



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**AREA I ADVISORY PLANNING AND HERITAGE  
COMMISSION  
OPEN MEETING AGENDA**

**6:30PM**

**Monday, February 9, 2026**

**Hybrid Meeting**

To promote openness, transparency and provide accessibility to the public we provide the ability to attend all RDCK meetings in-person or remote.

**Join by Video:**

<https://rdck-bc-ca.zoom.us/j/98440624910?pwd=9JQyXil1Zannf7mif5hF90fAswn5qj.1>

**Join by Phone:**

1 778 907 2071 Canada

**Meeting ID:** 984 4062 4910

**Passcode:** 640628

**Meeting Location:**

Brilliant Cultural Centre -Youth Room  
1876 Brilliant Rd, Castlegar, BC

**1. CALL TO ORDER**

Director Davidoff called the meeting to order at \_\_\_\_ p.m

**2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

**3. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the February 9, 2026 Electoral Area I Advisory Planning and Heritage Commission meeting, be adopted as circulated.

**Carried/Defeated**

**4. RECEIPT OF MINUTES**

The January 5, 2026 Electoral Area I Advisory Planning and Heritage Commission minutes, have been received.

**5. STAFF REPORTS**

**5.1 DEVELOPMENT VARIANCE PERMIT APPLICATION (V25071) – Stacy Johnston**

The Development Variance Application dated December 1, 2025, from Sadie Chezenko, Planner 1, has been received.

**Moved** and seconded,  
AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT/NOT SUPPORT** the Development Variance Permit Application to Stacy Johnston for the property located at 2270 Lower Gibson Road, Pass Creek LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618.

**Carried/Defeated**

**6. PUBLIC TIME**

The Chair will call for questions from the public at \_\_\_\_ p.m.

**7. NEXT MEETING**

The next Electoral Area I Advisory Planning and Heritage Commission Meeting has yet to be scheduled.

**ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

The Electoral Area I Advisory Planning and Heritage Commission meeting be adjourned at \_\_\_\_ p.m.

**Carried/Defeated**



**REGIONAL DISTRICT OF CENTRAL KOOTENAY**

**AREA I ADVISORY PLANNING AND HERITAGE  
COMMISSION  
OPEN MEETING MINUTES**

**6:30PM**

**Monday, January 5, 2026**

**Hybrid Meeting**

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**Join by Video:**

<https://rdck-bc-ca.zoom.us/j/98440624910?pwd=9JQyXil1Zannf7mif5hF90fAswn5qj.1>

**Join by Phone:**

1 778 907 2071 Canada

**Meeting ID:** 984 4062 4910

**Passcode:** 640628

**Meeting Location:**

Brilliant Cultural Centre -Youth Room  
1876 Brilliant Rd, Castlegar, BC

**COMMISSIONERS**

Commissioner Brian Bebelman

Electoral Area I, Chair

Commissioner Kelly Poznikoff

Electoral Area I

**COMMISSIONERS Absent**

Commissioner Andy Ozeroff

Electoral Area I

**DIRECTORS**

Andy Davidoff

Electoral Area I, Director

**STAFF**

Sadie Chezenko

Planner

Laura Christie

Planning Technician

**PUBLIC**

Harold Chernoff

Applicant (online)

**1. CALL TO ORDER**

Director Davidoff called the meeting to order at 6:39 p.m.

**2. ELECTION OF CHAIR**

Call for nomination (3 times)

**DECLARATION OF ELECTED OR ACCLAIMED CHAIR**

Director Davidoff ratifies the appointed Commissioner Bebelman as Chair of the Area I Advisory Planning and Heritage Commission for the remainder of their term.

**3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT**

We acknowledge and respect the Indigenous peoples within whose traditional lands we are meeting today.

**4. ADOPTION OF AGENDA**

**MOVED** and seconded,  
AND Resolved:

The Agenda for the January 5, 2026 Electoral Area I Advisory Planning and Heritage Commission meeting, be adopted with the following:

- begin with item 6.2 before item 6.1
- the addition of items 6.4 and 6.5

before circulation.

**Carried**

**5. RECEIPT OF MINUTES**

The December 10, 2024 Electoral Area I Advisory Planning and Heritage Commission minutes, have been received.

**6. STAFF REPORTS**

**6.1 DEVELOPMENT VARIANCE PERMIT APPLICATION (V25071) – Stacy Johnston**

The Development Variance Application dated December 1, 2025, from Sadie Chezenko, Planner 1, has been received.

**Moved** and seconded,  
AND Resolved:

That the following motion **BE REFERRED** to the next Area I Advisory Planning and Heritage Commission meeting:

That the Area I Advisory Planning and Heritage Commission **SUPPORT / NOT SUPPORT** Development Variance Permit Application to Stacy Johnston for the property located at 2270 Lower Gibson Road, Pass Creek LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618 to the February, 2026 Area I APHC meeting.

**Carried**

#### 6.2 **BYLAW AMENDMENT APPLICATION (Z2211I) – Harold Chernoff**

The Bylaw Amendment Application dated December 1, 2025, from Sadie Chezenko, Planner 1, has been received.

**Moved** and seconded,

AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT** the Bylaw Amendment Application to Harold Chernoff for the property located at 1757/1875 Terrace Road, Castlegar, Electoral Area I, That part of SUBLOT 28 DISTRICT LOT 4598 KOOTENAY DISTRICT PLAN X34.

**Carried**

- Planner provided a brief explanation of the proposed bylaw amendment.
- Area Director posed questions to the applicant about the long-term plan for the property and the possibility of subdivision rather than cluster housing.
- Applicant states that, at this time, subdivision is not being considered but it may be considered in the future.
- General discussion about cluster housing and complications that can arise with cluster housing (eg. estate planning challenges). Planner identified that the minimum lot size for subdivision for this parcel is 1.0 hectare.
- Commissioners stated their support for the application, commenting on the large size of the property.

#### 6.3 **BYLAW AMENDMENT APPLICATION – RDCK Planning Department**

The Bylaw Amendment Application dated August 7, 2025, from Sadie Chezenko, Planner 1, has been received.

**Moved** and seconded,

AND Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT** the Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 to further implement the requirements of Provincial Bill 44 – Housing Statutes (Residential Development) Amendment Act.

**Carried**

- Planner provided a summary of the proposed changes, clarifying that the changes do not impact the intent of the bylaws that were adopted in 2024. Staff also noted that there were minor clarifications to the bylaws including for formatting and terminology.
- A Commissioner expressed concerns about aquifer sensitivity in Shoreacres and the impact of increased density on the aquifer.
- Planner noted that water and septic is generally regulated by the Province and that the Aquifer Protection Development Permit and minimum parcel size in zoning are RDCK tools for providing protection.
- General discussion about benefits of allowing cluster housing vs benefits considering increased density on a case-by-case basis through individual bylaw amendment applications.

**6.4 FOR DISCUSSION: THRUMS CEMETERY AND THE RDCK COMMUNITY HERITAGE REGISTRY**

**Moved** and seconded and  
Resolved:

That the Area I Advisory Planning and Heritage Commission **SUPPORT** the commencement of the process to include the Thrums Cemetery in the RDCK Community Heritage Registry.

**Carried**

**6.5 FOR DISCUSSION: RECOGNITION OF SERVICE**

Congratulations to Andy Ozeroff for his 45 years of service on the Area I Advisory Planning Commission.

**7. PUBLIC TIME**

The Chair called for questions from the public at 8:37 p.m.

**8. NEXT MEETING**

The next Electoral Area I Advisory Planning and Heritage Commission Meeting has yet to be scheduled.

**ADJOURNMENT**

**MOVED** and seconded,  
AND Resolved:

The Electoral Area I Advisory Planning and Heritage Commission meeting be adjourned at 8:40 p.m.

**Carried**

*Approved by*

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*Brian Bebelman*



# Development Variance Permit Application

Referral Form – RDCK File V25071

Date: December 01, 2025

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO January 01, 2026). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

## LEGAL DESCRIPTION & GENERAL LOCATION:

### Parcel 1

2285 Lower Gibson Road, Pass Creek, Electoral Area I  
LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT  
PLAN NEP73270 (PID: 005-477-590)  
Owners: Shelley and George Soukeroff  
Shown outlined in Green →

### Parcel 2

2270 Lower Gibson Road, Pass Creek, Electoral Area I  
LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618  
(PID: 026-078-627)  
Owner: Stacy Johnston  
Shown outlined in Pink →



## PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

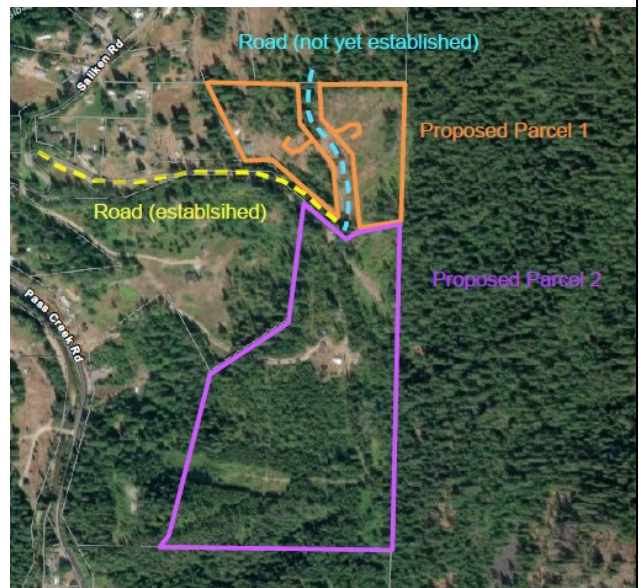
Existing Parcel 1 has been developed with a residence and existing Parcel 2 has a park model RV and a covered camping trailer on the property.

The neighbouring property owners have applied to the Ministry of Transportation and Transit (MOTT) to complete a boundary adjustment subdivision of their parcels. The two parcels are proposed to be reconfigured as shown in the diagram here →

Section 602(7) of RDCK Zoning Bylaw no. 1675, 2004 specifies that "No newly created lot shall be bisected by a legally dedicated road." As can be seen in the diagram, Proposed Parcel 1 would be bisected by a legally dedicated road. This road is currently undeveloped as shown in the attached photos in this package.

As such, the applicant has applied for this DVP in order to seek relief from this regulation so that a lot may be created which is bisected by a legally dedicated road.

The existing and proposed parcel sizes are listed below:



	Existing Parcel Size	Proposed Parcel Size
Parcel 1	1.86 ha	4.33 ha (1.85ha/2.48ha)
Parcel 2	15.5 ha	13.6ha

These neighbours are pursuing the subdivision in order so that the water source (and easements) for Parcel 1 may be located on the same parcel that they serve. These are currently located on the northern portion of Parcel 2. The owner of Parcel 2 is amenable to this as the funds received from the sale of that portion of their property will allow them to finance having power run to their property.

The water source for Parcel 1 is "Bessie Spring" which is on existing Parcel 2 and there are two active water licenses (C121299 and C121300) which authorize the property owners to use and divert water from this source. There is also a third water licence (C121298) issued off existing Parcel 2 (Strelaw Spring) which provides water to a third property to the west of Parcel 1.

The applicant has noted that the waterworks do not currently comply with the easement and that this is partially the reason for the subdivision. Staff note that the easement could be refined to accommodate different conditions rather than subdividing if that was the sole issue. However, staff note that there are broader concerns from the applicant including wanting more control over the land and conditions affecting the water supply.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
~17 ha	n/a	Country Residential I (R2I) Zoning Bylaw no. 1675	Rural Residential (RR) OCP Bylaw No. 2821

**APPLICANT:** Stacy Johnston

Please provide your response via email.

If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this permit.

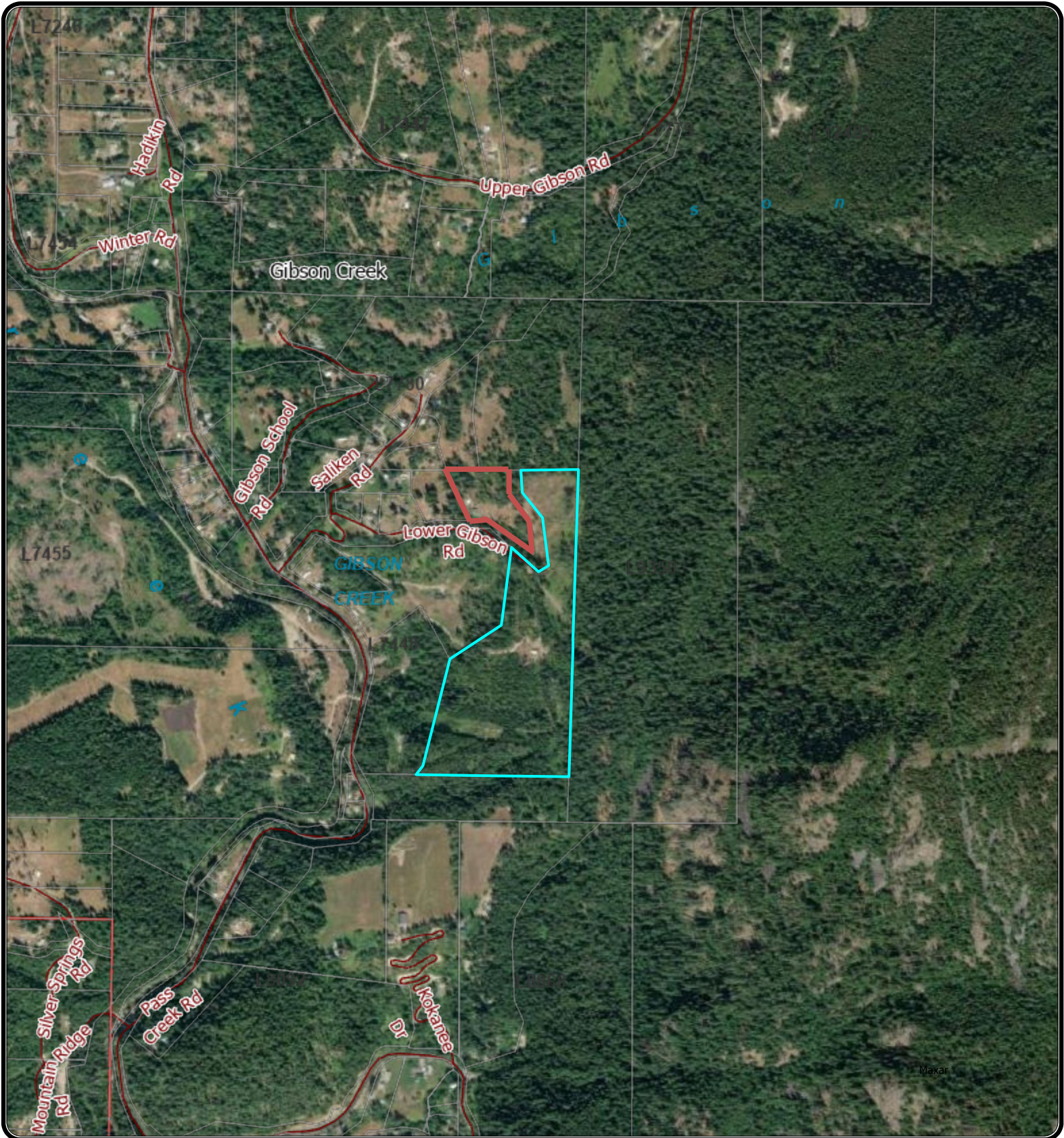
If you are an RDCK commission member, do not respond via email. Your response is the commission's recommendation which staff will collect from the meeting minutes.

<input checked="" type="checkbox"/> MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE <input checked="" type="checkbox"/> HABITAT BRANCH (Environment) <input checked="" type="checkbox"/> FRONTCOUNTER BC (MFLNRORD) <input type="checkbox"/> AGRICULTURAL LAND COMMISSION <input type="checkbox"/> REGIONAL AGROLOGIST <input type="checkbox"/> ENERGY & MINES <input type="checkbox"/> MUNICIPAL AFFAIRS & HOUSING <input checked="" type="checkbox"/> INTERIOR HEALTH, HBE TEAM <input type="checkbox"/> WATER SYSTEM OR IRRIGATION DISTRICT <input checked="" type="checkbox"/> UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input checked="" type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K ALTERNATIVE DIRECTORS FOR: <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> F <input type="checkbox"/> G <input type="checkbox"/> H <input type="checkbox"/> I <input type="checkbox"/> J <input type="checkbox"/> K <input checked="" type="checkbox"/> APHC AREA I <input checked="" type="checkbox"/> RDCK FIRE SERVICES <input checked="" type="checkbox"/> RDCK EMERGENCY SERVICES <input checked="" type="checkbox"/> RDCK BUILDING SERVICES <input type="checkbox"/> RDCK UTILITY SERVICES <input type="checkbox"/> RDCK RESOURCE RECOVERY <input type="checkbox"/> RDCK REGIONAL PARKS
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The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), [info@rdck.bc.ca](mailto:info@rdck.bc.ca), or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4.

RETURN TO: SADIE CHEZENKO, PLANNER  
DEVELOPMENT AND COMMUNITY SUSTAINABILITY SERVICES  
REGIONAL DISTRICT OF CENTRAL KOOTENAY  
BOX 590, 202 LAKESIDE DRIVE  
NELSON, BC V1L 5R4  
Ph. 250-352-1585  
Email: [plandept@rdck.bc.ca](mailto:plandept@rdck.bc.ca)

# RDCK Map



REGIONAL DISTRICT OF CENTRAL KOOTENAY  
 Box 590, 202 Lakeside Drive,  
 Nelson, BC V1L 5R4  
 Phone: 1-800-268-7325 www.rdck.bc.ca  
 maps@rdck.bc.ca

### Legend

- Place Names
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

### Map Scale:

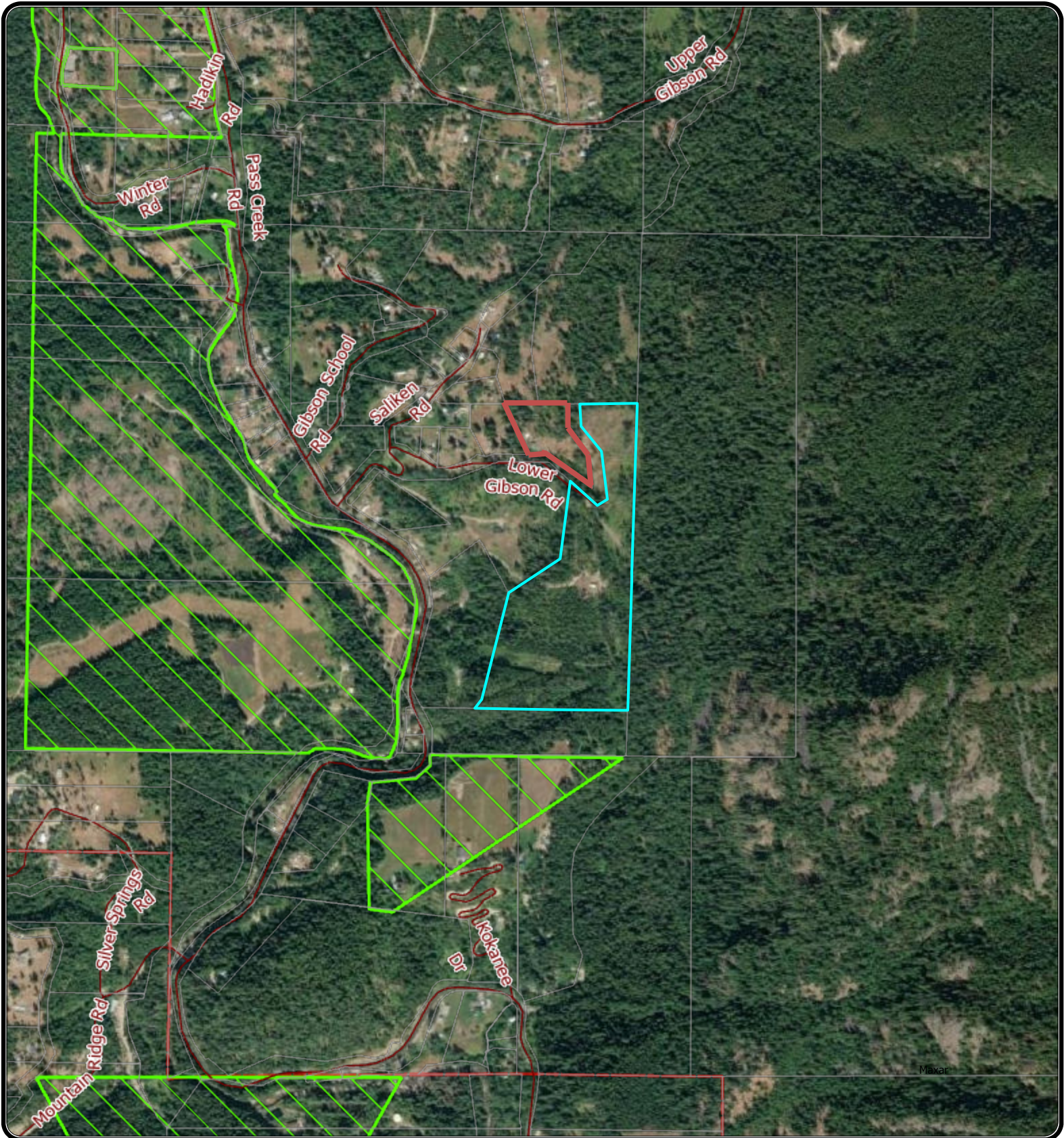
1:18,056

Date: May 28, 2025







The mapping information shown are approximate representations and should only be used for reference purposes. The Regional District of Central Kootenay is not responsible for any errors or omissions on this map.

# RDCK Map



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### Legend

-  Agriculture Land Reserve
-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

### Map Scale:

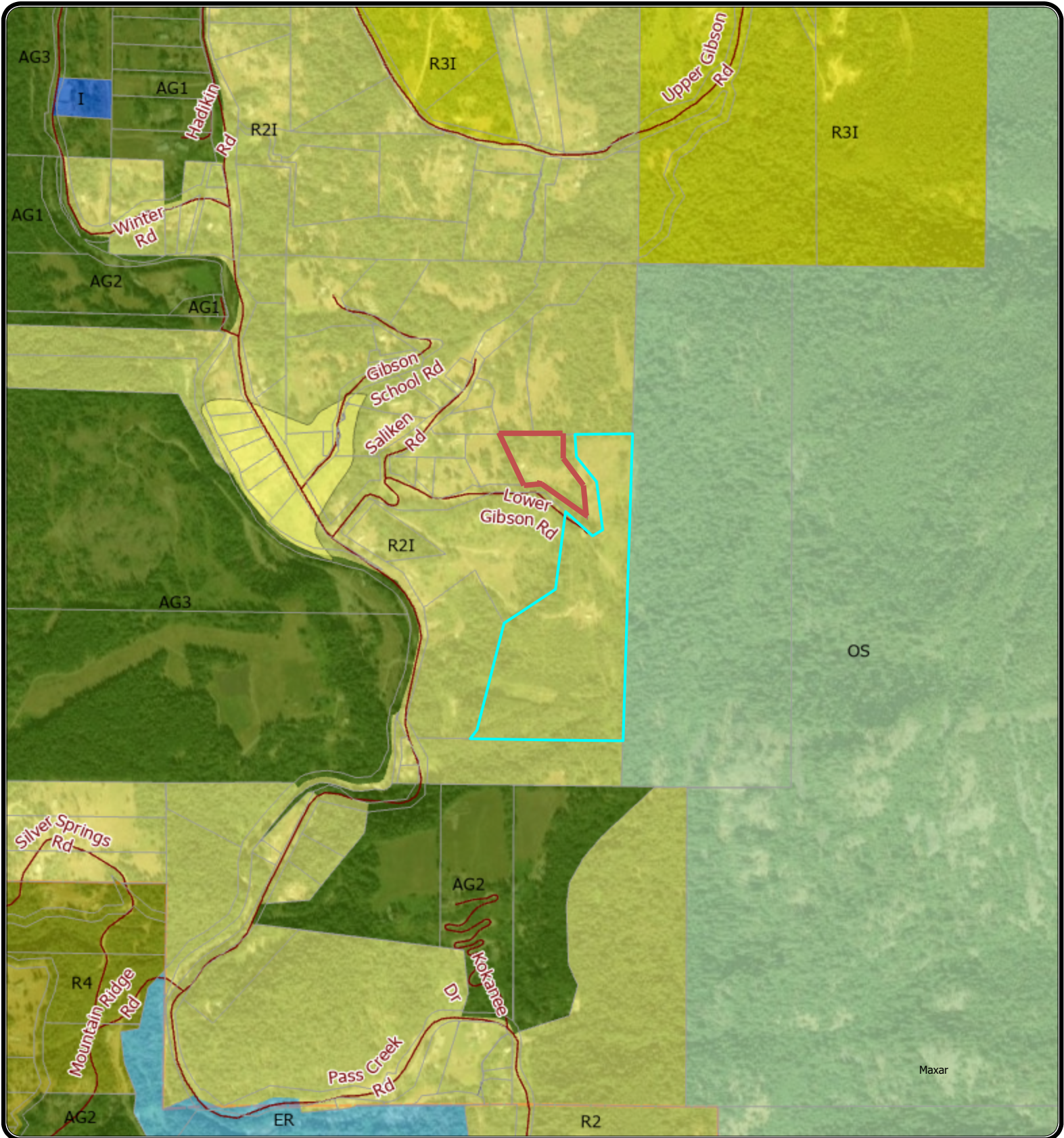
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## Zoning Class

- Agriculture
- Environmental Reserve
- Institutional
- Open Space
- Residential 2
- Residential 3

## Legend

- Residential 4
- Non Standard Flooding Erosion Area
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

## Map Scale:

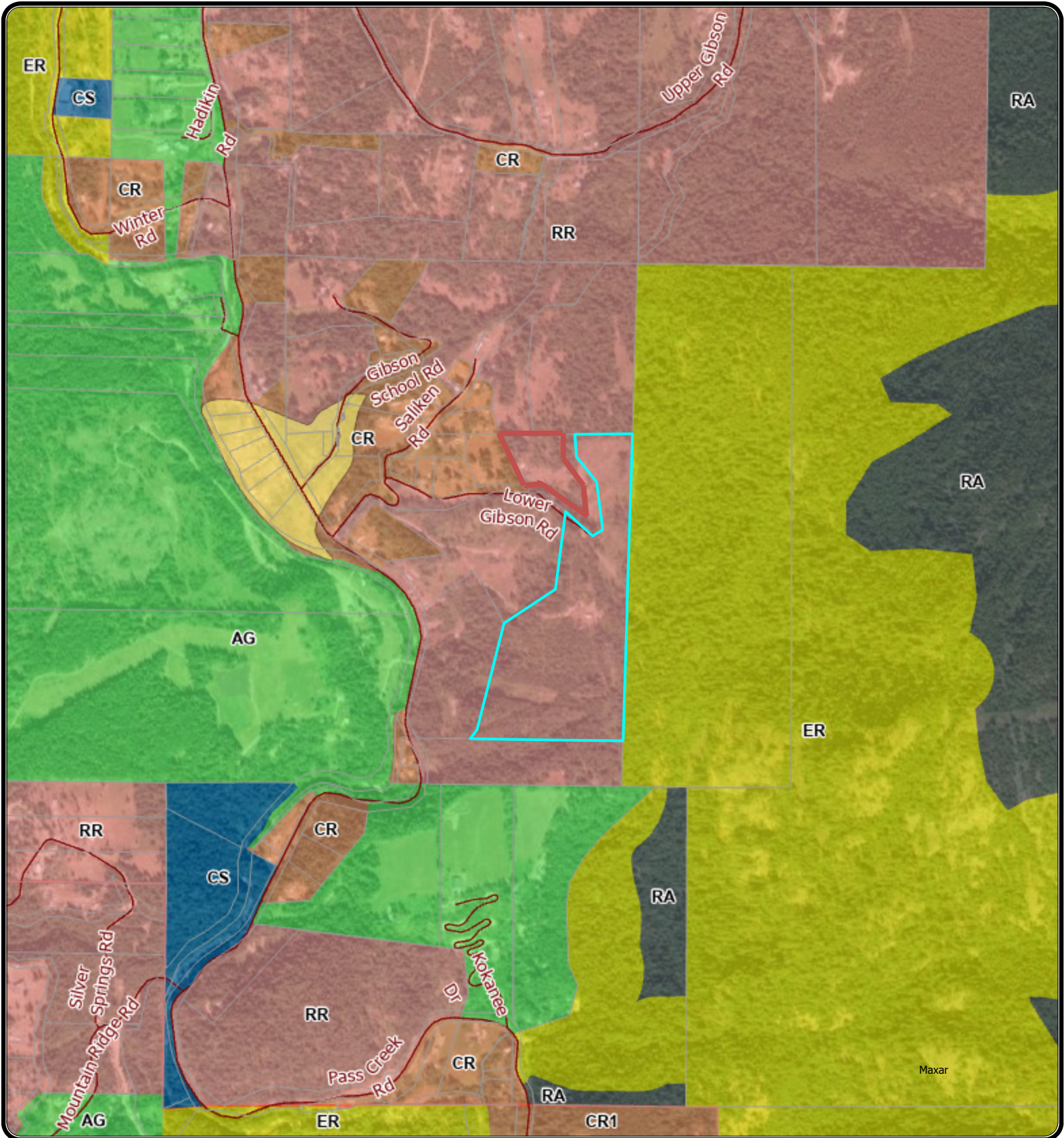
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## Official Community Plan

- Agriculture
- Community Services
- Country Residential
- Environmental Reserve
- Resource Area

## Legend

- Rural Residential
- Non Standard Flooding Erosion Area
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines

## Map Scale:

1:18,056

Date: May 28, 2025



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[maps@rdck.bc.ca](mailto:maps@rdck.bc.ca)

### Legend

- Streams and Shorelines
- Non Standard Flooding Erosion Area
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

### Map Scale:

1:9,028

Date: May 28, 2025



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### Legend

- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points
- 20 meter
- 100 meter

## 20 Meter Contours

### Map Scale:

1:9,028

Date: May 28, 2025





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## Development Permit Areas

-  Watercourse
-  Wildfire

## Legend

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines

## Map Scale:

1:18,056

Date: May 28, 2025



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SUBDIVISION PLAN OF: LOT 3 DISTRICT  
 LOT 7448 KOOTENAY DISTRICT PLAN  
 5002 EXCEPT PLAN NEP73270; AND  
 PART OF LOT 2 DISTRICT LOT 7448  
 KOOTENAY DISTRICT PLAN NEP76618.  
 BCGS 82F.032

The intended plot size of this plan is  
 560mm in width by 432mm in height  
 (C size) when plotted at a scale of 1:1000.



UTM NAD83 (CSRS) 2002.0 Zone 11  
 CP A1 N 5467937.030 E 452095.996  
 Point combined factor: 0.999526  
 Absolute accuracy 0.04  
 IP A2 N 5467945.952 E 451776.106  
 Point combined factor: 0.999538  
 Absolute accuracy 0.04



**LEGEND**  
 Grid bearings are derived from GNSS observations and are referred to the central meridian of UTM Zone 11 North. The UTM coordinates and estimated absolute accuracy achieved are derived from Natural Resources Canada's Precise Point Positioning (PPP) service. This plan shows horizontal ground-level distances, unless otherwise specified. To compute grid distances, multiply ground-level distances by the combined scale factor of 0.999526. The combined scale factor has been determined based on an ellipsoidal elevation of 654 metres.

- |       |                      |
|-------|----------------------|
| S.M.  | Stone mound          |
| Mp    | Metal reference post |
| Found | Set                  |
| ●     | ○ Standard iron post |
| ⊙     | Standard capped post |

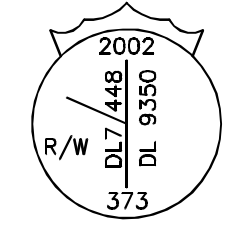
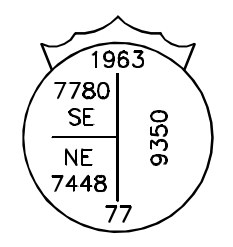
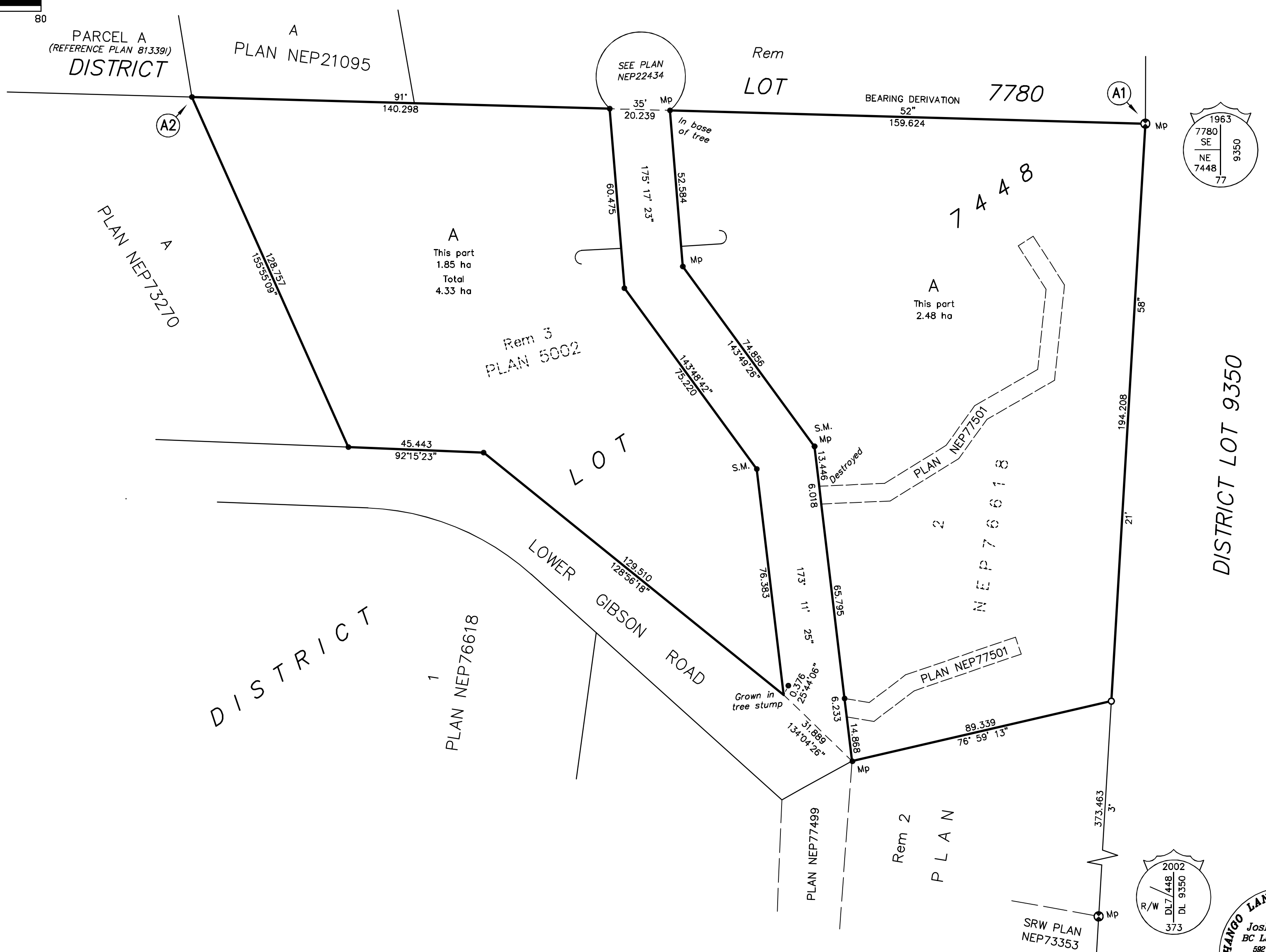
This plan lies within the jurisdiction of the Approving Officer for the Ministry of Transportation and Transit.  
 File No. 2025-00292

A covenant in the name of the Minister of Transportation and Transit and the Regional District of Central Kootenay, pursuant to Section 219 of the Land Title Act is a condition of approval for subdivision.

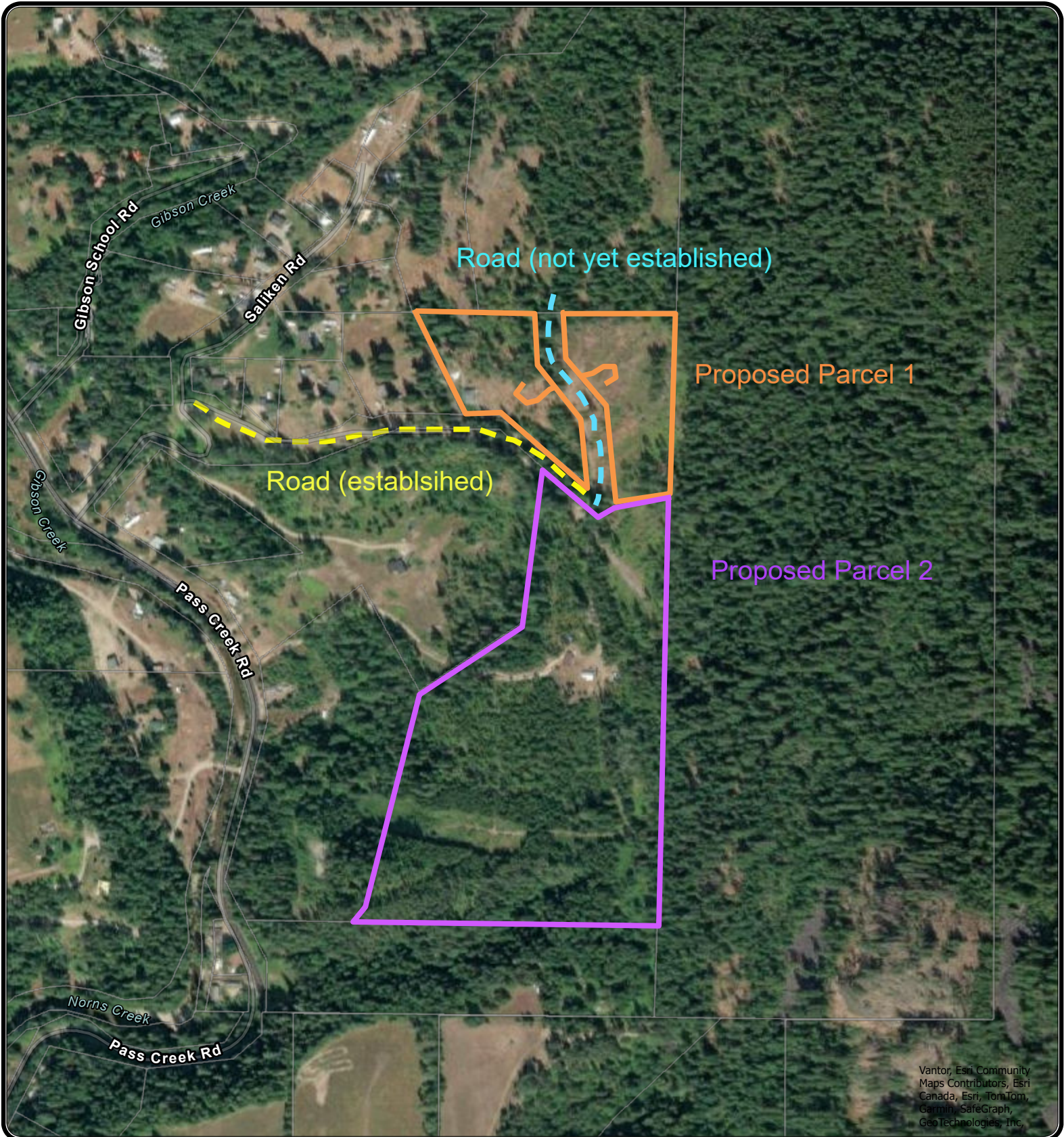
A covenant in the name of the Minister of Transportation and Transit, pursuant to Section 218 of the Land Title Act is a condition of approval for subdivision.

This plan lies within the Regional District of Central Kootenay.

The field survey represented by this plan was completed on the 31st day of October, 2025  
 Joshua G. Hango, BCLS 953.



# RDCK Map





Vantor, Esri Community Maps Contributors, Esri Canada, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc.



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### Legend

-  Electoral Areas
-  Cadastre - Property Lines

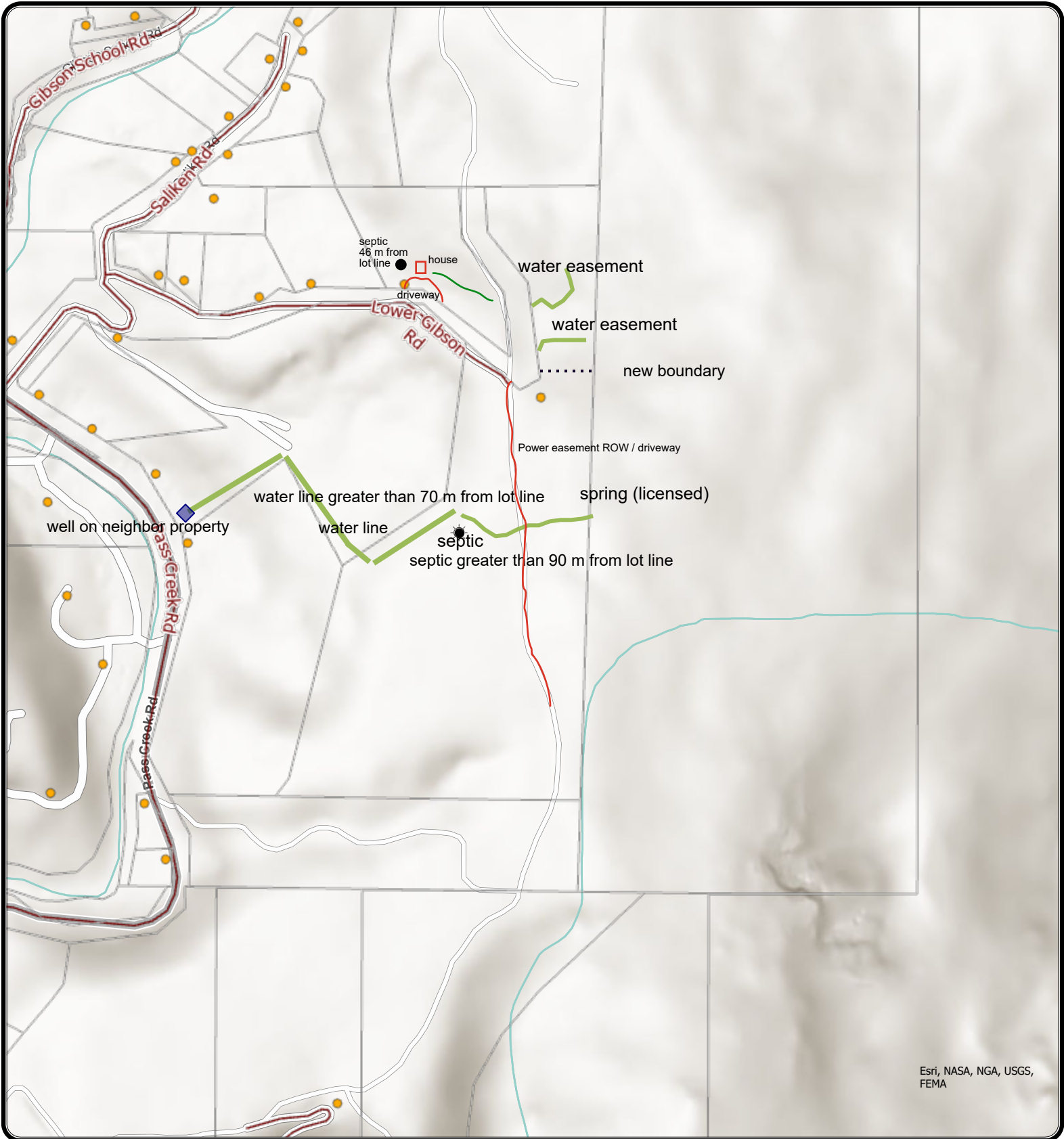
### Map Scale:

1:9,028

Date: November 28, 2025



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Esri, NASA, NGA, USGS, FEMA



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**Legend**

-  Electoral Areas
-  RDCK Streets
-  Cadastre - Property Lines
-  Address Points

**Map Scale:**

1:9,028

Date: November 10, 2025



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## Applicant's Proposal Summary

RDCK File # S2506I  
MoTT File # 2025-00292

November 3, 2025

### Development Variance Permit Application Proposal Summary

We are requesting to do a “boundary adjustment” subdivide of 4.57 acres from PID 026-078-627 (Johnston) to neighboring property PID 005-477-590 (Soukeroff).

#### Reasons:

- Soukeroff would like water rights and easements to be a part of his property
  - o Water easement currently does not comply with agreement
  - o Very rocky and sloped terrain making it impossible to put waterworks underground as stated in agreement
  - o Soukeroff would like water security and not have to be out of compliance with easement agreement as it currently is
  - o Johnston logged the area previously which was very settling to Soukeroff due to potential impact to water supply
- This section of property can not be built on; very sloped and rocky; septic not feasible
- Johnston’s would like to get power to the property and the sale of this portion to Soukeroff will go towards that possibility
- A photo of the “road” is included showing it is completely unmaintained and barely passable with an ATV; MOTI is in agreement with this subdivide

(Note: MOTT has not communicated this to staff)