VILLAGE OF NAKUSP

BYLAW NO. 769, 2026

A Bylaw to amend Village of Nakusp Zoning Bylaw No. 729, 2023

WHEREAS the Council of the Village of Nakusp has adopted Village of Nakusp Zoning Bylaw No. 729, 2023 pursuant to Part 14 of the Local Government Act;

AND WHEREAS Section 479 of the Local Government Act authorizes Council, by bylaw, to regulate the use of land, buildings and structures, and the siting, size and dimensions of buildings and structures, within each zone, and to make different provisions for different locations within a zone;

AND WHEREAS Section 1.8 of Zoning Bylaw No. 729, 2023 provides that the bylaw may be amended in response to an application for amendment, or at the Local Government's volition, pursuant to the Local Government Act and Village of Nakusp Development Procedures Bylaw No. 741, 2024, as amended;

AND WHEREAS Council is satisfied that this Bylaw is consistent with Village of Nakusp Official Community Plan Bylaw No. 697, as amended, as required by Section 478(2) of the Local Government Act;

NOW THEREFORE the Council of the Village of Nakusp, in open meeting assembled, enacts as follows:

1. CITATION

This Bylaw may be cited as "Village of Nakusp Zoning Bylaw Amendment Bylaw No. 769, 2026".

2. AMENDMENT

1. Village of Nakusp Zoning Bylaw No. 729, 2023, as amended, is further amended by adding the following as subsection 6.2.9(c), immediately following subsection 6.2.9(b):

    (c) Notwithstanding Sections 3.17 and 6.2.2 of this Bylaw, Container Buildings are permitted on the Parcel legally described as Lot 20, Plan NEP2759, District Lot 397, Kootenay Land District, PID 015-220-001 (525 4th Ave NW, Nakusp, BC), subject to the following conditions:

        i. a maximum of two (2) Container Buildings are permitted on the Parcel;

        ii. Container Buildings shall be placed at finished grade in a single storey and shall form the ground storey of the Principal Building;

        iii. Container Buildings shall be used only for storage accessory to the residential use of the Parcel and shall not be used as a Dwelling Unit or any part of a Dwelling Unit;

iv. Sections 3.17.1(a), 3.17.1(b) and 3.17.1(c) of this Bylaw do not apply to the Container Buildings permitted by this subsection;

v. for the purposes of Section 3.17.3 of this Bylaw, the construction of a storey that is not itself a Container Building above the Container Buildings does not constitute the stacking of Container Buildings; however, no Container Building shall be placed on top of another Container Building;

vi. the exterior of the Container Buildings shall be clad or finished in a building material that matches the general appearance of the storey above, to the satisfaction of the CAO; and

vii. except as expressly provided in this subsection, all other regulations of this Bylaw, including the regulations of the R-2 Low-Density Residential zone, continue to apply to the Parcel.

READ A FIRST TIME this 23 day of November, 2026.

READ A SECOND TIME this 23 day of November, 2026.

PUBLIC HEARING held pursuant to Section 464 of the Local Government Act this [__] day of [_____], 2026.

READ A THIRD TIME this [__] day of [_____], 2026.

ADOPTED this [__] day of [_____], 2026.

_____ _____

Mayor Corporate Officer

I hereby certify this to be a true and correct copy of Village of Nakusp Zoning Bylaw Amendment Bylaw No. 769, 2026, as adopted by the Council of the Village of Nakusp on the [__] day of [_____], 2026.

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Corporate Officer