may be undertaken shall be 4.0 ha.
  - (b) Where more than one *parcel* of land is required to accommodate a proposed *campground*, a *campground permit* shall not be issued until:
    - (i) the *parcels* are consolidated by plan of subdivision or by cancellation of interior *parcel lines*; or
    - (ii) a covenant under Section 219 of the Land Title Act between the Regional District of East Kootenay and the owner is registered in the Land Title Office against the titles of the *parcels* required for the *campground*, which would prevent the *parcels* from being sold or transferred separately.
- (2) Minimum Campsite Size
  - (a) Each *campsite* shall be not less than 140 m<sup>2</sup> in area, clearly distinguishable from adjacent *campsites* on a *campground plan*, and accessible from the internal road system of the *campground*. *Campsites* shall not be directly accessible from a *highway*.
- (3) Maximum Number of Recreational Vehicles, Park Model Trailers, Cottages and Tents per Campsite
  - (a) The maximum number of *recreational vehicles*, *park model trailers*, or *cottages* permitted within a *campsite* shall be either one (1) *recreational vehicle*, one (1) *park model trailer*, or one (1) *cottage*.
  - (b) The maximum number of tents permitted within a *campsite* shall be three (3) tents.
- (4) Permitted Size of Park Model Trailers
  - (a) The *gross floor area* of *park model trailers*, excluding additions, must not exceed 50.2 m<sup>2</sup>.
- (5) Maximum Total Parcel Campsite Density
  - (a) The maximum *campsite* density in a *campground* shall not exceed 30 *campsites* per gross hectare, calculated on the total area of the *parcel* on which the *campground* is located.
- (6) Maximum Proportion and Size of Cottages



- (a) Not more than 20% of all *campsites* within a *campground* shall be used for the placement of *cottages*.
  - (b) *Cottages* may not exceed 5.0 m in *height* and may not have a *gross floor area* exceeding 53.5 m<sup>2</sup> including additions such as covered patios and covered or uncovered decks.
  - (c) *Cottages* must not contain a basement.
  - (d) The maximum height of a crawl space below the *first storey* of a cottage is 1.2 m.
- (7) Water Servicing Requirements.
- (a) The owner of the *campground* shall provide a potable water system in compliance with the *Drinking Water Protection Act*.
- (8) Sewer Servicing Requirements
- (a) The owner of the *campground* 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*).
  - (b) The disposal of waste generated by *recreational vehicles* may be provided through connection to a wastewater system at individual *campsites* or centralized sewage disposal stations.
  - (c) *Recreational vehicle* sewage disposal stations shall be located in an area apart from any roadway and out of which a *recreational vehicle* may be easily and conveniently moved.
  - (d) *Park model trailers* and *cottages* within a *campground* must be connected to a wastewater system for the disposal of sewage.
  - (e) Despite section 4.3(8)(a)-(d), privies may be permitted in accordance with the Interior Health Privy and Vault Privy Guidelines and Sewerage System Regulation (*Public Health Act*) if there is an insufficient supply of water available within the *campground* to operate flush toilets.
  - (f) Holding tanks are not a permitted form of liquid waste disposal.
- (9) Permitted Structures within Campsites
- (a) No *buildings* or *structures* other than *cottages*, fences, storage sheds, covered or uncovered patios or decks, or *Arizona rooms* shall be constructed, erected or located on any *campsite*.
  - (b) *Arizona rooms* shall be constructed so that the covered patio or covered porch is enclosed with insect screening or a combination of insect screening and a 1.0 m high or less knee wall. At least 65% of the longer wall and one additional wall, neither or which are immediately adjacent to the *recreational vehicle* or *park model trailer*, must be constructed of screen material. The maximum *height* of an *Arizona room* shall be no greater than the *height* of the adjacent *recreational vehicle* or *park model trailer*.
  - (c) Storage sheds within a *campsite* must not:
    - (i) adjoin other *structures*, *recreational vehicles* or *park model trailers* located within the *campsite*; nor
    - (ii) have a *gross floor area* greater than 10 m<sup>2</sup>.
- (10) Permitted Height for Buildings and Structures within Campsites
- (a) Notwithstanding Section 3.1(1), the maximum height for all *buildings* and *structures* within *campsites* is 5.0 m.

## (11) Permitted Accessory Uses

- (a) Within a *campground*, the following *accessory uses* and no others are permitted:
- (i) Convenience store, subject to 4.3(13);
  - (ii) *Concession stand*, subject to 4.3(13);
  - (iii) Mini golf;
  - (iv) Laundromat;
  - (v) *Common storage area*;
  - (vi) *Home based business*, subject to 4.3(12);
  - (vii) Boat rental;
  - (viii) Recreation centre;
  - (ix) Swimming pool;
  - (x) Picnic shelters;
  - (xi) Barbecue pits;
  - (xii) *Dwelling unit*;
  - (xiii) Uses, *buildings* and *structures accessory* to a *campground*.

## (12) Home Based Business

- (a) No *home based business* shall be permitted to operate from a *campsite*.

## (13) Retail Facilities

- (a) Convenience stores and *concession stands* are permitted to serve the *campground* as *accessory uses* provided the maximum total floor area of retail space does not contravene the regulations contained in the table below. Column 1 identifies the number of *campsites* within the *campground*. Column 2 establishes the maximum permitted retail floor area:

Column 1 Number of <i>Campsites</i>	Column 2 Maximum Retail Floor Area
100 <i>campsites</i> or less	50 m <sup>2</sup>
101 <i>campsites</i> or more	50 m <sup>2</sup> plus 0.37 m <sup>2</sup> per <i>campsite</i> in excess of 100, up to a maximum of 230 m <sup>2</sup>

## (14) Permitted Dwelling Units

- (a) The maximum number of *dwelling units* permitted is:
- (i) one (1) *single family dwelling*.

## (15) Secondary Suites

- (a) The maximum total floor space of a *secondary suite* is:
- (i) 90 m<sup>2</sup> or 40% of the habitable floor space of the building when located within a *single family dwelling*, whichever is less; or
  - (ii) 90 m<sup>2</sup> when located within a detached garage.

## (16) Property Boundary Buffer Requirements

- (a) *Campgrounds* shall be provided with a *buffer* area not less than 7.5 m wide adjacent to a *front parcel line* and not less than 4.5 m wide adjacent to *rear parcel lines* and *side parcel lines* within which no *campsites*, parking, garbage disposal areas, privies or recreational areas, except for waterfront recreation, shall be permitted.
- (b) The only roadways permitted in the *buffer* area are those which cross it at as close to right angles as practical and connect directly with the internal roadway system.

## (17) Drainage

- (a) No person shall establish, construct, extend, expand or operate a *campground* except on a site that is well drained and is at all times free of stagnant pools.

## (18) Garbage Disposal

- (a) The owner of a *campground* shall:
  - (i) provide at a conveniently located central location in the *campground* not less than one container that is durable, fly tight, bear proof, water tight, and rodent proof, for the storage and disposal of all garbage generated on site;
  - (ii) maintain all garbage containers so that they shall not become foul smelling, unsightly or a breeding place for flies; and
  - (iii) be responsible for the transport of garbage to an appropriate disposal site.

BL 2566  
03 July 15

**5. ADOPTION**

READ A FIRST TIME the 2<sup>nd</sup> day of November, 2012.

READ A SECOND TIME the 2<sup>nd</sup> day of November, 2012.

READ A THIRD TIME the 7<sup>th</sup> day of December, 2012.

ADOPTED the 1<sup>st</sup> day of February, 2013.

“Rob C. Gay”  
CHAIR

“Lee-Ann Crane”  
CORPORATE OFFICER