



Regional District of Central Kootenay
RURAL AFFAIRS COMMITTEE
Open Meeting Agenda

Date: Wednesday, March 18, 2026
Time: 9:00 am
Location: Hybrid Model - In-person and Remote

Directors will have the opportunity to participate in the meeting electronically. Proceedings are open to the public.

Pages

1. ZOOM REMOTE MEETING INFO

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

Meeting Time:

9:00 a.m. PST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/97918675110?pwd=GmVSuFaa2RntNTq5nTyh8CpcKj5tAL.1>

Join by Phone:

833 955 1088 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 979 1867 5110

Meeting Password: 527524

In-Person Location:

RDCK Board Room

202 Lakeside Dr. Nelson

2. CALL TO ORDER

Chair Jackman called the meeting to order at ____ a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF THE AGENDA

RECOMMENDATION:

The agenda for the March 18, 2026 Rural Affairs Committee meeting be adopted as circulated.

5. RECEIPT OF MINUTES

6 - 25

The February 18, 2026 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

- Item 8.1 - Christina Vales, WildSafeBC Program Coordinator

7. PLANNING & BUILDING

7.1 BUILDING BYLAW CONTRAVENTION - MAY

26 - 29

**File No.: 3135-20-A-786.05215.310
5400 Elsie-Holmes Road
(Michelle May)
Electoral Area A**

The Committee Report dated February 18, 2026 from Konstantin Vassev, Senior Building Official and Erik Stout, Manager Building and Bylaw, re: Notice on Title - May, has been received.

RECOMMENDATION:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under *Section 57 of the Community Charter* by the Regional District Board relating to land at 5400 Elsie-Holmes Rd, Wynndel, BC, Electoral Area A, legally described as LOT 1, PLAN NEP77199, DISTRICT LOT 4595, KOOTENAY LAND DISTRICT; AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

7.2 BUILDING BYLAW CONTRAVENTION - REINE

30 - 33

**File No.: 3135-20-A-786.01164.000-BP023249
5137 Cory Road
(Mark Reine)
Electoral Area A**

The Committee Report dated February 10, 2026 from Konstantin Vassev, Senior Building Official and Erik Stout, Manager Building and Bylaw, re: Notice on Title - Reine, has been received.

RECOMMENDATION:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under *Section 57 of the Community Charter* by the Regional District Board relating to land at 5137 Cory Rd, Wynndel, BC, Electoral Area A, legally described as LOT 4, PLAN NEP1369, DISTRICT LOT 191, KOOTENAY LAND DISTRICT EXC PCL A (SEE 225181); AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

7.3 CANCEL - BUILDING BYLAW CONTRAVENTION - MACNAB

34 - 35

File No.: 3130-20-H-707.20428.110-BP029175
6603 Nixon Road
(David Wayne Macnab)
Electoral Area H

The Committee Report dated March 5, 2026 from Erik Stout, Manager Building and Bylaw, re: Cancellation of Notice on Title - Macnab, has been received.

RECOMMENDATION:

That the Corporate Officer be authorized to remove the Notice on Title relating to 6603 Nixon Rd, Winlaw BC, Electoral Area H, currently owned by David Wayne Macnab, property legally described as LOT 11, BLOCK 6, DISTRICT LOT 383, KOOTENAY DISTRICT PLAN 1108, PID 016-065-948, the RDCK Building Department has confirmed that the reason for placing the Notice on Title on May 17, 2018 has been rectified.

7.4 DEVELOPMENT VARIANCE PERMIT - JOHNSTON

36 - 74

File No.: V25071
Parcel 1: 2285 Lower Gibson Road, Pass Creek
(Shelly and George Soukeroff)
Parcel 2: 2270 Lower Gibson Road, Pass Creek
(Stacy Johnston)
Electoral Area I

The Committee Report dated February 26, 2026 from Sadie Chezenko, Planner, re: Development Variance Permit - Johnston, has been received.

RECOMMENDATION:

That the Board NOT APPROVE the issuance of Development Variance Permit V25071 to Stacy Johnston for the properties located at 2285 and 2270 Lower Gibson Road and legally described as LOT 3, DISTRICT LOT

7448, KOOTENAY DISTRICT PLAN 5002, EXCEPT PLAN NEP73270 (PID: 005-477-590) and LOT 2, DISTRICT LOT 7448, KOOTENAY DISTRICT PLAN NEP76618 (PID: 026-078-627) to vary Section 602(7) of *RDCK Zoning Bylaw No.1675, 2004* in order to allow a newly created lot bisected by a legally dedicated road.

7.5 TEMPORARY USE PERMIT - MARKIN

75 - 90

File No.: T2601F
No civic address. View Ridge Road
(Markin Enterprises Ltd.)
Applicant: Dan Markin
Electoral Area F

The Committee Report dated February 26, 2026 from Zachari Giacomazzo, Planner, re: Temporary Use Permit, has been received.

RECOMMENDATION:

That the Board direct staff to provide notification of the Board's intention to consider Temporary Use Permit application T2601F by Dan Markin for the property located on View Ridge Road in Bonnington and legally described as LOT E, DISTRICT LOT 7068, KOOTENAY DISTRICT PLAN NEP21628 (PID: 018-940-617).

7.6 SUBDIVISION IN THE AGRICULTURAL LAND RESERVE - WEIBE

91 - 110

File No.: A2510B
5324 Whimster Road
(Eugene G. Wiebe and Bertha Wiebe)
Agent: John Purdy, North Arrow Development Services Ltd.
Electoral Area B

The Committee Report dated February 25, 2026 from Zachari Giacomazzo, Planner, re: Subdivision in the Agricultural Land Reserve, has been received.

RECOMMENDATION:

That the Board NOT SUPPORT application A2601B for the proposed subdivision in the Agricultural Land Reserve proposed by John Purdy for the property located at 5324 Whimster Road, Canyon, Electoral Area 'B' and legally described as PARCEL 2, (SEE 125110I) BLOCK 1, DISTRICT LOT 812, KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081).

8. ENVIRONMENTAL SERVICES

8.1 WILDSAFEBBC FUNDING PROPOSAL AND ANNUAL REPORT FOR RDCK

111 - 148

File No.: 12-6200-20
WildSafeBC Funding Proposal and Annual Report for RDCK
All Electoral Areas

The Committee Report dated March 18, 2026 from Todd Johnston, Environmental Coordinator re: WildSafeBC Funding Proposal and Annual

Report for RDCK, has been received.

RECOMMENDATION:

That the Board approve the RDCK extend into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of April 01, 2026 and ending on December 31, 2028, and that the Chair and Corporate Officer be authorized to sign the necessary documents;
AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000;
AND FURTHER, that the costs be paid from Rural Administration S101.

9. RURAL ADMINISTRATION

No Items.

10. PUBLIC TIME

The Chair will call for questions from the public and members of the media at _____ a.m./p.m.

11. ADJOURNMENT

RECOMMENDATION:

The meeting be adjourned at _____



Regional District of Central Kootenay

RURAL AFFAIRS COMMITTEE MEETING

Open Meeting Minutes

Wednesday, February 18, 2026

9:00 a.m.

Hybrid Model - In-person and Remote

COMMITTEE

MEMBERS PRESENT

Chair G. Jackman	Electoral Area A – In-person
Director R. Tierney	Electoral Area B – In-person
Director K. Vandenberghe	Electoral Area C – In-person
Director A. Watson	Electoral Area D – In-person
Director C. Graham	Electoral Area E
Director T. Newell	Electoral Area F – In-person
Director H. Cunningham	Electoral Area G – In-person
Director W. Popoff	Electoral Area H – In-person
Director A. Davidoff	Electoral Area I
Director H. Hanegraaf	Electoral Area J – In-person
Director T. Weatherhead	Electoral Area K – In-person

STAFF PRESENT

S. Horn	Chief Administrative Officer
S. Sudan	General Manager of Development and Community Sustainability
E. Stout	Manager Building and Bylaw
N. Wight	Planning Manager
S. Chezenko	Planner
Z. Giacomazzo	Planner
C. Hopkyns	Corporate Administration Coordinator
C. Feeney	Corporate Administration Assistant – Meeting Coordinator

1. ZOOM REMOTE MEETING INFO

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Meeting Time:

9:00 a.m. PST

Join by Video:

<https://rdck-bc-ca.zoom.us/j/97918675110?pwd=GmVSuFaa2RntNTq5nTyh8CpcKj5tAL.1>

Join by Phone:

833 955 1088 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 979 1867 5110

Meeting Password: 527524

In-Person Location: RDCK Board Room, 202 Lakeside Drive, Nelson

2. CALL TO ORDER

Chair Jackman called the meeting to order at 9:00 a.m.

3. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

4. ADOPTION OF THE AGENDA

Moved and seconded,

And resolved:

The agenda for the February 18, 2026 Rural Affairs Committee meeting be adopted as circulated.

Carried

5. RECEIPT OF MINUTES

The January 21, 2026 Rural Affairs Committee meeting minutes, have been received.

6. DELEGATIONS

Item 7.1 – Baldip Smagh, Smagh Orchards

Item 7.3 – Merv Goddard, Owner & John Purdy, Applicant

7. PLANNING & BUILDING

7.1 NOTICE ON TITLE - SMAGH ORCHARDS

File No.: 3135-20- B-786.02542.000

3020 Erickson Rd, Erickson

(J & B Smagh Orchards Ltd)

Electoral Area B

The Committee Report dated January 15, 2026 from Erik Stout, Building and Bylaw Manager, re: Notice on Title - Smagh Orchards, has been received.

- Erik Stout, Manager of Building and Bylaw provided background to the Committee regarding the file, noting that the building permit application remains incomplete due to missing septic documentation and insufficient construction details to support a code review.
- Property owner Baldip Smagh, Smagh Orchards, shared with the Committee background information on the building. She answered the Committee's questions.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under *Section 57 of the Community Charter* by the Regional District Board relating to land at 3020 Erickson Rd, Erickson, BC, Electoral Area B, legally described as BLOCK 13, PLAN NEP730A, DISTRICT LOT 812, KOOTENAY LAND DISTRICT PARCEL 1, EXCEPT PLAN SRW 13512, SEE REF PL 36260I OF PCL B SEE 6107I, MANUFACTURED HOME REG. # 87199; AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

Carried

7.2 NOTICE ON TITLE - REMOVAL - DEANS

File No.: 3130-20-H-707.21489.020-BP029152

5705 Cedar Creek Rd, Winlaw

(Timothy Dowes, Kailey Deans, Travis Dowes)

Electoral Area H

The Committee Report dated February 9, 2026 from Erik Stout, Manager of Building and Bylaw re: Cancellation of Notice on Title, has been received.

- Erik Stout, Manager of Building and Bylaw provided background to the Committee regarding the file, sharing that they have completed what is needed for their notice on title to be removed.
- Property owner was not present.
- Chair Jackman thanked staff and referred the recommendation to Committee for consideration.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Corporate Officer be authorized to remove the Notice on Title relating to 5705 CEDAR CREEK RD, Electoral Area H, currently owned by TIMOTHY JOHN DOWES, KAILEY MICHELLE DEANS AND TRAVIS GARRETT DOWES, property legally described as PARCEL Z (SEE K15960), DISTRICT LOT 3464, KOOTENAY DISTRICT PLAN 1023, PID 016-054-059, the RDCK Building Department has confirmed that the reason for placing the Notice on Title on January 24, 2009 has been rectified.

Carried

7.3 SUBDIVISION IN THE AGRICULTURAL LAND RESERVE - GODDARD

File No.: A2509B

Parcel 1: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 7, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-313-003

Parcel 2: 7721, 7213 and 7217 Highway 3, Kitchener

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 8, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-313-020

Parcel 3: No Address.

LOT B, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN NEP23423

PID: 023-561-327

Parcel 4: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 2, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-312-996

Parcel 5: No Address.

PARCEL A (REFERENCE PLAN 89388I), SUBLOT 1, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40

PID: 016-312-970

(Property Owner: Mervin Goddard, Applicant: John Purdy)

Electoral Area B

The Committee Report dated February 2, 2026 from Sadie Chezenko, Planner 1, re: Subdivision in the Agricultural Land Reserve, has been received.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the subdivision in the agricultural land reserve application which would allow for the boundaries to be adjusted between five adjacent parcels resulting in a total of four parcels.

The applicant, John Purdy, answered the Committee's questions.

Moved and seconded,

And resolved that it be recommended to the Board:

That the Board SUPPORT application A2509B for the proposed Subdivision in the Agricultural Land Reserve proposed by John Purdy for the properties located in Kitchener in Electoral Area 'B' and legally described as PARCEL A (REFERENCE PLAN 89388I), SUBLOT 7, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-313-003) and PARCEL A (REFERENCE PLAN 89388I), SUBLOT 8, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-313-020) and LOT B, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN NEP23423 (PID: 023-561-327) and PARCEL A (REFERENCE PLAN 89388I), SUBLOT 2, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-312-996) and PARCEL A (REFERENCE PLAN 89388I), SUBLOT 1, DISTRICT LOT 362, KOOTENAY DISTRICT PLAN X40 (PID: 016-312-970)

and that the Board directs Staff to ADVANCE the subject application to the Agricultural Land Commission for consideration.

Carried

7.4 LAND USE AMENDMENT - MACE

File No.: Z2505F

2315 West Road

(Britney & Braeden Mace)

Electoral Area F

Rural Affairs Committee Meeting

Referred from December 10, 2025 to January 21, 2026

Referred from January 21, 2026 to February 18, 2026

The Committee Report dated November 24, 2025 from Sadie Chezenko, Planner re: Land Use Bylaw Amendment - Mace, has been received.

At the January 21, 2026 Rural Affairs Committee meeting, the following motion was passed:

That the following motion BE REFERRED from January 21, 2026 Rural Affairs Committee meeting to the February 18, 2026 Rural Affairs Committee meeting:

That the Board take no further action in regard to Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025.

Sadie Chezenko, Planner, provided an overview to the Committee regarding the land use bylaw amendment application in Electoral Area 'F' to rezone the subject property from Country Residential (R2) to Country Residential (R2) Site Specific. The zoning change is proposed to reduce the minimum lot size from 1 hectare to 0.8 hectares to facilitate a two-lot subdivision.

The Committee had a discussion, and staff answered the Committee's questions.

Moved and seconded,
And resolved:

That Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025 being a bylaw to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST, SECOND and THIRD reading by content. And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3040, 2025 until the following item has been obtained:

- Approval from the Ministry of Transportation and Infrastructure pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).

Carried

7.5 SMALL SCALE MULTI-UNIT HOUSING (SSMUH) ZONING ALIGNMENT Electoral Areas F, I, J, K

***Rural Affairs Committee Meeting
Referred from January 21, 2026 to February 18, 2026***

The Committee Report dated February 18, 2026 from Sadie Chezenko, Planner, re: SMMUH Zoning Alignment - Areas FIJK, has been received.

At the January 21, 2026 Rural Affairs Committee meeting, the following motion was passed:

That the following motion BE REFERRED from January 21, 2026 Rural Affairs Committee meeting to the February 18, 2026 Rural Affairs Committee meeting:

That Regional District of Central Kootenay Zoning Amendment Bylaw No.3053, 2025 being a bylaw to amend the District of Central Kootenay Zoning Bylaw No. 1675, 2004 is hereby given FIRST and SECOND and THIRD READING by content;

And that the consideration of adoption BE WITHHELD for Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025 until the following item has been obtained:

- *Approval from the Ministry of Transportation and Transit pursuant to Section 52(3)(a) of the Transportation Act (Controlled Access).*

Sadie Chezenko, Planner, provided background to the Committee on Small Scale Multi-Unit Housing (SSMUH) and she reviewed the proposed bylaw amendments for SSMUH Zoning Alignments.

The Committee had a discussion regarding the options and staff answered questions.

Moved and seconded,
And resolved:

That Staff amend the proposed bylaw by removing mention of the Rural Residential I (R3I) zone.

Carried

Planning staff completed the changes requested and the revised amending bylaw is attached in the addenda.

8. ENVIRONMENTAL SERVICES

No Items.

9. RURAL ADMINISTRATION

9.1 COMMUNITY WORKS APPLICATION - RDCK - BOOSTER PUMP AND MEDIA REPLACEMENT SOUTH SLOCAN WATER SYSTEM

File No.: 1850-CW-327

Electoral Area H

The Committee Report Dated February 4, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - RDCK - Booster Pump and Media Replacement South Slocan Water System, has been received.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Community Works Fund application submitted by the RDCK for the RDCK-Booster Pump and Media Replacement South Slocan Water System in the total amount of \$22,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 245 – Water Utility South Slocan.

Carried

9.2 COMMUNITY WORKS APPLICATION - RDCK - CAMPBELL FIELDS OUTDOOR REIMAGINATION PROJECT
File No. 1850-CW-326
Electoral Area H

The Committee Report Dated February 4, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - RDCK - Campbell Fields Outdoor Reimagination Project, has been received.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Community Works Fund application submitted by the RDCK for the RDCK - Campbell Fields Outdoor Reimagination Project in the total amount of \$1,000,000.00 be approved and FURTHER, that funds be transferred from Area H Community Works Funds balance to Service 231 – Slocan Valley South Regional Parks Recreation No. 8.

Carried

9.3 COMMUNITY WORKS APPLICATION - CITY OF CASTLEGAR - DOUKHOBOR DISCOVERY CENTRE-EFFICIENCY & EMISSIONS REDUCTION
File No.: 1850-CW-325
Electoral Area I

The Committee Report Dated February 3, 2026 from Monique St. Louis, Grants Coordinator, re: Community Works Application - City of Castlegar - Doukhobor Discovery Centre - Efficiency and Emissions Reduction, has been received.

Moved and seconded,
And resolved that it be recommended to the Board:

That the Community Works Fund application submitted by the RDCK for the City of Castlegar - Doukhobor Discovery Centre - EFFICIENCY AND EMISSIONS REDUCTION in

the total amount of \$12,550 be approved and that funds be disbursed from Community Works Funds:
Electoral Area I in the amount of \$12,550.00

Carried

10. PUBLIC TIME

The Chair called for questions from the public and members of the media at 10:03 a.m.

No media or public had questions.

11. ADJOURNMENT

Moved and seconded,
And resolved:

The meeting be adjourned at 10:03 a.m.

Carried

Digitally Approved By

Garry Jackman, Chair

REGIONAL DISTRICT OF CENTRAL KOOTENAY

Bylaw No. 3053

A Bylaw to amend Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004

WHEREAS it is deemed expedient to amend the Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004, and amendments thereto.

NOW THEREFORE the Board of the Regional District of Central Kootenay, in open meeting assembled, HEREBY ENACTS as follows:

APPLICATION

1 That Regional District of Central Kootenay Zoning Bylaw No. 1675, 2004 be amended as follows:

A. That Division 7 Reduction of Minimum Lot Areas be amended as follows:

Reduction of Minimum Lot Sizes

B. That Section 603(3) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

The minimum lot size for a lot created under Sections 603(1) and 603(2) shall be 0.2 hectares where serviced by a community water system and 0.4 hectares where not serviced by a community water system.

C. That Section 623(3) General Regulations, Reduction of Minimum Lot Areas be amended as follows:

Despite section 623(2) secondary suites are permitted on all lots.

D. That Section 700 Suburban Residential (R1) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Accessory Dwelling Unit, subject to Section 623
Accessory Tourist Accommodation
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products

- E. That a new Section 701(C) Suburban Residential (R1) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- F. That Section 800 Ootischenia Suburban Residential (R1A) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Accessory Dwelling Unit, subject to Section 623
Accessory Tourist Accommodation
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products

- G. That a new Section 801(1)(C) Ootischenia Suburban Residential (R1A) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- H. That Section 900 Suburban Residential F (R1F) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Accessory Dwelling Unit, subject to Section 623
Accessory Tourist Accommodation
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products

- I. That a new Section 901(1)(C) Suburban Residential F (R1F) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- J. That Section 1000 Suburban Residential K (R1K) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

- K. That a new Section 1001(1)(C) Suburban Residential K (R1K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- L. That Section 1100 Country Residential (R2) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

- M. That a new Section 1101(5)(B) Country Residential (R2) Permitted Uses be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- N. That Section 1200 Country Residential I (R2I) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

O. That a new Section 1201(2)(B) Country Residential I (R2I) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

P. That Section 1300 Country Residential K (R2K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Day Care Facility
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Farm Product
- Temporary Guest Accommodation as per Section 1303

Q. That a new Section 1301(5)(B) Country Residential K (R2K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

R. That Section 1400 Country Residential SA (R2SA – South Arrow) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only
- Temporary Guest Accommodation as per Section 1402

S. That a new Section 1401(5)(B) Country Residential SA (R2SA – South Arrow) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

T. That Section 1500 Rural Residential (R3) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

U. That a new Section 1501(4)(B) Rural Residential (R3) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

V. That Section 1700 Rural Residential K (R3K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horticulture
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Small Scale Wood Product Manufacturing subject to Section 1702
- Temporary Guest Accommodation subject to Section 1703

W. That a new Section 1701(5)(B) Rural Residential K (R3K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

X. That Section 1800 Rural Resource (R4) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Single Detached Housing
- Horticulture
- Kennels
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills

- Y. That a new Section 1801(4)(B) Rural Resource (R4) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- Z. That Section 1900 Rural Resource K (R4K) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills
- Temporary Guest Accommodation as per Section 1902

- AA. That a new Section 1901(4)(B) Rural Resource K (R4K) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- BB. That Section 2000 Rural Resource (R4SA – South Arrow) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Horse Riding Stables and Boarding Stables
- Horticulture
- Kennels
- Single Detached Housing
- Veterinary Clinics

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Keeping of Farm Animals
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Sale of Site Grown Farm Products
- Portable Sawmills
- Temporary Guest Accommodation as per Section 2002

- CC. That a new Section 2001(4)(B) Rural Resource (R4SA – South Arrow) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- DD. That Section 2200 Multi-Unit Residential (R6) Permitted Uses be amended as follows:

Principal Uses:

- Duplex Housing
- Multi-Unit Housing
- Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture

- EE. That Section 2300 High Density Residential (R6F) Permitted Uses be amended as follows:

Principal Uses:

- Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Secondary Suite

- FF. That Section 2301(1) High Density Residential (R6F) Development Regulations be amended as follows:

The minimum site area for the following uses shall be required as follows:

- GG. That Section 2400 Multi-Unit Residential – F (MFR-F) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Multi-Unit Housing
Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Accessory Dwelling Unit, subject to Section 623
Accessory Tourist Accommodation
Day Care Facility
Home Based Business
Horticulture
Keeping of Farm Animals
Sale of Site Grown Farm Products

- HH. That Section 2500 Seasonal Residential (R7) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Horticulture
Single Detached Housing

Accessory Uses:

Accessory Buildings and Structures
Accessory Dwelling Unit, subject to Section 623
Accessory Tourist Accommodation
Home Based Business
Keeping of Farm Animals
Sale of Site Grown Farm Products

- II. That a new Section 2501(1)(C) Seasonal Residential (R7) Permitted Uses be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- JJ. That Section 2600 Heritage Residential I (HRI) Permitted Uses be amended as follows:

Principal Uses:

Duplex Housing
Single Detached Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products

- KK. That a new Section 2601(1)(C) Heritage Residential I (HRI) Development Regulations be added as follows:

Only one Single Detached Housing or Duplex Housing is permitted per lot.

- LL. That Section 2700 Agriculture 1 (AG1) Permitted Uses be amended as follows:

Principal Uses:

- Agriculture
- All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time
- Kennel
- Micro Cultivation, Cannabis
- Micro Processing, Cannabis
- Nursery, Cannabis
- Single Detached Housing
- Standard Cultivation, Cannabis
- Standard Processing, Cannabis
- Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

- Accessory Buildings or Structures
- Accessory Dwelling Unit, subject to Section 623
- Accessory Tourist Accommodation
- Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
- Home Based Business
- Portable Sawmills for processing of material harvested on site only
- Temporary Farm Worker Housing (may require ALC non adhering residential use approval)

- MM. That a new Section 2701(1)(C) Agriculture 1 (AG1) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- NN. That Section 2800 Agriculture 2 (AG2) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to Section 623

Accessory Tourist Accommodation

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)

Home Based Business

Portable Sawmills for processing of material harvested on site only

Temporary Farm Worker Housing (may require ALC non adhering residential use approval)

- OO. That a new Section 2801(1)(C) Agriculture 2 (AG2) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

- PP. That Section 2900 Agriculture 3 (AG3) Permitted Uses be amended as follows:

Principal Uses:

Agriculture

All activities designated as "Farm Use" as defined in the Agricultural Land Commission Act and Part 2 of the Agricultural Land Reserve Use Regulation as amended or replaced from time to time

Kennel

Micro Cultivation, Cannabis

Micro Processing, Cannabis

Nursery, Cannabis

Single Detached Housing

Standard Cultivation, Cannabis

Standard Processing, Cannabis

Veterinary Clinic (may require ALC non-farm use approval)

Accessory Uses:

Accessory Buildings or Structures

Accessory Dwelling Unit, subject to Section 623

Accessory Tourist Accommodation

Farm Product Processing of farm product from another parcel in the Regional District of Central Kootenay (may require ALC non-farm use approval)
Home Based Business
Portable Sawmills for processing of material harvested on site only
Temporary Farm Worker Housing (may require ALC non adhering residential use approval)

QQ. That a new Section 2901(1)(C) Agriculture 3 (AG3) Development Regulations be added as follows:

Only one Single Detached Housing is permitted per lot.

2 This Bylaw shall come into force and effect upon its adoption.

CITATION

3 This Bylaw may be cited as “**Regional District of Central Kootenay Zoning Amendment Bylaw No. 3053, 2025**”

READ A FIRST TIME this 19 day of February, 2026

READ A SECOND TIME this 19 day of February, 2026

READ A THIRD TIME this 19 day of February, 2026

APPROVED under **Section 52 (3)(a) of the Transportation Act** this [Date] day of [Month], 20XX.

Approval Authority,
Ministry of Transportation and Transit

ADOPTED this [Date] day of [Month], 20XX.

Aimee Watson, Board Chair

Mike Morrison, Corporate Officer



File No: 3135-20-A-786.05215.310

February 18, 2026

MAY, MICHELLE P
5400 ELSIE-HOLMES RD
WYNNDEL BC V0B 2N1

SUBJECT: Notice on Title **CIVIC ADDRESS:** 5400 Elsie-Holmes Rd

Please be advised that RDCK staff, in accordance with Section 57 of the Community Charter (SBC 2003) are recommending that the RDCK Board place a notice against the land title of your property located at LOT 1, PLAN NEP77199, DISTRICT LOT 4595, KOOTENAY LAND DISTRICT PID 026-161-681. The staff memo containing the background information on this matter is enclosed for your reference. Section 57 requires that property owners be given the opportunity to be heard on this matter prior to a decision to place the notice.

This letter serves as notification that the RDCK Rural Affairs Committee will consider this matter at the date and time noted below. Alternatively, you may participate in this meeting online. If you choose to attend, you will be provided with the opportunity to address the Committee regarding this matter.

Date: March 18, 2026
Time: Delegations will be received beginning at **9:00 am**. Please follow the instructions provided by the Administration Department and wait until your item is called to be dealt with by the Committee. **(Maximum 15 minutes for each delegation 10 minutes presentation, 5 minutes question)**
Location: In-person: RDCK Head Office - Board Room, 202 Lakeside Dr, Nelson BC
Hybrid meeting: Please refer to our website rdck.ca

At this meeting committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise us in advance if you will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca no less than 3 business days prior to the meeting.

If you wish to avoid the possibility of having a Notice on Title placed on your property, you must contact the building department **no later than 2 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the RDCK Building department at 1-800-268-7325 or (250) 352-1500

Yours truly,
Mike Morrison, Corporate Officer



MEMORANDUM

File No: 3135-20-A-786.05215.310

February 12, 2026

TO: RDCK Board

FROM: Konstantin Vassev Senior Building Official
Erik Stout, Manager Building and Bylaw

SUBJECT: Filing of Section 57-Notice on Title-Michelle May-5400 Elsie-Holmes Rd

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property described as LOT 1, PLAN NEP77199, DISTRICT LOT 4595, KOOTENAY LAND DISTRICT PID 026-161-681 as a consequence of a building bylaw contravention-Commencing construction without a valid building permit.

EXECUTIVE SUMMARY:

Commencing construction without a valid building permit.

NOTICE ON TITLE – RURAL AFFAIRS COMMITTEE REPORT – BUILDING BYLAW INFRACTIONS:

6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system or other work related to construction unless a building official has issued a valid and subsisting permit for the work.

Oct 24, 2025 – Complaint received and allegation letter sent about a detached garage that was constructed without a permit in 2022.

Nov 10, 2025 – Building official emailed owner with building permit application requirements.

Nov 18, 2025 – Owner emailed title search and photos of construction. Building Official requested all items outlined in previous email and made mention that if building code compliance cannot be achieved via Part 9 a structural engineer may be required to certify that the building is structurally safe for the intended use.

Nov 20, 2025 – Building Permit application was started with an application form, title search and some photos.

Nov 24, 2025 - Plan check deposit fee email sent, requesting payment. Owner has not made payment.

Dec 8, 2025 – Owner consulted with an engineer and forwarded email from the engineer who had concerns with the existing foundation and lack of a footing, the engineer is not willing to be involved in the project.

Dec 8, 2025 – Owner said they are not able to work towards compliance. Building Official notified owner that we may proceed with a recommendation to place a notice on title.

Dec 10, 2025 – Owner provided photos of the interior framing and are interested to work towards compliance. A building permit will need to be issued. Building Official emailed owner what is needed for the building permit application.

Dec 21, 2025 – Owner provided an update saying they are working towards compliance and are trying to contact consultants and contractors for assistance.

Jan 12, 2026 – Owner reached out to ask what is required. Building Official sent the owner the list of required items sent to the owner on December 10, 2025.

Jan 13, 2026 – Building Official emailed owner all previous correspondence outlining what is required and the different options that are available to bring the building into compliance and what is required for the building permit application.

Jan 14, 2026 – Owner responded and said they are not able to work towards compliance. Building Official notified owner that we may proceed with a recommendation to place a notice on title. Owner emailed back and confirmed that they will not be working towards compliance at this time.

As of the date of this report the owner has not paid the building permit application fee and has had no communication with the building department since the email from January 14, 2026.





RECOMMENDATION

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land at 5400 Elsie-Holmes Rd, Wynndel, BC, Electoral Area A, legally described as LOT 1, PLAN NEP77199, DISTRICT LOT 4595, KOOTENAY LAND DISTRICT; AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

ALTERNATE RECOMMENDATION

That the Rural Affairs Committee REFER the consideration of a Notice with the Land Title and Survey Authority of British Columbia for land at 5400 Elsie-Holmes Rd, Wynndel, BC, Electoral Area A, legally described as LOT 1, PLAN NEP77199, DISTRICT LOT 4595, KOOTENAY LAND DISTRICT to the April 2026 Open Rural Affairs Committee meeting.

Erik Stout, Manager Building and Bylaw **Approved**

Sangita Sudan, General Manager of Development and Community Sustainability Services **Approved**

Stuart Horn, Chief Administrative Officer **Approved**



File No: 3135-20- A-786.01164.000-BP023249

February 18, 2026

REINE, MARK S
5137 CORY RD
WYNNEDEL BC V0B 2N2

SUBJECT: Notice on Title **CIVIC ADDRESS:** 5137 CORY RD

Please be advised that RDCK staff, in accordance with Section 57 of the Community Charter (SBC 2003) are recommending that the RDCK Board place a notice against the land title of your property located at LOT 4 PLAN NEP1369 DISTRICT LOT 191 KOOTENAY LAND DISTRICT EXC PCL A (SEE 22518I). PID 015-809-595. The staff memo containing the background information on this matter is enclosed for your reference. Section 57 requires that property owners be given the opportunity to be heard on this matter prior to a decision to place the notice.

This letter serves as notification that the RDCK Rural Affairs Committee will consider this matter at the date and time noted below. Alternatively, you may participate in this meeting online. If you choose to attend, you will be provided with the opportunity to address the Committee regarding this matter.

Date: March 18, 2026

Time: Delegations will be received beginning at **9:00 am**. Please follow the instructions provided by the Administration Department and wait until your item is called to be dealt with by the Committee. **(Maximum 15 minutes for each delegation 10 minutes presentation, 5 minutes question)**

Location: In-person: RDCK Head Office - Board Room, 202 Lakeside Dr, Nelson BC
Hybrid meeting: Please refer to our website rdck.ca

At this meeting committee members will consider making a recommendation to the Regional District Board to direct the Corporate Officer to file a Notice, in the Land Title Office under Section 57 of the *Community Charter*, against the above noted property.

Please advise us in advance if you will be present at the Rural Affairs Committee meeting by contacting the Administration Department at (250) 352-1575 or by email chopkyns@rdck.bc.ca no less than 3 business days prior to the meeting.

If you wish to avoid the possibility of having a Notice on Title placed on your property, you must contact the building department **no later than 2 business days prior** to the meeting. For specific building inspection inquiries respecting the above, you may contact the RDCK Building department at 1-800-268-7325 or (250) 352-1500

Yours truly,
Mike Morrison, Corporate Officer



MEMORANDUM

File No: 3135-20-A-786.01164.000-BP023249

February 10, 2026

TO: RDCK Board

FROM: Konstantin Vassev Senior Building Official
Erik Stout, Manager Building and Bylaw

SUBJECT: Filing of Section 57-Notice on Title-REINE, MARK-5137 CORY RD

The purpose of this report is for the RDCK Board to consider placing a Notice on Title on the above noted property described as LOT 4 PLAN NEP1369 DISTRICT LOT 191 KOOTENAY LAND DISTRICT EXC PCL A (SEE 225181). PID 015-809-595 as a consequence of a building bylaw contravention-Expired permit.

EXECUTIVE SUMMARY:

Expired permit has not been renewed, and work was completed without any inspections. Engineer review required to assess foundation wall. Owner ignored emails and letters, and recently said that they are ok with the placement of a Notice on Title.

NOTICE ON TITLE – RURAL AFFAIRS COMMITTEE REPORT – BUILDING BYLAW INFRACTIONS:

4.3 It is the full and sole responsibility of the owner (and where the owner is acting through a representative, the representative) to carry out the work, in respect of which a permit is issued under this Bylaw, in compliance with the Building Code, this Bylaw and other applicable enactments respecting safety.

6.1 No person shall commence or continue any construction, alteration, reconstruction, demolition, removal, relocation or change the occupancy of any building, structure or plumbing system or other work related to construction unless a building official has issued a valid and subsisting permit for the work.



13.3.3 the permit shall expire, and the rights of the owner shall terminate in the event and at the time that either of the above conditions is not met or in any event thirty-six months after the date the permit was issued.

September 13, 2016: Building permit application was made for a storage building.

September 30, 2016: Building permit was issued.

July 19, 2017: Siting/Foundation inspection was conducted and completed by the Building Official. No further inspections were conducted.

September 29, 2019: Building Permit expired.

September 28, 2022: Expiry notice was mailed out to owner.

March 7, 2023: Owner submitted a new replacement permit application.

March 10, 2023: A Building Official reviewed the application prior to issuance of a new permit to complete work started under BP023249. During the replacement permit review process further documentation from a structural engineer was requested. A response was not provided from the owner.

January 8, 2024: A follow up to the request made on March 10, 2023 was sent a second time by the building administrative assistant.

January 20, 2026: Based on all historic documentation it appeared the owner has not responded to the RDCK's emails and letters and completed the building with no further inspections other than the inspection in 2017. Building Official visited the property and spoke with the owner. The state and use of the building was verified as a storage building that contained a wood burning appliance. See recent photos.

As of date of this report, there has been no further contact from owner.



RECOMMENDATION

That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 57 of the Community Charter by the Regional District Board relating to land at 5137 Cory Rd, Wynndel, BC, Electoral Area A, legally described as LOT 4 PLAN NEP1369 DISTRICT LOT 191 KOOTENAY LAND DISTRICT EXC PCL A (SEE 225181); AND FURTHER, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

ALTERNATE RECOMMENDATION

That the Rural Affairs Committee REFER the consideration of a Notice with the Land Title and Survey Authority of British Columbia for land at 5137 Cory Rd, Wynndel, BC, Electoral Area A, legally described as LOT 4 PLAN NEP1369 DISTRICT LOT 191 KOOTENAY LAND DISTRICT EXC PCL A (SEE 225181) to the April 2026 Open Rural Affairs Committee meeting.

Erik Stout, Manager Building and Bylaw **Approved**

Sangita Sudan, General Manager of Development and Community Sustainability Services **Approved**

Stuart Horn, Chief Administrative Officer **Approved**



MEMORANDUM

File 3130-20-H-707.20428.110-BP029175

March 5, 2026

TO: RDCK Board

FROM: Erik Stout, Manager Building and Bylaw

SUBJECT: Cancellation of Notice on Title – David Wayne Macnab – 6603 Nixon Rd, Winlaw BC (PID 016-065-948)

Please be advised that the condition that gave rise to adopting the following resolution on May 17, 2018, when the Notice on Title was placed, has been rectified by Building Permit BP029175. We can now file for a Cancellation Notice to cancel bylaw offence CA6833858.

356/18 That the Corporate Officer of the Regional District of Central Kootenay be directed to file a Notice with the Land Title and Survey Authority of British Columbia, stating that a resolution has been made under Section 5 7 of the Community Charter by the Regional District Board relating to land at 6603 Highway 6, Electoral Area H, legally described as Lot 11, Block 6, District Lot 383, Kootenay District, Plan 1108, and further, if an active Building permit or Building application is in place, that it be cancelled; and finally, that information respecting the resolution may be inspected at the office of the Regional District of Central Kootenay on normal working days during regular office hours.

For clarification the former address was 6603 Highway 6 in 2018, the new assigned address is 6603 Nixon Rd, the PID remains unchanged as the address change is not a result of subdivision.

The owner, David Wayne Macnab, has requested removal of the Notice on Title in writing and has paid the administration fee of \$750.00.

RECOMMENDATION

That the Corporate Officer be authorized to remove the Notice on Title relating to 6603 Nixon Rd, Winlaw BC, Electoral Area H, currently owned by David Wayne Macnab, property legally described as LOT 11 BLOCK 6 DISTRICT LOT 383 KOOTENAY DISTRICT PLAN 1108 PID 016-065-948, the RDCK Building Department has confirmed that the reason for placing the Notice on Title on May 17, 2018 has been rectified.

ALTERNATE RECOMMENDATION

That the Rural Affairs Committee REFER the consideration of a cancelation of the Notice with the Land Title and Survey Authority of British Columbia for land at to 6603 Nixon Rd, Winlaw BC, Electoral Area H, legally described as LOT 11 BLOCK 6 DISTRICT LOT 383 KOOTENAY DISTRICT PLAN 1108 PID 016-065-948, to the April 2026 Open Rural Affairs Committee meeting.

Erik Stout, Manager Building and Bylaw **Approved**



Committee Report

Date of Report: February 26, 2026
Date & Type of Meeting: March 18, 2026, Rural Affairs Committee
Author: Sadie Chezenko, Planner 1
Subject: DEVELOPMENT VARIANCE PERMIT
File: V25071 – JOHNSTON
Electoral Area/Municipality: I

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is to consider a Development Variance Permit (DVP) application for two properties located on Lower Gibson Road in Pass Creek in Electoral Area ‘I.’

The two property owners are seeking to realign the boundaries between their properties so that the owner of one property may obtain ownership of the land surrounding their water source. The proposal would result in a new lot bisected by a legally dedicated road, which is not permitted by the zoning bylaw, thus necessitating the variance.

Ultimately, staff do not support this DVP because existing regulations already protect the water source and additional protections could be achieved through a private agreement. Further, the variance is not needed to transfer the parcels ownership and approving it could create the expectation that similar applications would be supported.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION	
Property Owners:	<ul style="list-style-type: none"> - Parcel 1: Shelly and George Soukeroff - Parcel 2: Stacy Johnston
Property Locations:	<ul style="list-style-type: none"> - Parcel 1: 2285 Lower Gibson Road, Pass Creek, Electoral Area I - Parcel 2: 2270 Lower Gibson Road, Pass Creek, Electoral Area I
Legal Descriptions:	<ul style="list-style-type: none"> - Parcel 1: LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT PLAN NEP73270 (PID: 005-477-590) - Parcel 2: LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618 (PID: 026-078-627)
Property Size:	<ul style="list-style-type: none"> - Parcel 1: 1.86 ha - Parcel 2: 15.5 ha
Current Zoning:	<ul style="list-style-type: none"> - Parcel 1: Country Residential I (R2I) in RDCK Zoning Bylaw No. 1675, 2004 - Parcel 2: Country Residential I (R2I) in RDCK Zoning Bylaw No. 1675, 2004
Current Official Community Plan (OCP) Designation:	<ul style="list-style-type: none"> - Parcel 1: Rural Residential (RR) OCP Bylaw No. 2821

- **Parcel 2:** Rural Residential (RR) OCP Bylaw No. 2821

Site Context

This application involves two neighboring properties that are located on Lower Gibson Road in Pass Creek approximately 5km north of Castlegar. The properties are shown in Figure 2. Parcel 1 is 1.86 ha in size and Parcel 2 is 15.5 ha in size. Parcel 1 is used for residential purposes and has been improved with a residence and septic system. Parcel 2 has a park model RV and a covered camping trailer on the property. The water source for Parcel 1 is “Bessie Spring” which is located on Parcel 2 and there are two water licenses (C121299 and C121300) which authorize the property owners of Parcel 1 to use and divert water from this source. There is also a third and fourth water licence (C121298 and C131161) issued off existing Parcel 2 (Strelaw Spring) which provides water to two other parcels to the west of the subject properties. This is shown in Figure 4.

The immediate properties surrounding the subject properties are residentially zoned apart from the parcel to the east of Parcel 2 which is “Crown Land¹” and zoned Open Space (OS). This parcel steeply slopes to the east. Lower Gibson Road borders the subject properties as shown in Figure 1. This road is a legally dedicated public road and is surfaced near Pass Creek Road but becomes a dirt road as it nears the subject properties. This road is the only road access for the parcel to the north of the subject properties.

SURROUNDING LAND USES
North: Country Residential I (R2I) – Vacant
East: Open Space (OS)
South: Country Residential (R2I) – Residences
West: Country Residential (R2I) – Residences

¹ “Crown land” is unceded land meaning that Indigenous title has neither been surrendered nor acquired by the Crown. Alternative terms such as “traditional territory” or “unceded territory” are sometimes used when referring to these lands to reflect this.

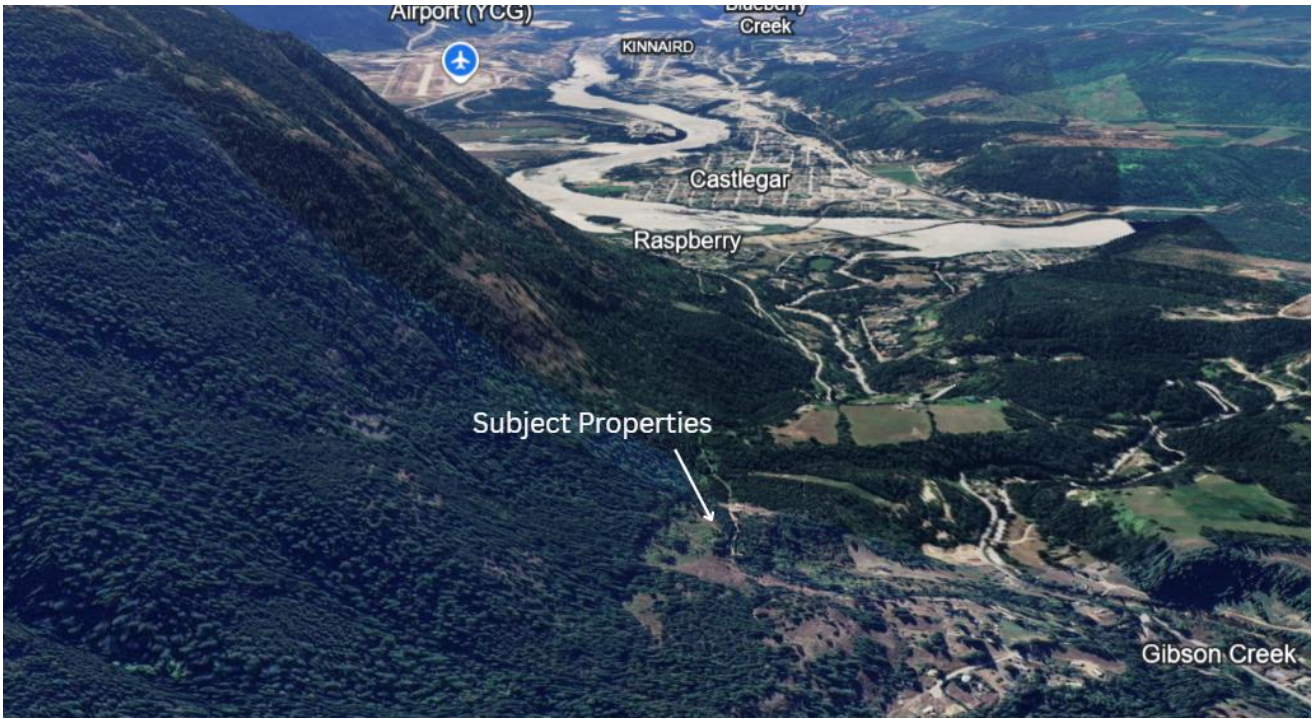


Figure 1: Aerial Imagery of Subject Properties

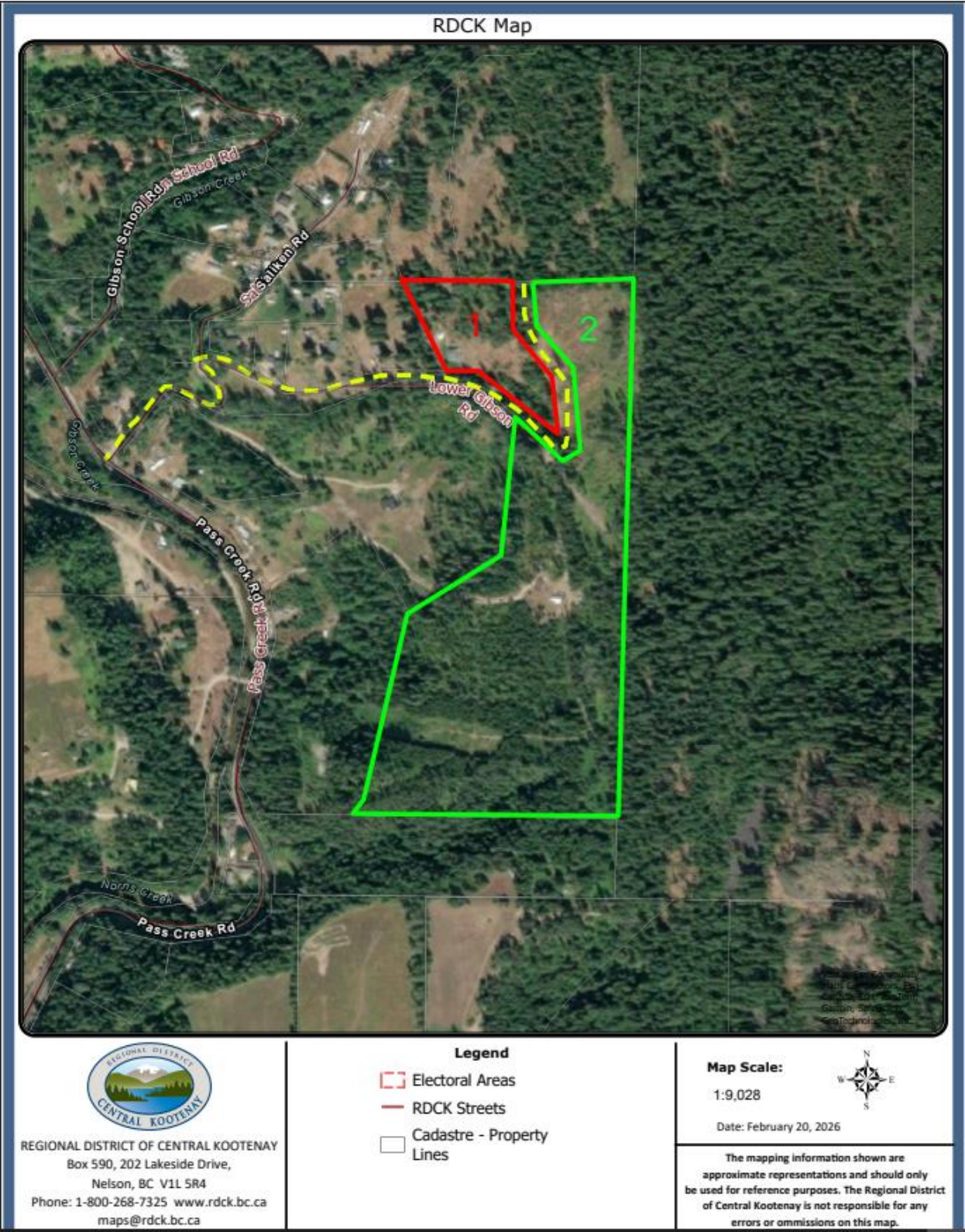


Figure 2: Location Map

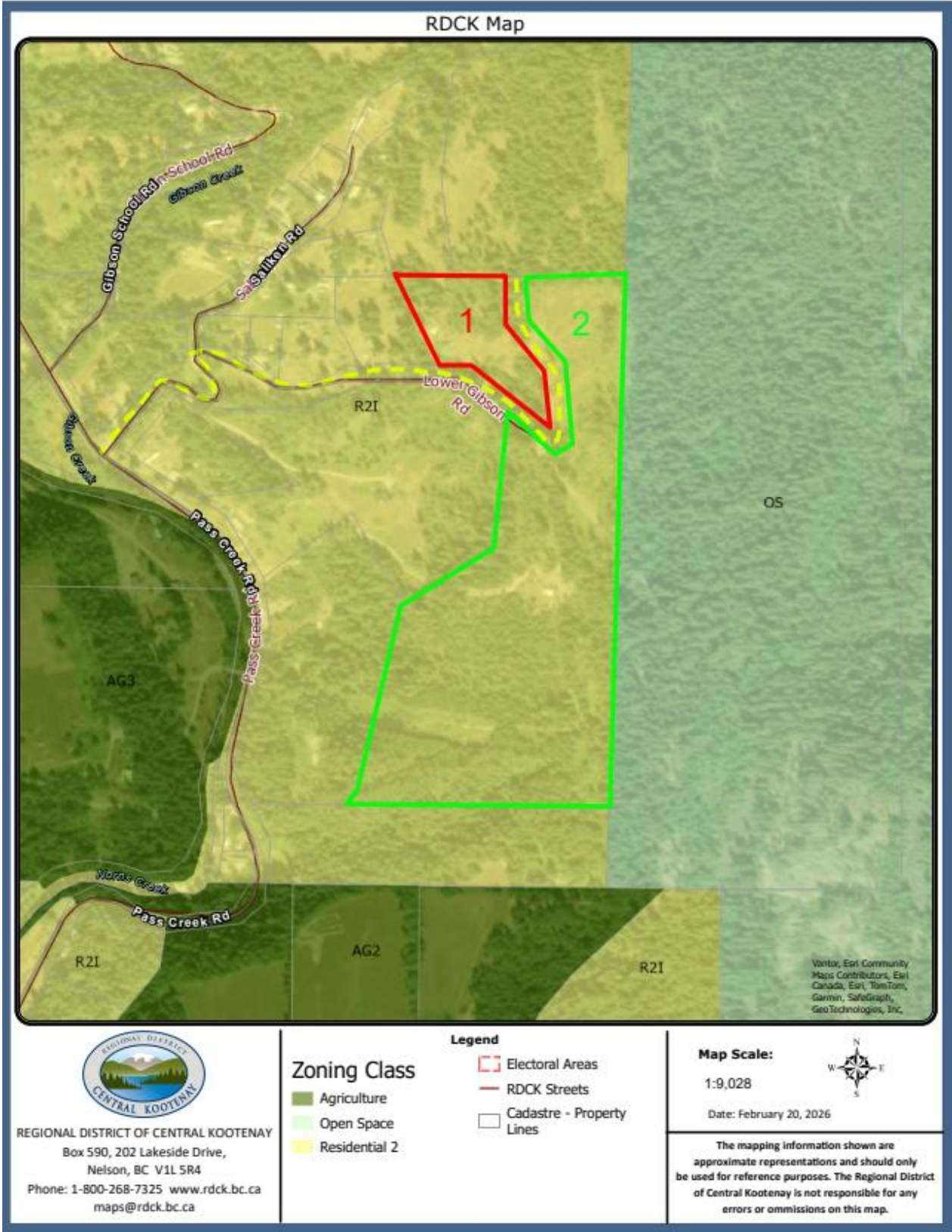


Figure 3: Zoning Map

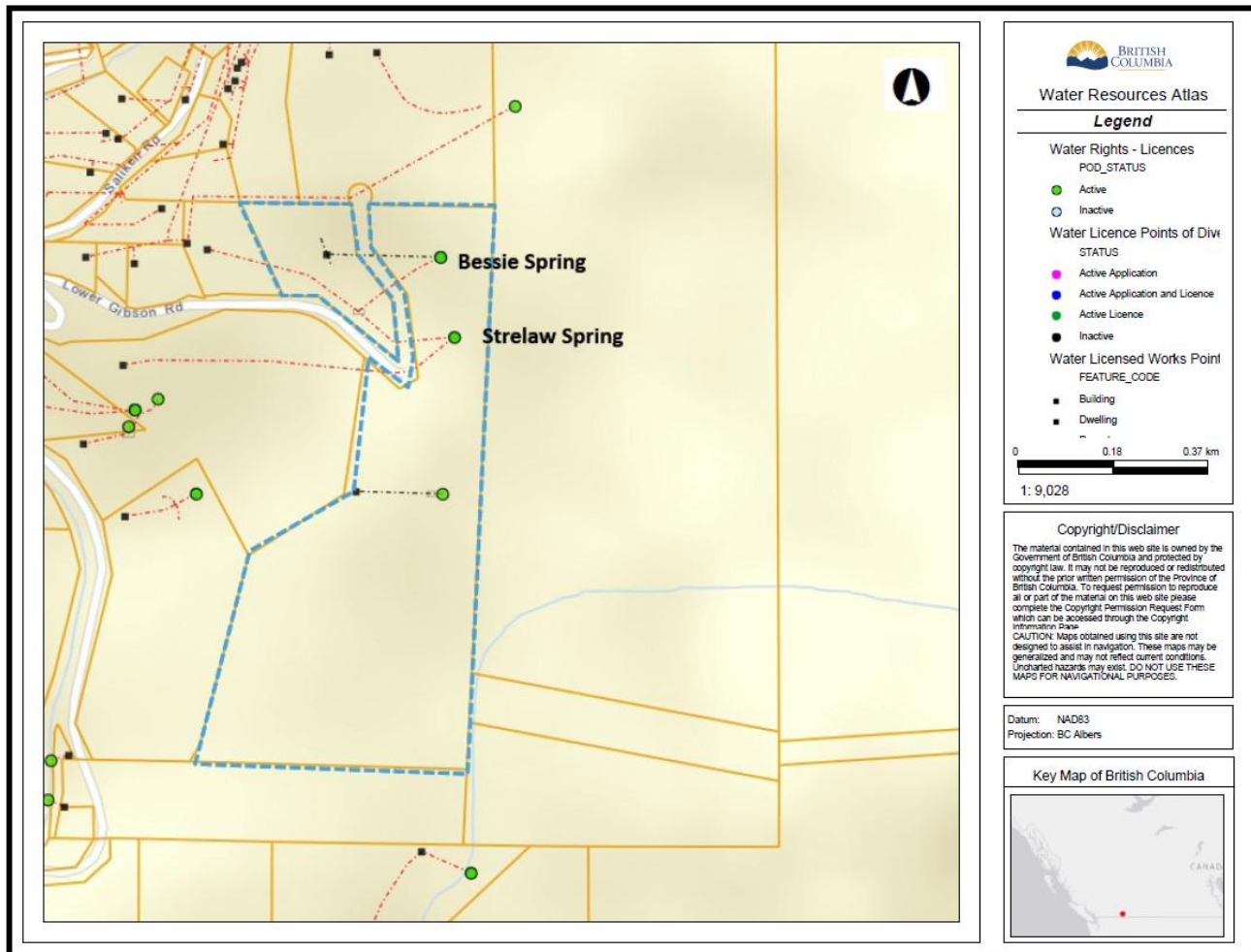


Figure 4: Water License Map

Development Proposal

The neighbouring property owners have applied to the Ministry of Transportation and Transit (MOTT) to complete a boundary adjustment subdivision of their parcels. The proposal would reconfigure the two existing parcels as illustrated in Figure 5, with one parcel proposed to be hooked across Lower Gibson Road. Figure 6 provides a side-by-side comparison of the existing and proposed parcel configurations for reference. The existing and proposed lot sizes are shown below:

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

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 Figure 5, Proposed Parcel 1 would be bisected by a legally dedicated road. Accordingly, the applicant has submitted a Development Variance Permit (DVP) application seeking relief from this regulation to allow the creation of a lot that is bisected by a legally dedicated road.

The purpose of this proposal is to allow the owners of Parcel 1 to obtain ownership and control of the land surrounding their water source, which is currently situated on Parcel 2. The application noted that the area around the water source was previously logged by the owner of Parcel 2, creating concern for the owners of Parcel 1 regarding the protection and management of their water supply. These concerns have led to the submission of both the boundary adjustment subdivision application with MOTT and this DVP application with the RDCK.

The owner of Parcel 2 supports the proposal, as the proceeds from the sale of the portion of land containing the water source would enable her to finance the extension of electrical service to her property.

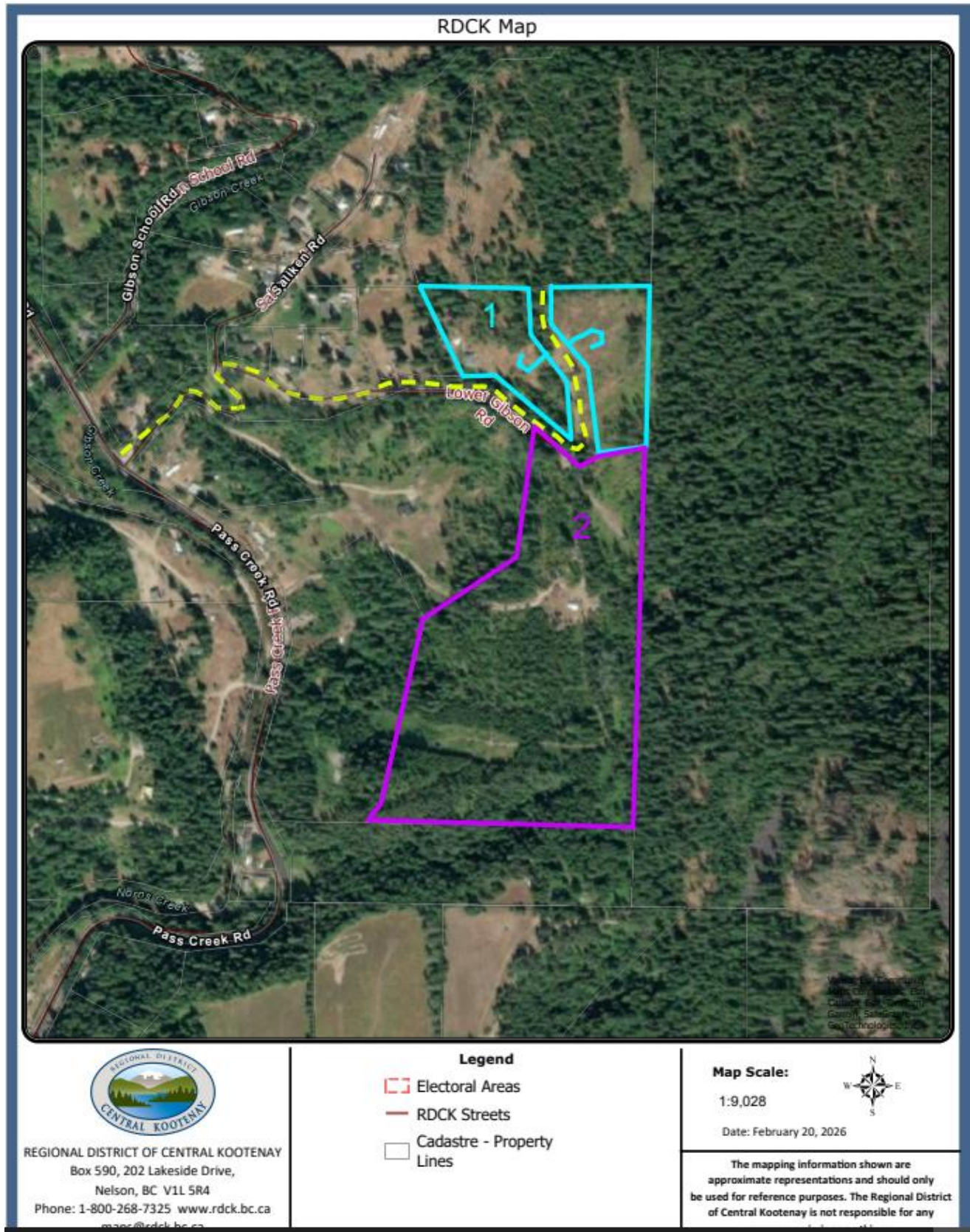


Figure 5: Proposed Boundary Adjustment

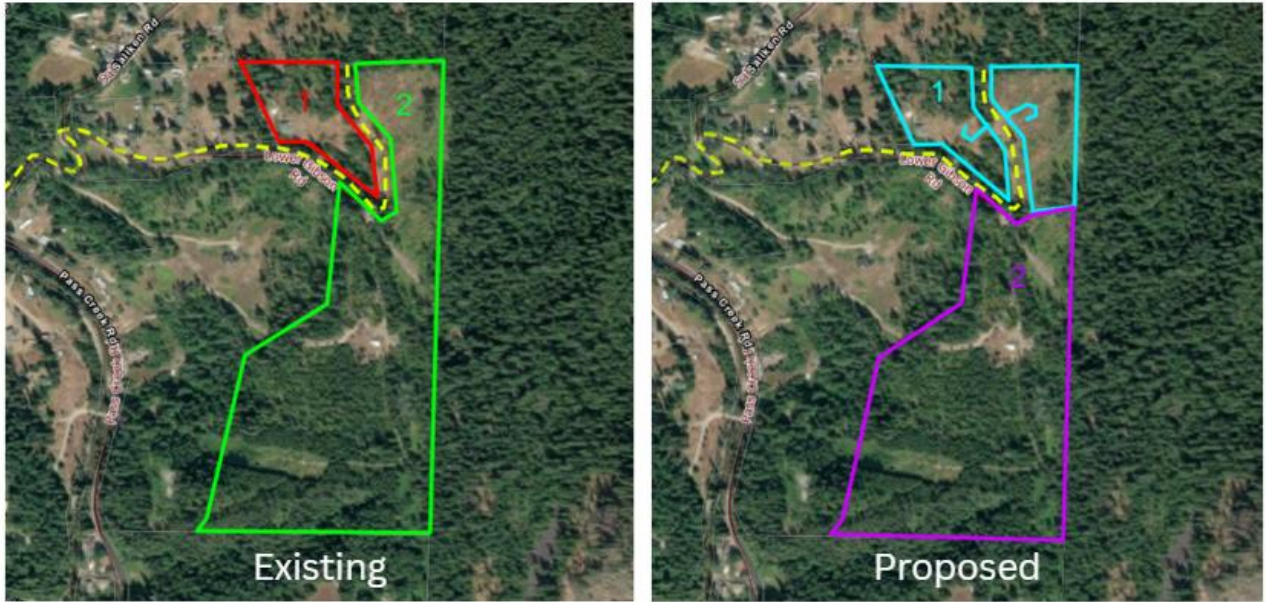


Figure 6: Existing and Proposed Parcels



Figure 7: Site Photo 1

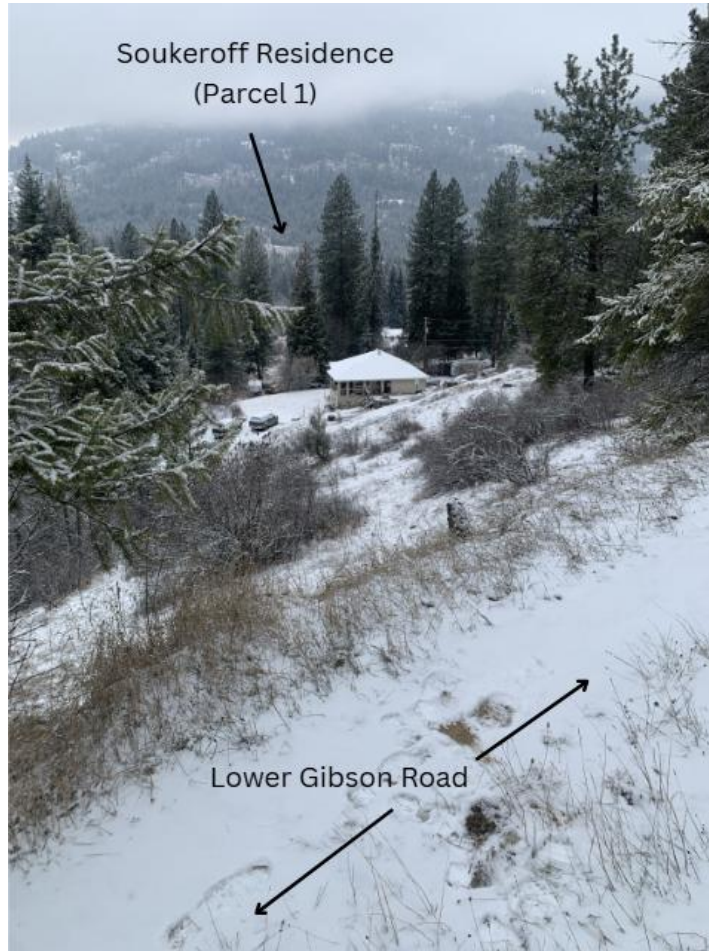


Figure 8: Parcel 1 viewed from Lower Gibson Road between Parcels 1 and 2



Figure 9: End of Lower Gibson Road and Property to the North



Figure 10: Spring on Northern Portion of Existing Parcel 2/Proposed Parcel 1



Figure 11: Northern Portion of Parcel 2 (Proposed Parcel 1)

Land Use Considerations

Official Community Plan (OCP)

The OCP land use designation for these properties is Rural Residential (RR). The OCP identifies that this type of development is directed to remote areas and that lots should be typically at least two hectares in size. The proposal is consistent with its designation in the OCP.

Development Permit Areas

The parcels are subject to multiple Development Permit Areas (DPAs). Relevant to this application, is the Riparian Protection Development Permit Area (RPDPA). The RPDPA is designated under Section 488(1)(a) of the Local Government Act for the protection of the natural environment, its ecosystems and biological diversity. The RPDPA helps protect watercourses by regulating land use and development activities in the area surrounding them.

Specifically, RPDPA's can help safeguard springs by preserving surrounding vegetation, maintaining natural drainage and groundwater recharge, limiting disturbance, and requiring environmental review before development occurs. This helps protect both the quantity and quality of spring water over the long term.

Zoning Bylaw

The subject properties are zoned Country Residential I (R2I) in RDCK Zoning Bylaw No. 1675, 2004. The minimum lot size for a lot to be created by a subdivision is 1.0 ha in the R2I zone. The proposed lot sizes are both greater than 1.0 ha, thus complying the applicable zoning regulation.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Section 498 of the Local Government Act gives authority to vary provisions of a zoning bylaw provided that they do not affect use and density.

Section 602(7) of RDCK Zoning Bylaw no. 1675, 2004 specifies that “No newly created lot shall be bisected by a legally dedicated road.”

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

None anticipated.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

Public and Neighbour Notice

In accordance with Schedule ‘E’ of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, a ‘Notice of Development’ sign was placed on the subject property. Notice of this proposal was sent via mail to owners and tenants of all parcels within 100 meters of the subject property. The proposal and relevant information was also posted to the RDCK Active Applications page where all current planning applications are made available to the public. To date, three members of the public have responded to these notices. The brief response is included below, and the longer response is attached to this report.

Walter Bartsoff

No concerns with the proposal

Agency Referral Responses

In accordance with Schedule ‘E’ of the *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015*, planning staff referred the application to all applicable Regional District departments and government ministries and agencies for a period of thirty (30) days. Brief responses are included below. Longer responses are attached to this report.

Advisory Planning and Heritage Commission

The commission supported the proposal.

Ministry of Water, Land and Resource Stewardship – Crown Land Authorizations – Kootenay Boundary Region

On behalf of Kootenay Boundary Crown Land Authorizations, there are no concerns with this development variance permit application.

Ministry of Transportation and Transit

The Ministry has no objections or concerns with the requested development variance permit. The Ministry noted in the Applicant's Proposal Summary that the proponent stated the Ministry 'is in agreement with this subdivide.' It should be noted that the Ministry has provided the proponent with a Preliminary Layout Review letter; however, the Provincial Approving Officer has not yet received nor accepted a final subdivision application.

RDCK Fire Services

The fire service has no issues with this referral.

3.7 Staffing/Departmental Workplace Considerations:

Staff reviewed the application in accordance with the Development Variance Permit Procedure within Schedule 'E' of the Planning Procedures and Fees Bylaw No. 2547, 2015. Should the Board approve the requested variance, staff would issue the Permit and register a Notice of Permit on the property's Title.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: SUMMARY

Planning Discussion

Water source protection is a significant concern for many property owners and is the primary driver behind this application. Property owners generally seek to ensure that both the quantity and quality of their water supply are maintained over the long term. While some residents within the RDCK are served by community water systems, many rural property owners rely on private groundwater or surface water sources, including wells, springs, creeks, and lakes.

These sources can be impacted in a variety of ways. Broad environmental and climate-related events, such as drought and wildfire may threaten both water quantity and quality. Impacts can also result from land use activities occurring near water sources. For example, contamination may arise from sediment runoff associated with clearing or grading, fertilizers and pesticides, fuel spills, livestock waste, or failing septic systems. Vegetation removal and soil disturbance can increase erosion, reduce natural filtration, compact soils, and disrupt groundwater recharge areas, potentially diminishing both water quality and supply. Over time, even small-scale disturbances can have cumulative effects that impair the long-term sustainability of a water source.

A range of regulatory mechanisms currently exist to support water source protection. The Area I Official Community Plan and Zoning Bylaw were recently updated to strengthen protections for watercourses and riparian areas through the establishment of a Riparian Protection Development Permit Area (RPDPA). As outlined earlier in this report, the RPDPA helps safeguard springs by preserving surrounding vegetation, maintaining natural drainage and groundwater recharge functions, limiting disturbance, and requiring environmental review prior to development. At the provincial level, springs meet the definition of streams and are subject to the protections of the Water Sustainability Act (WSA) as was noted in correspondence from the Ministry of Water, Land and Resource Stewardship (WLRs). Any changes in or about the stream including alterations to land, vegetation, the natural environment, or water flow require authorization under Section 11 of the WSA. Simply, this authorization is a regulatory approval that allows proposed works to proceed in a controlled way that protects the stream. Beyond government regulation, neighbouring property owners may also enter into private agreements to secure enhanced protection of shared water sources if desired.

The applicant has indicated that the proposal is being pursued in part because they believe that the existing water easement is not satisfactory. The easement in question is for the construction and maintenance of water works required to draw water from Strelaw Spring and Bessie Spring from Parcel 2 to Parcel 1, as well as to another parcel. In particular, the applicant noted that the current easement requires the water works to be "underground"

and that they cannot comply with this due to the rocky, sloped terrain. However, in reviewing the easement, it only states that the water works should be buried “to the extent it is reasonably able to do so.” It is therefore not clear that an inability to bury all works would result in non-compliance with the easement. Regardless, amendments to private easements can be negotiated between property owners without local government oversight or approval and the requested variance is not required to address this matter.

Approval of the variance would allow the owners of Parcel 1 to pursue ownership of the land surrounding their water source. However, the proposal would also result in those owners acquiring land surrounding two other properties’ water sources (see Figure 4). The proposal therefore does not ensure that each property owner would own the land containing their respective water source. If source protection is the primary objective, a more effective approach would be to ensure consistent and adequate protection regardless of ownership. This could be through advocacy to strengthen provincial regulations or undertaking a project to explore possible options for enhancing source protection at the local government level. For example, there are land use planning tools available to regulate activities surrounding water sources such as development permit areas (DPAs). As noted earlier, the RPDPA offers some source protection because activities in riparian areas influence water quality and recharge. However, the RPDPA was created primarily through the lens of riparian protection rather than water source protection. If the goal of the DPA was water source protection, additional regulations might be advisable. The Local Government Act specifies that DPAs can be used for the establishment of objectives to promote water conservation as well as for the protection of the natural environment. If the Board desired, they could direct staff to undertake a project to explore what tools, like DPAs, may be available to better ensure water source protection in the RDCK.

Further, should the owners of Parcel 1 insist on acquiring a portion of Parcel 2, this could be achieved through a conventional subdivision process without the need for a variance. Parcel 2 could be subdivided to create a separately titled lot that meets the minimum lot size requirements of the zone and could then be purchased by the owners of Parcel 1 instead.

Alternatively, the owners of Parcel 1 could explore securing a new water source, such as drilling a well or investigating access to a different spring or surface water source, rather than pursuing ownership of the land surrounding the existing source.

From a land use planning perspective, the creation of lots bisected by a road is generally discouraged. Such configurations may raise concerns related to access and emergency response. Hooked parcels, especially in a rural area, can contribute to confusion around which portions of the parcel are actually usable. Even though survey plans and property information are readily accessible, RDCK staff regularly see structures built without permits across property lines, and other forms of disturbance such as vegetation removal on public lands. The road is the only access for the neighbours to the north for day to day use as well as in an emergency and they have raised concerns regarding this proposal. Further, the portion of Lower Gibson Road between the parcel to be hooked is not maintained by the Ministry of Transportation and Transit (MOTT). It is a single lane dirt road that appears more visually similar to a driveway than to a legally dedicated road. This could contribute to the lack of clarity around the portions of land that are public rather than private. Despite this, MOTT who has jurisdiction over Lower Gibson Road did not raise concerns with respect to this proposal and this has significance as MOTT would be responsible for addressing unpermitted structures/development on legally dedicated roads such as this if that were to occur.

Ultimately, staff do not support the issuance of this DVP for the following reasons:

- A variance is not necessary for the owners of Parcel 1 to acquire the northern portion of Parcel 2 as this can be achieved through the conventional subdivision process
- The variance is not required to protect the water source, as regulatory protections already exist at both the RDCK and provincial levels and if additional source protection is desired, it could be secured through a private agreement rather than through a change of ownership
- The variance is not required to modify the easement between the neighbouring property owners
- The property owners could explore securing a new water source on their existing property rather than securing additional water source protection on the neighbouring property through the boundary adjustment
- Granting this variance could create the expectation that future similar applications would be supported

Finally, if the RDCK Board is of the view that the existing mechanisms to protect water sources are inadequate, it may be appropriate to consider what broader regulatory framework would effectively safeguard those resources at a community scale so that protection exists for all residents, rather than addressing concerns incrementally through individual development applications.

Options

Option 1 – Not Approve

That the Board NOT APPROVE the issuance of Development Variance Permit V25071 to Stacy Johnston for the properties located at 2285 Lower Gibson Road and 2270 Lower Gibson Road and legally described as LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT PLAN NEP73270 (PID: 005-477-590) and LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618 (PID: 026-078-627) to vary Section 602(7) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a newly created lot bisected by a legally dedicated road.

Option 2 – Approve

That the Board APPROVE the issuance of Development Variance Permit V25071 to Stacy Johnston for the properties located at 2285 Lower Gibson Road and 2270 Lower Gibson Road and legally described as LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT PLAN NEP73270 (PID: 005-477-590) and LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618 (PID: 026-078-627) to vary Section 602(7) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a newly created lot bisected by a legally dedicated road.

SECTION 5: RECOMMENDATIONS

That the Board NOT APPROVE the issuance of Development Variance Permit V25071 to Stacy Johnston for the properties located at 2285 and 2270 Lower Gibson Road and legally described as LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT PLAN NEP73270 (PID: 005-477-590) and LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618 (PID: 026-078-627) to vary Section 602(7) of RDCK Zoning Bylaw No. 1675, 2004 in order to allow a newly created lot bisected by a legally dedicated road.

Respectfully submitted,



Sadie Chezenko, Planner 1

CONCURRENCE

Nelson Wight – Planning Manager **Approved**

Sangita Sudan - General Manager of Development and Community Sustainability **Approved**

Stuart Horn – Chief Administrative Officer **Approved**

ATTACHMENTS:

Attachment A – Agency Responses

Attachment B – Public Responses

Attachment C – Development Variance Permit

From: [REDACTED]
 To: Planning
 Subject: FW: RDCK Referral - V2507I
 Date: Tuesday, December 23, 2025 11:08:35 AM
 Attachments: image003.png
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CAUTION This email originated from outside the organization. Please proceed only if you trust the sender.

Ministry of Water, Land and Resource Stewardship (WLRS) staff have reviewed information provided in RDCK Referral V2507I and provide the following comments at this time:

1. WLRS staff have no concerns from a *Water Sustainability Act* (WSA) perspective, but staff advise that water licences will require amendment to reflect new apportionment (i.e., legal description) if the subdivision is successful
2. WLRS staff note that Bessie Spring is fully recorded and, in the absence of a detailed multi-year water supply to update current water supply information on Bessie Spring, additional water rights on Bessie Spring will not be issued. If subdivision is intended to support future land uses that will require water, a detailed water supply study on Bessie Spring will be required and/or alternative water sources (e.g., groundwater) explored.
3. WLRS staff provide additional comments/observations for RDCK consideration.
 - a. WLRS staff understand the subdivision is being pursued to provide control over lands containing works and affecting the water supply (i.e., Bessie Spring) rather than updating an easement. WLRS staff note that Strelaw Spring is located on Lot 2 and has works associated with water licences that serve other properties (i.e., licence C131161 for PID 026-078-619, licence C121298 for PID 025-638-742) (see image below). Subdividing land to provide control over works and water supply in this example could set an expectation for owners of other properties to pursue subdivision to control lands containing licenced works and water supply.



- b. Regarding concerns regarding protection/control of Bessie Spring. WLRS staff advise that the WSA definition of a stream includes "a natural source of water supply, including, without limitation, a lake, pond, river, creek, spring, ravine, gulch, wetland or glacier, whether or not usually containing water". Accordingly, any changes in and about a stream including Bessie Spring, are subject to the protections and requirements of the WSA. If "changes in and about a stream" (i.e., any modification to the nature of a stream, including any modification to the land, vegetation and natural environment of a stream or the flow of water in a stream, or any activity or construction within a stream channel that has or may have an impact on a stream or a stream channel) are observed without Authorization pursuant to section 11 of the WSA, the works should be reported to the Natural Resource Violation reporting page (<https://forms.gov.bc.ca/industry/report-a-natural-resource-violation>). Staff note that section 11 approval locations can be viewed in iMapBC (<https://maps.gov.bc.ca/ess/hm/imap4m/>) by loading the provincial layer titled "Water Sustainability Act Approvals (FLNRO) Section 10 and 11 Locations". Regardless of land ownership, Bessie Spring is subject to protections of the WSA and the benefits of acquiring the land through subdivision is unclear.
- c. Regarding concerns regarding protection/control of Bessie Spring. WLRS staff understand that Riparian Protection Development Permit Areas (RPDPA) requirements for RDCK Area I (https://www.rdck.ca/wp-content/uploads/2025/04/2821-Sentinel_Mountain-I-OCP-2.pdf) apply to "15.0 metres of the stream boundary of all other watercourses". A text search for the definition of "watercourse" in the OCP document did not find a definition for watercourse, but it is noted that provincial streamside protection legislation requirements (i.e., Riparian Areas Protection Regulation) include springs as feature requiring protection. If RPDPA requirements consider a spring as a "watercourse" and lands around water sources such as Bessie Springs are subject to RPDPA requirements then, regardless of land ownership, Bessie Spring may be protected by the RPDPA (to be confirmed by RDCK staff) and the benefits of acquiring the land through subdivision is unclear.
- d. With respect to works being placed on other lands, WLRS staff note that section 34 of the WSA requires that 180 days' notice be provided before licenced works are altered, moved, removed or interfered with.

Owner to give notice before interfering with works

34 Despite a right or title acquired or held under a statute or an indefeasible or absolute title held in relation to land, the owner of land or another

person who proposes to alter, move, fill in, remove or otherwise interfere with works constructed or used under an authorization must, before doing so, give the holder of the authorization 180 days written notice of the act or thing proposed to be done.

If works are interfered with contrary to section 34, the owner of the works should report the interference to the Natural Resource Violation reporting page (<https://forms.gov.bc.ca/industry/report-a-natural-resource-violation>).

The above comments are with respect to the *Water Sustainability Act* only and it is the responsibility of the proponent to explore other municipal, provincial and federal requirements. Should you wish to discuss further, please contact Rod Shead, Licensed Authorizations Officer, WLRS at 778-463-5601.



From: Sadie Chezenko <SChezenko@rdck.bc.ca>

Sent: Monday, December 1, 2025 1:20 PM

Subject: RDCK Referral - V2507I

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good Day,

Attached is a referral package for the above noted file.

Please return your comments, if any, to plandept@rdck.bc.ca prior to **January 01, 2026**.

Sincerely,

Sadie Chezenko MCP | Planner 1

Regional District of Central Kootenay

Phone: 250.352-1585 | **Fax:** 250.352.9300

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July 5, 2023

Greetings,

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.
2. Changes in and about a “stream” [as defined in the [Water Sustainability Act](#) (WSA)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).
3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation](#) (RAPR)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with RAPR.
4. The federal [Species at Risk Act](#) (SARA) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are

Ministry of Water,
Land and Resource
Stewardship

Land Use Policy,
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adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee](#) (RISC) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).

5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).
6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds - Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:

Bird Species	Least Risk Timing Windows
Raptors (eagles, hawks, falcons, & owls)	Aug 15 – Jan 30
Hérons	Aug 15 – Jan 30
Other Birds	Aug 1 – March 31

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weeds growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#)

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provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder's responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.

8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

Kind Regards,



Shannon White, RPBio
Ecosystems Section Head - Kootenay-Boundary Region
Ministry of Water, Land & Resource Stewardship
[REDACTED]

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Stewardship

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From: [REDACTED]
To: [Planning](#)
Subject: Lower Gibson Rd, 2270, 2285, Pass Creek RDCK (V25071)
Date: Tuesday, January 6, 2026 12:55:45 PM
Attachments: [image001.png](#)

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With respect to the above noted file,

Land Rights Comments

- There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric (“FBC(E)”) services, if required.

Operational & Design Comments

- There are NO FortisBC Electric (“FBC(E)”) primary distribution facilities within Lower Gibson Road. Existing structures appear to be serviced from adjacent properties. Further extension work may be required to bring services to alternate building site locations, if planned, the cost of which may be significant.
- All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.
- The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.
- For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- Electrician’s Name and Phone number
- [FortisBC Total Connected Load Form](#)
- Other technical information relative to electrical servicing

For more information, please refer to FBC(E)’s overhead and underground design requirements:

FortisBC Overhead Design Requirements
<http://fortisbc.com/ServiceMeterGuide>

FortisBC Underground Design Specification

<http://www.fortisbc.com/InstallGuide>

If you have any questions or comments, please contact us at your convenience.

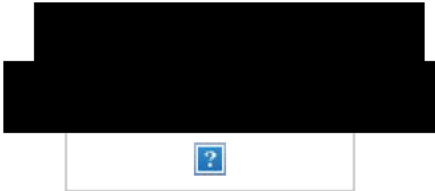
Best Regards,

Steve Danielson, AACI, SR/WA

Contract Land Agent | Property Services | FortisBC Inc.

2850 Benvoulin Rd

Kelowna, BC V1W 2E3



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Irena & Andrew Gagor
 2620 Columbia Ave.
 Castlegar, BC V1N 2X6

16 February 2026

Development and Community Sustainability Services
 Regional District of Central Kootenay
 Box 590, 202 Lakeside Drive
 Nelson, BC V1L 5R4

To: Sadie Chezenko, MCP Planner (sent via email: schezenko@rdck.bc.ca)

Re: Development Variance Permit V2507I

With reference to your email of February 12/2026, we have consolidated our comments and objections regarding the RDCK DVP File No.: V2507I for the proposed completion of a boundary adjustment subdivision.

We have concerns with access and potential for problems as a direct result of this variance being granted.

First of all, the variance application includes a rather gross misrepresentation of the fact about the condition of the road. The applicant stated that the road is "barely passable for an ATV". The road in fact is passable for a vehicle, as can be seen from multiple pictures that we have submitted. The pictures have been sent to Sadie Chezenko in December of 2025 and we are sending now. The road is passable enough for B.C.Fortis who has and operates an electrical meter on our property well past the property line where the "public rural road" ends. Please keep in mind that it is the public rural road which surface ranges from gravel to dirt.

Second, in contrary to Soukeroff statement his lot (Plan 5002) in fact has been in compliance with the existing easements covering right for the water pipeline maintenance and repair, enclosed are copies of the Nelson Land Title Office, Title - KP163140.

Development Variance Permit Application Referral Form - RDCK File V2507I on the second page, provides information that the easement issue is only partial reason for the subdivision, citation: "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", end of citation

Third, and the main point of our concern is access to our property. We have stated this in multiple emails with Sadie. We have plans for this property, and to possibly build on this property in the near future. This is the only access to our property. Issuing the variance creates a potential problem where the property owner whose parcel sits on both sides of the road decides to block the road. This is a likely problem because bylaws exist that prevent this exact scenario. Private access isn't the only issue, there has to be unabated access for emergency vehicles, ambulances, fire trucks, police. There are potential scenarios with catastrophic consequences where the delay of emergency vehicles to get to the scene because of a blocked public road.

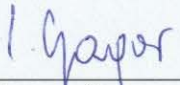
Page 1 of 2

The decision to issue the variance is done by the RDCK, and as such we feel that the RDCK bears full responsibility for the results of this decision. These results can vary, and it's impossible to predict what will happen. Bylaws that limit ownership of both sides of the road are in place to minimize potential problems. If the RDCK issues the variance, and we are put in a position where this decision demands financial commitment to get it resolved, we strongly feel that the RDCK bears this responsibility, because that would be a direct result of RDCK's decision and circumventing of existing bylaws. On top of that, there's risk of damage to property, or harm to a person because emergency vehicles couldn't access the property in time.

In this case, granting this variance instead of applying the existing law is considered inappropriate because is questionable, jeopardizes the only access road to our Parcel 7780, raises our serious reservations, and creates future problems which do not exist so far.

In light of the above, we strongly oppose the Development Variance Permit V2507I .

Sincerely,


Irena Gagor


Andrew Gagor

Enclosures:

- 5 pictures taken on February 05/2026 for the public rural road leading to our Parcel 7780,
- copies of the Title Search in Nelson dated 20 April 2005 (2pages).
- BC Property Assessment for 2026 proving address for Lot 7780, which is: Lower Gibson Road

Re: Varience Permit V25071

Picture taken on Feb. 5/2026



Lower Gibson Road

Re: Variance Permit V25071

Picture taken on Feb 5/
2026



Lower Gibson Road

Re: Variance Permit V 25071

Picture taken on Feb 5/2026



Lower Gibson Road

Re: Variance Permit V25071

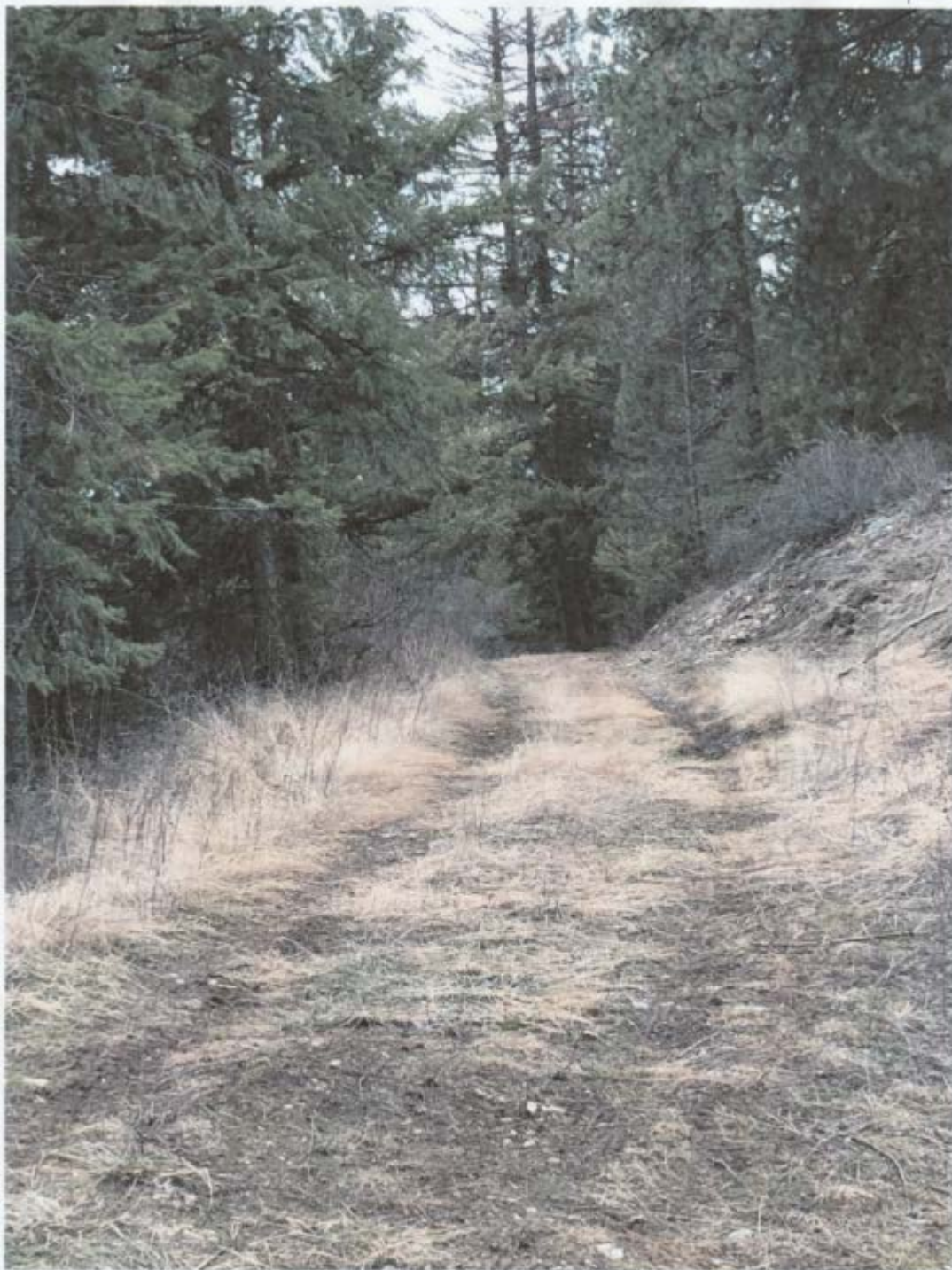
Picture taken on Feb 5/2026



Lower Gibbon Road

Re: Variance Permit V25071

Picture taken on Feb. 5/2026



Lower Gibbon Road

Date: 05/04/20

TITLE SEARCH PRINT - NELSON

Time: 16:08:36

Requestor: (PA80109)

LINDA AVIS, NOTARY PUBLIC

Page: 001

TITLE - KP163140

NELSON

LAND TITLE OFFICE

TITLE NO: KP163140

FROM TITLE NO: XJ21835

APPLICATION FOR REGISTRATION RECEIVED ON: 30 JUNE, 2000

ENTERED: 04 JULY, 2000

REGISTERED OWNER IN FEE SIMPLE:

JOSE ODETTE LESPERANCE, PHYSICIAN
STEPHEN GEORGE HERBERT, WOODWORKER
BOX 339
ROBSON, BC
VOG 1X0
AS JOINT TENANTS

TAXATION AUTHORITY:

NELSON TRAIL ASSESSMENT AREA

DESCRIPTION OF LAND:

PARCEL IDENTIFIER: 013-580-108
DISTRICT LOT 7780 KOOTENAY DISTRICT EXCEPT (1) PARCEL A (REFERENCE PLAN 72645I), (2) PARCEL A (REFERENCE PLAN 81339I), (3) PARTS INCLUDED IN PLANS 2596, 5786, 6248 AND 7319 AND (4) PART IN PLAN NEP21095 AND NEP22434

LEGAL NOTATIONS: NONE

CHARGES, LIENS AND INTERESTS:

NATURE OF CHARGE

CHARGE NUMBER DATE TIME

EASEMENT

H10717 1974-07-11 11:14

REMARKS: APPURTENANT TO LOT 5, DL 7448 KD PLAN 5002 INTER ALIA

- Right to repair & maintain water pipeline.

EASEMENT

L633 1977-01-13 13:10

REMARKS: APPURTENANT TO LANDS AS THEREIN SET OUT INTER ALIA

- Right to repair & maintain water pipeline.

EASEMENT

N10936 1979-05-28 08:56

REMARKS: APPURTENANT TO LANDS AS THEREIN SET OUT INTER ALIA

- Right to repair & maintain water pipeline.

COVENANT

XH6711 1994-03-16 15:30

REGISTERED OWNER OF CHARGE:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA AS REPRESENTED BY THE MINISTRY OF ENVIRONMENT, LANDS AND PARKS AND REGIONAL DISTRICT OF CENTRAL KOOTENAY XH6711

REMARKS: SECTION 215 LTA

- Flood plain covenant.

CONTINUES ON PAGE 002

Date: 05/04/20 TITLE SEARCH PRINT - NELSON Time: 16:08:37
Requestor: (PA80109) LINDA AVIS, NOTARY PUBLIC Page: 002
TITLE - KP163140

COVENANT
XJ20171 1995-07-31 12:47
REGISTERED OWNER OF CHARGE:
THE CROWN IN RIGHT OF BRITISH COLUMBIA
REGIONAL DISTRICT OF CENTRAL KOOTENAY
XJ20171
REMARKS: SECTION 215 LTA

*- Surface water
Covenant.*

STATUTORY RIGHT OF WAY
KP98263 2000-10-30 11:26
REGISTERED OWNER OF CHARGE:
WEST KOOTENAY POWER LTD.
KP98263

*- Right of way
for power lines
& facilities.*

"CAUTION - CHARGES MAY NOT APPEAR IN ORDER OF PRIORITY. SEE SECTION 28, L.T.A."

DUPLICATE INDEFEASIBLE TITLE: NONE OUTSTANDING

TRANSFERS: NONE

PENDING APPLICATIONS: NONE

*** CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN ***

BC ASSESSMENT

2026 PROPERTY ASSESSMENT NOTICE

This is **not** a tax notice. Tax notices are issued by local governments and taxing authorities. No action is required unless you disagree with your assessment.

Property Location & Description

LOWER GIBSON RD

DISTRICT LOT 7780, KOOTENAY LAND DISTRICT, EXC (1) PCL A (REF PL 72645I)
(2) PCL A (REF PL 81339I) (3) PLNS 2596 5786 6248 7319 & (4) PL NEP21095
NEP22434
PID: 013-580-108


PROPERTY IDENTIFICATION

Reference #: 0272 4304

Area: 21-Nelson/Trail

Jurisdiction: 709-Trail Rural

Roll: 09105.900

Confidential PIN: 

School District: 20-Kootenay-Columbia

Neighbourhood: 502

YOUR PROPERTY VALUE CHANGE



Development Variance Permit

V25071 (Johnston)

Date: March 19, 2026

Issued pursuant to Section 498 of the *Local Government Act*

TO: Shelly Soukeroff and George
Soukeroff and Stacy Johnston

AGENT: Stacy Johnston

ADMINISTRATION

1. This Development Variance Permit (DVP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically varied or supplemented by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this DVP, and any plans and specifications attached to this Permit that shall form a part thereof.
3. This DVP is not a Building Permit.

APPLICABILITY

4. This DVP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1' and '2':

Addresses: 2285 and 2270 Lower Gibson Road, Pass Creek, Electoral Area I
 Legal: LOT 3 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN 5002 EXCEPT PLAN NEP73270
 (PID: 005-477-590) and LOT 2 DISTRICT LOT 7448 KOOTENAY DISTRICT PLAN NEP76618
 (PID: 026-078-627)

CONDITIONS

5. Development Variance

RDCK Zoning Bylaw no. 1675 Section 602(7) is varied as follows:

From: No newly created lot shall be bisected by a legally dedicated road.

To: One newly created lot may be bisected by a legally dedicated road, as shown on Schedule '1' and '2.'

6. Schedule

If the holder of the DVP does not substantially start any construction or does not register the subdivision with respect to which the permit was issued within two years after the date it is issued, the permit lapses.

7. Other

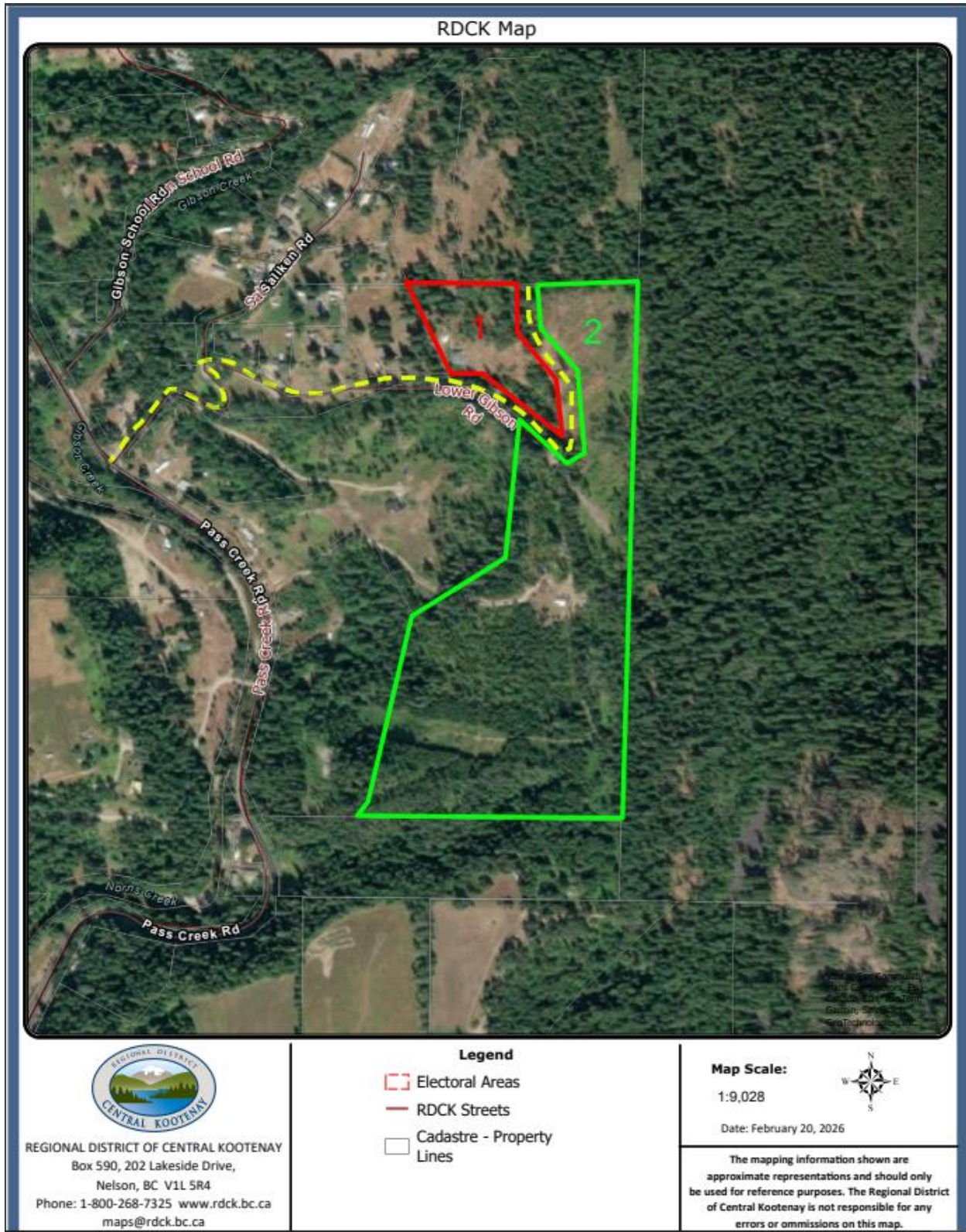
Authorized resolution ***[enter resolution number]*** passed by the RDCK Board on the _____ day of _____, 20_____.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

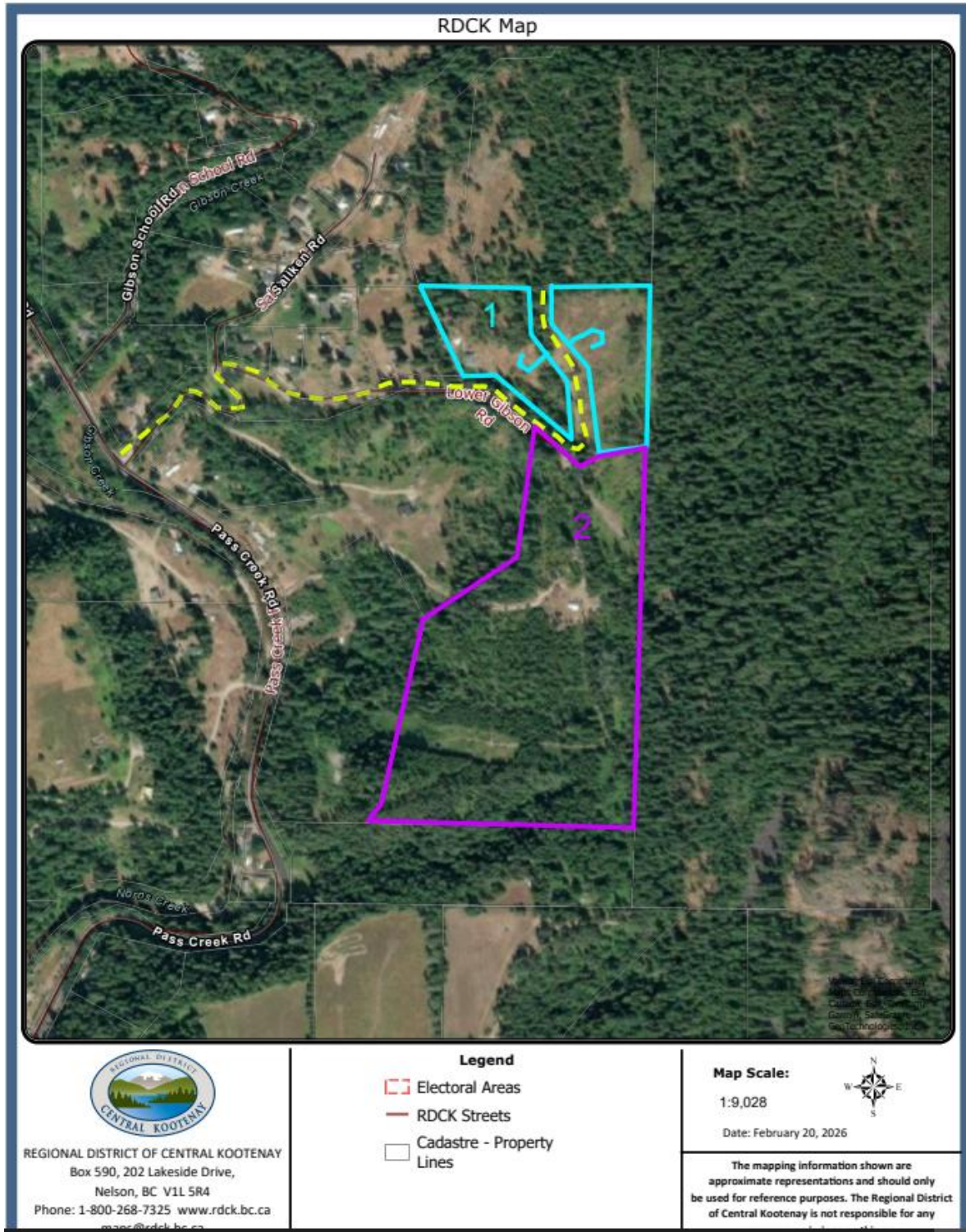
Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 1: Subject Properties



Schedule 2: Proposed Plan





Committee Report

Date of Report: February 26, 2026
Date & Type of Meeting: March 18, 2026, Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: TEMPORARY USE PERMIT
File: T2601F - MARKIN
Electoral Area/Municipality F

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Rural Affairs Committee and Regional Board to consider authorizing a Temporary Use Permit (TUP) in Electoral Area ‘F’ for the construction of an accessory building on a vacant lot prior to establishing a single detached dwelling (principal use).

Staff recommend that the Board direct staff to provide notice of their intention to consider approval of this TUP at a future Board meeting.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION
Property Owner: Markin Enterprises Ltd.
Applicant: Dan Markin
Property Location: (no civic address) View Ridge Road, Bonnington, Electoral Area ‘F’
Legal Description: LOT E DISTRICT LOT 7068 KOOTENAY DISTRICT PLAN NEP21628 (PID: 018-940-617)
Property Size: 0.29 hectares (0.72 acres)
Zoning Class: Country Residential (R2) in RDCK Zoning Bylaw No. 1675, 2004
OCP Designation: Country Residential (CR) in Electoral Area ‘F’ Official Community Plan Bylaw No. 2214, 2011

SURROUNDING LAND USES
North: Country Residential (R2)
East: Country Residential (R2)
South: Country Residential (R2)
West: Country Residential (R2)

Background Information and Subject Property

The subject property is 0.29 ha in size and located in the Bonnington Residential area approximately 13 km west of the City of Nelson. The property is presently vacant and the future buildings will be serviced by an on-site wastewater (septic) system and a connection to the Bonnington Improvement District.

The purpose of the application is to authorize the construction of an accessory building prior to the construction of a dwelling on the subject property. The proposed garage/workshop building will have a gross floor area (GFA) of 145 m² which complies with the maximum permitted GFA for accessory buildings in the R2 zone.

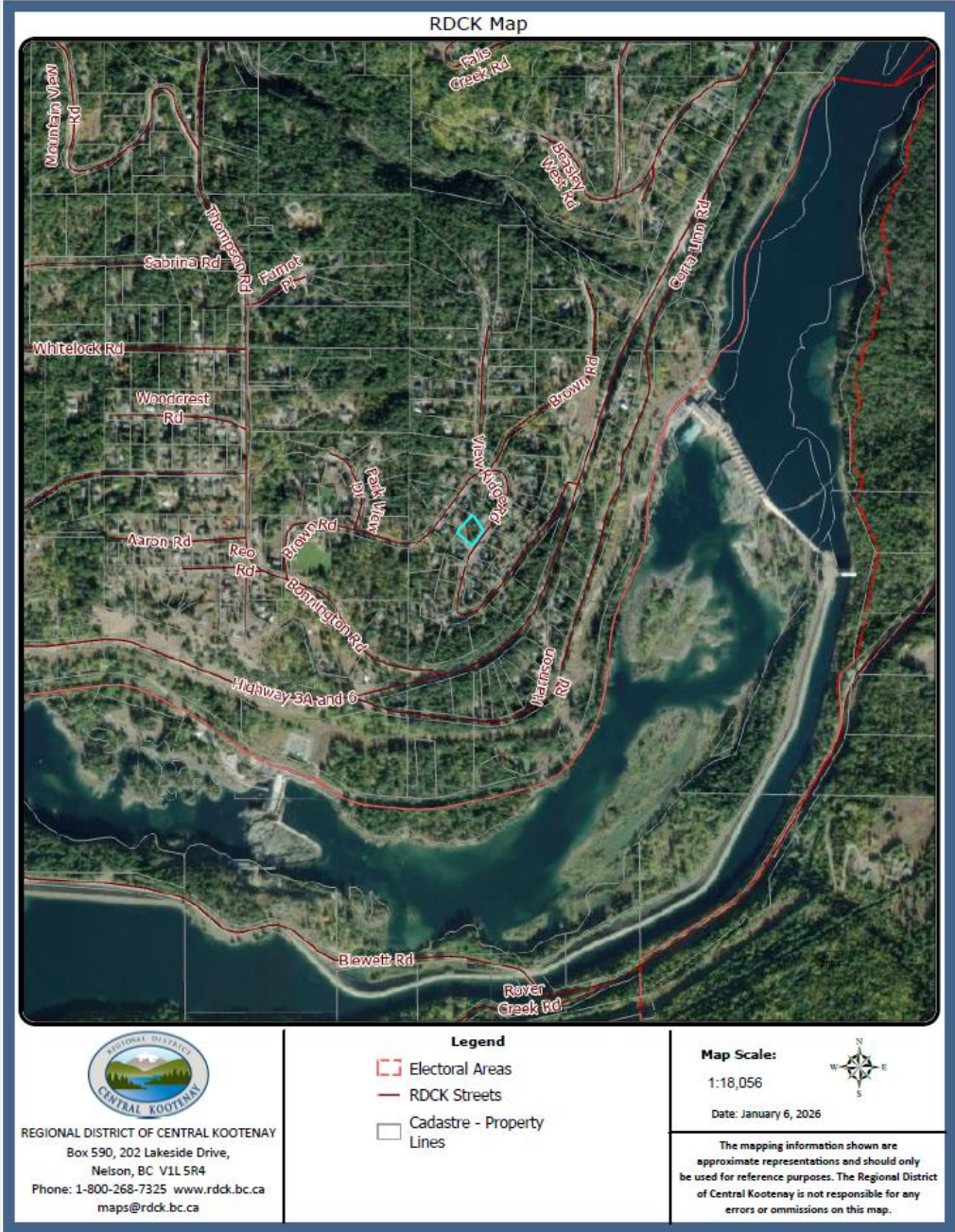


Figure 1 – Location Map

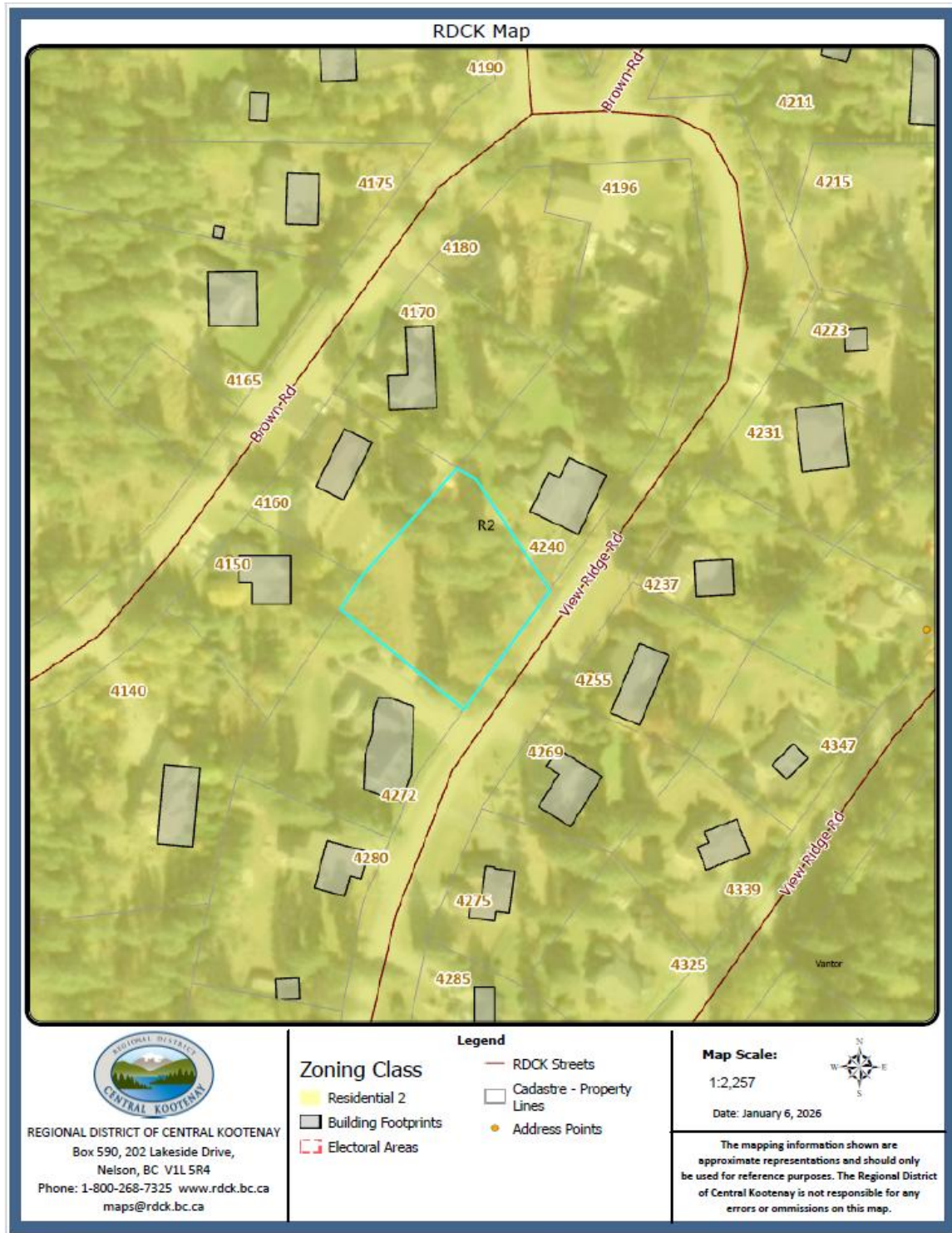


Figure 2 – Zoning Map

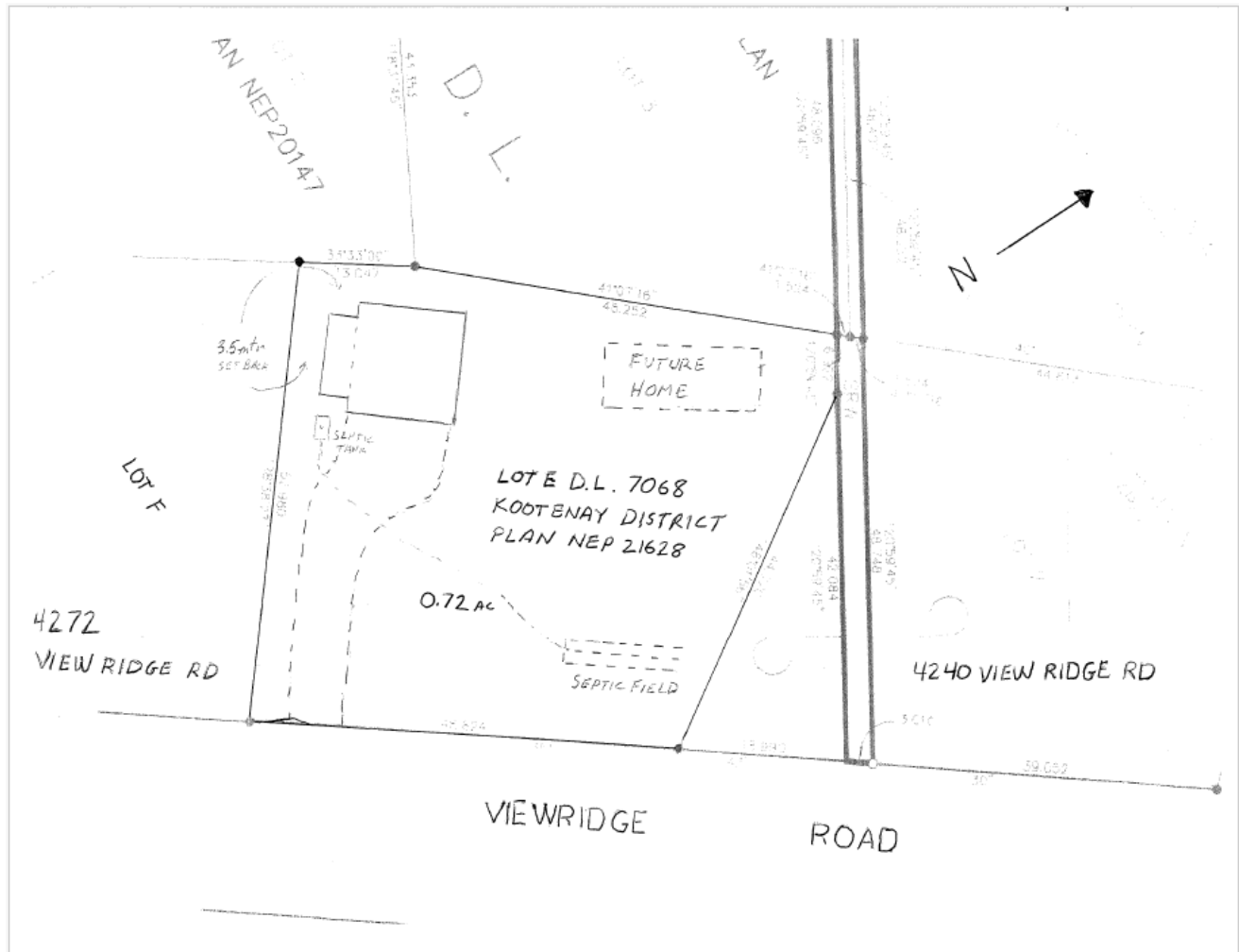


Figure 3 – Site Plan showing location of the proposed accessory building (solid outline) and future home (dashed outline)

Planning Policy

Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011

9.4 Rural and Country Residential Policies

The Regional Board:

1. Establishes that Country Residential designations provide for a rural or semi-rural, country residential lifestyle ranging in minimum parcel size from 1 ha to 2 ha.
2. Establishes that Rural Residential parcel sizes should be 2 ha and greater to ensure that large parcels of land in these areas are protected.
3. Encourages environmental stewardship on private land within Rural and Country Residential designations.
4. Encourages the Provincial Subdivision Approving Authority to ensure that development or subdivision located within Rural and Country Residential areas allow for public access to Crown land.
5. Encourages the location of buildings and infrastructure in clustered configurations that minimize site disturbance.

6. Provides for property owners or occupiers to diversify and enhance uses secondary to Rural and Country Residential uses with home based business opportunities, provided that they are compatible with the rural character of the area.

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No
 Financial Plan Amendment: Yes No
Debt Bylaw Required: Yes No
 Public/Gov't Approvals Required: Yes No

The application fee has been paid in full pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

Under Section 493 of the Local Government Act (LGA), the Board has the authority to issue a TUP by resolution to designated land within Official Community Plans (OCP's) where temporary uses are allowed.

Section 20A of Electoral Area 'F' Official Community Plan Bylaw No. 2214, 2011 directs that the Regional Board:

1. May consider the issuance of Temporary Use Permits throughout the plan area, subject to the following:
 - a. demonstration that the use is temporary or seasonal in nature;
 - b. address potential conflict with nearby land uses;
 - c. address potential impacts on environmentally sensitive areas;
 - d. satisfy provision of adequate servicing that meets health requirements; and,
 - e. consider relevant policies within other sections of this plan.
2. May require conditions under which a temporary use may be allowed, including: the buildings or structures that may be used; the period of applicability of the permit; the area, duration or timing of use; and required site rehabilitation upon cessation of the use.
3. May require security deposits, site restoration plans or letters of undertaking to ensure conditions are met.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

A notice sign was posted on the subject property and a notice letter was mailed to property owners within 100 meters of the subject property. Staff have not received any responses from members of the public.

3.5 Economic Considerations:

None anticipated.

3.6 Communication Considerations:

In accordance with the LGA and the RDCK's *Planning Procedures and Fees Bylaw No. 2457, 2015* a sign describing the proposal was posted on the subject property shortly after the TUP application was submitted, and notices were mailed to surrounding neighbours within a 100 metre radius of the subject site on January 27, 2026. At the time of writing this report, the Planning Department has not received any comments or inquiries from the public.

Planning staff referred the application to all relevant government agencies, internal RDCK departments and the Director for Electoral Area 'F' for review. The following comments were received:

RDCK Building Services

No concerns from the Building Department.

RDCK Parks Department – Regional Parks and Trails Manager

I have reviewed the referral document. It has no consequence to the Regional Park located in Bonnington and therefore have no comments.

Interior Health Authority – Team Leader: Healthy Community Development

No comments provided.

Ministry of Transportation and Infrastructure – Development Officer

Thank you for the opportunity to review and provide comment on the above-noted application.

The Ministry has no concerns or objections to the proposal. Please share the following link with the applicant so that they are aware of the residential driveway construction standards. As this is a side road, they will not be required to obtain an access permit from the Ministry.

<https://www2.gov.bc.ca/gov/content/transportation/transportation-infrastructure/engineering-standards-guidelines/highway-design-survey/driveways>

Staff Note: The response from Ministry of Transportation and Transit was forwarded to the applicant.

FortisBC – Property Services

Land Rights Comments

- *There are no immediate concerns or requests for additional land rights, however there may be additional land rights requested stemming from changes to the existing FortisBC Electric ("FBC(E)") services, if required.*

Operational & Design Comments

- *There are FortisBC Electric ("FBC(E)") primary distribution facilities along View Ridge Rd.*
- *All costs and land right requirements associated with changes to the existing servicing are the responsibility of the applicant.*
- *The applicant and/or property owner are responsible for maintaining safe limits of approach around all existing electrical facilities within and outside the property boundaries.*
- *For any changes to the existing service, the applicant must contact an FBC(E) designer as noted below for more details regarding design, servicing solutions, and land right requirements.*

In order to initiate the design process, the customer must call 1-866-4FORTIS (1-866-436-7847). Please have the following information available in order for FBC(E) to set up the file when you call.

- *Electrician's Name and Phone number*
- [*FortisBC Total Connected Load Form*](#)
- *Other technical information relative to electrical servicing*

For more information, please refer to FBC(E)'s overhead and underground design requirements:

FortisBC Overhead Design Requirements

[*http://fortisbc.com/ServiceMeterGuide*](http://fortisbc.com/ServiceMeterGuide)

FortisBC Underground Design Specification
<http://www.fortisbc.com/InstallGuide>

If you have any questions or comments, please contact us at your convenience.

Ministry of Water, Land and Resource Stewardship – Crown Land Authorizations

On behalf of Kootenay Boundary Crown Land Authorizations, there are no concerns with this temporary use permit application.

Ministry of Water, Lands and Resource Stewardship (Kootenay-Boundary Ecosystems Section)

The Kootenay-Boundary Ecosystems Section of the Ministry of Water, Land and Resource Stewardship has received your referral request. We are currently unable to provide a detailed review of the referral but provide the following standard requirements, recommendations and/or comments:

- 1. All activities are to follow and comply with all higher-level plans, planning initiatives, agreements, Memorandums of Understanding, etc. that local governments are parties to.*
- 2. Changes in and about a “stream” [as defined in the [Water Sustainability Act \(WSA\)](#)] must only be done under a license, use approval or change approval; or be in compliance with an order, or in accordance with Part 3 of the [Water Sustainability Regulation](#). Authorized changes must also be compliant with the [Kootenay-Boundary Terms and Conditions and Timing Windows](#) documents. Applications to conduct works in and about streams can be submitted through [FrontCounter BC](#).*
- 3. No “development” should occur within 15 m of the “stream boundary” of any “stream” [all as defined in the [Riparian Areas Protection Regulation \(RAPR\)](#)] in the absence of an acceptable assessment, completed by a Qualified Professional (QP), to determine if a reduced riparian setback would adversely affect the natural features, functions and conditions of the stream. Submit the QP assessment to the appropriate Ministry of Water, Land and Resource Stewardship office for potential review. Local governments listed in Section 2(1) of [RAPR](#) are required to ensure that all development is compliant with [RAPR](#).*
- 4. The federal [Species at Risk Act \(SARA\)](#) protects Endangered, Extirpated or Threatened species listed under Schedule 1 of SARA. Developers are responsible to ensure that no species or ecosystems at risk (SEAR), or Critical Habitat for Federally listed species, are adversely affected by the proposed activities. The BC Species and Ecosystem Explorer website provides information on known SEAR occurrences within BC, although the absence of an observation record does not confirm that a species is not present. Detailed site-specific assessments and field surveys should be conducted by a QP according to [Resource Inventory Standard Committee \(RISC\)](#) standards to ensure all SEAR have been identified and that developments are consistent with any species or ecosystem specific [Recovery Strategy or Management Plan](#) documents, and to ensure proposed activities will not adversely affect SEAR or their [Critical Habitat for Federally-listed Species at Risk \(Posted\)](#).*
- 5. Development specific Best Management Practices (BMPs) should be applied to help meet necessary legislation, regulations, and policies. Current BC BMPs can be found at: [Natural Resource Best Management Practices - Province of British Columbia \(gov.bc.ca\)](#) and [Develop with Care 2014 - Province of British Columbia](#).*
- 6. Vegetation clearing, if required, should adhere to the least risk timing windows for nesting birds (i.e., development activities should only occur during the least risk timing window). Nesting birds and some nests are protected by Section 34 of the provincial [Wildlife Act](#) and the federal [Migratory Birds Convention Act](#). Guidelines to avoid harm to migratory birds can be found at: [Guidelines to avoid harm to migratory birds -Canada.ca](#). If vegetation clearing is required during the bird nesting period (i.e., outside of the least risk timing window) a pre-clearing bird nest survey should be completed by a QP. The following least risk windows for birds are designed to avoid the bird nesting period:*

Bird Species	Least Risk Timing Windows
<i>Raptors (eagles, hawks, falcons, & owls)</i>	<i>Aug 15 – Jan 30</i>
<i>Hérons</i>	<i>Aug 15 – Jan 30</i>
<i>Other Birds</i>	<i>Aug 1 – March 31</i>

7. The introduction and spread of invasive species is a concern with all developments. The provincial [Weed Control Act](#) requires that an occupier must control noxious weed growing or located on land and premises, and on any other property located on land and premises, occupied by that person. Information on invasive species can be found at: [Invasive species - Province of British Columbia](#). The [Invasive Species Council of BC](#) provides BMPs that should be followed, along with factsheets, reports, field guides, and other useful references. For example, all equipment, including personal equipment such as footwear, should be inspected prior to arrival at the site and prior to each daily use and any vegetative materials removed and disposed of accordingly. If noxious weeds are established as a result of this project or approval, it is the tenure holder’s responsibility to manage the site to the extent that the invasive, or noxious plants are contained or removed.
8. Section 33.1 of the provincial [Wildlife Act](#) prohibits feeding or attracting dangerous wildlife. Measures should be employed to reduce dangerous human-wildlife conflicts. Any food, garbage or organic waste that could attract bears or other dangerous wildlife should be removed from the work area. If this is not feasible and waste is not removed, it should be stored in a bear-proof container to avoid drawing wildlife into the area and increasing the threat of human/wildlife conflict.
9. If this referral is in relation to a potential environmental violation it should be reported online at [Report All Poachers & Polluters](#) (RAPP) or by phone at 1-877-952-RAPP (7277).
10. Developments must be compliant with all other applicable statutes, bylaws, and regulations.

If the references above do not address your concerns, please do not hesitate to reach out to me for further investigation into your concerns.

3.7 Staffing/Departmental Workplace Considerations:

Should the Regional Board resolve to provide the public with a ‘Notice of Permit’ staff will prepare the notification and publish it in the local paper, pursuant to Section 494 of the Local Government Act as cited in Section 3.2 of this report.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: SUMMARY

Planning Discussion

This proposed TUP would allow the construction of an accessory building prior to establishing a dwelling on the property. Based on the information provided by the applicant, the proposed accessory building will comply with the applicable zoning regulations in the R2 zone. The applicant presently resides on the adjacent property to the east and will be constructing a single detached dwelling within the next few years that is better suited to their needs as they enter their retirement years. They have indicated that the accessory building is required in order to store and maintain vehicles as well as carry on their woodworking hobby during this transition period as they construct a more suitable home to age-in-place on the subject property.

Response from the Public

Public notice of the application was completed with a Notice of Proposal sign posted on the property adjacent to View Ridge Road, written notice was provided to 24 adjacent landowners, and the referral package was posted to the RDCK's active applications web page. Staff have not received any submissions or inquiries related to this application.

The Planning Department supports the requested TUP application, since:

- The ability to issue temporary use permits can allow for flexibility in the zoning regulations on a temporary basis and with conditions aimed at addressing any potential negative impacts on the community, the neighbourhood, or the environment.
- This TUP application would allow the property owner to establish accessory uses and one related structure on the lot, which would be considered customarily incidental, subordinate and exclusively devoted to a future principal residential use on the same parcel.
- Staff do not anticipate any negative social, environmental and or neighbourhood impacts related to the issuance of this TUP.
- The accessory structure would be sited in accordance with the Zoning Bylaw's setbacks and maximum gross floor area regulations and would leave ample room for the primary residence.
- The DRAFT TUP requires the owners to establish a residential use on the subject property within a 3 year timeframe.
- Issuance of the TUP, including the 3 year timeframe would allow the applicant the opportunity to design a residence, while still permitting the use of the accessory structure on site.

It is for the above reasons that staff recommend that the Board proceed with directing staff to undertake the statutory notification requirements to advance this TUP application.

Option 1

That the Board direct staff to provide notification of the Board's intention to consider Temporary Use Permit application T2601F by Dan Markin for the property located on View Ridge Road in Bonnington and legally described as LOT E DISTRICT LOT 7068 KOOTENAY DISTRICT PLAN NEP21628 (PID: 018-940-617).

Option 2

That NO FURTHER ACTION be taken regarding the issuance of Temporary Use Permit application T2601F by Dan Markin for the property located on View Ridge Road in Bonnington and legally described as LOT E DISTRICT LOT 7068 KOOTENAY DISTRICT PLAN NEP21628 (PID: 018-940-617).

SECTION 5: RECOMMENDATIONS

That the Board direct staff to provide notification of the Board's intention to consider Temporary Use Permit application T2601F by Dan Markin for the property located on View Ridge Road in Bonnington and legally described as LOT E DISTRICT LOT 7068 KOOTENAY DISTRICT PLAN NEP21628 (PID: 018-940-617).

Respectfully submitted,

Zachari Giacomazzo

CONCURRENCE

Planning Manager – Nelson Wight **Approved**

General Manager Development & Sustainability – Sangita Sudan **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – DRAFT Temporary Use Permit

Attachment B – Excerpt from *RDCK Zoning Bylaw No. 1675, 2004*



Temporary Use Permit

T2601F (Markin)

Date: February 26, 2026

Issued pursuant to Section 492 of the *Local Government Act*

TO: Dan Markin

ADMINISTRATION

1. This Temporary Use Permit (TUP) is issued subject to compliance with all of the bylaws of the Regional District of Central Kootenay (RDCK) applicable thereto, except as specifically authorized by this Permit.
2. The land described shall be developed strictly in accordance with the terms and conditions and provisions of this Temporary Use Permit (TUP), and any plans and specifications attached to this Permit that shall form a part thereof.
3. This Temporary Use Permit (TUP) is not a Building Permit.

APPLICABILITY

4. This TUP is issued for the following purpose:
5. This TUP applies to and only to those lands within the RDCK described below, and any and all buildings, structures and other development thereon, substantially in accordance with Schedules '1' and '2':

Address: (no civic address) View Ridge Road, Bonnington, Electoral Area 'F'
 Legal: LOT E DISTRICT LOT 7068 KOOTENAY DISTRICT PLAN NEP21628
 PID: 018-940-617

CONDITIONS

6. This TUP authorizes the following use of the above-mentioned lands for a period not to exceed three (3) years from the date of issuance or at the date of expiry:
7. This TUP is issued subject to the following conditions:

- a. The temporary use shall be limited to one accessory structure on the subject parcel, prior to the construction and establishment of the principal residential use and building on the subject property.
- b. The accessory structures shall not contain a dwelling unit.
- c. The accessory structure shall not be used for commercial or industrial purposes.
- d. It is understood and agreed that the Regional District of Central Kootenay has made no representations, covenants, warranties, guarantees, promises, or agreements (verbal or otherwise) with the Permittee other than those contained in this Permit.
- e. Notice shall be filed in the Land Title Office that the land described herein is subject to this Permit.
- f. It is understood and agreed that this Permit does not imply approval for future rezoning of the subject property for the specified use.
- g. This Permit shall expire three (3) years from the date of issuance.

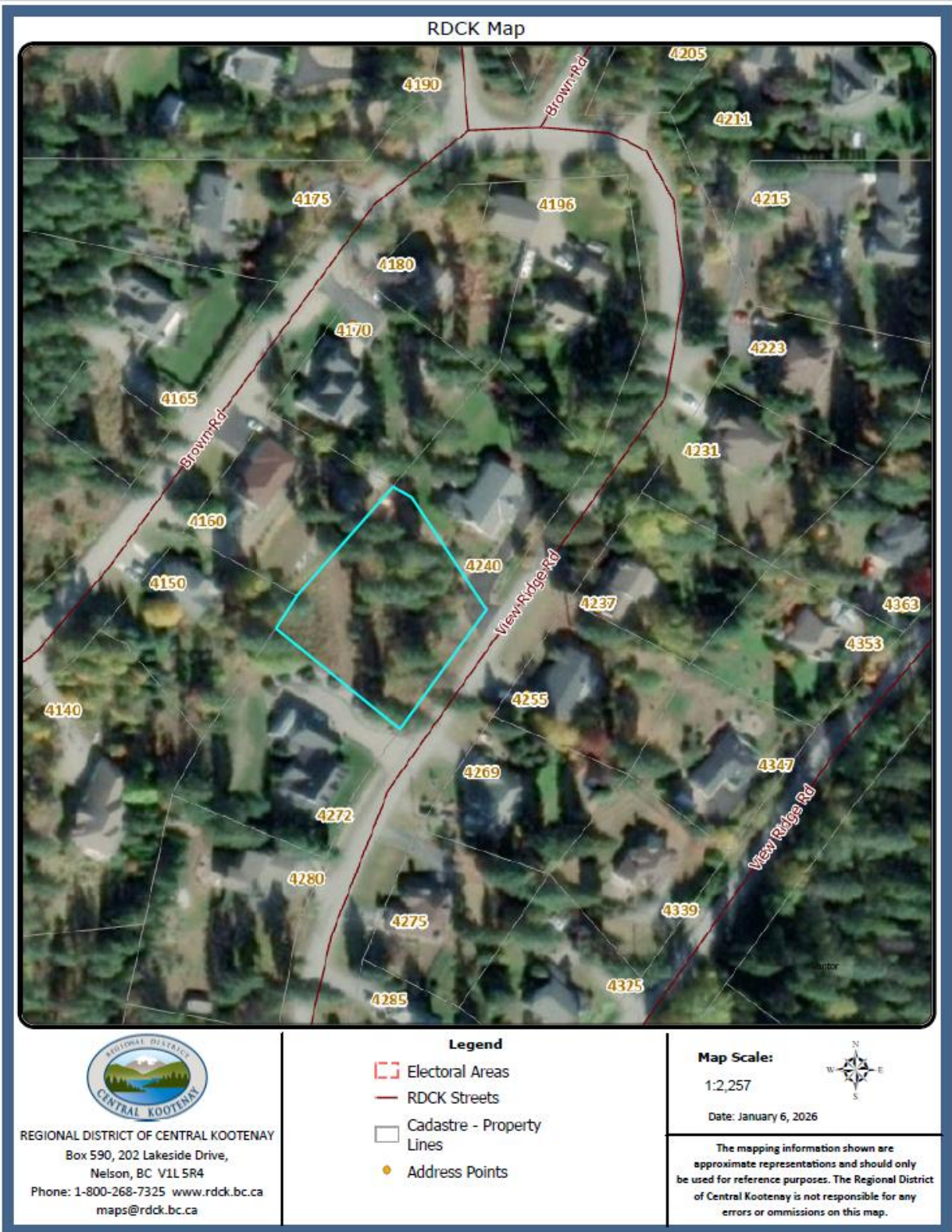
Authorized resolution ---/26 passed by the RDCK Board on the XX day of -----, 2026.

The Corporate Seal of
THE REGIONAL DISTRICT OF CENTRAL KOOTENAY
was hereunto affixed in the presence of:

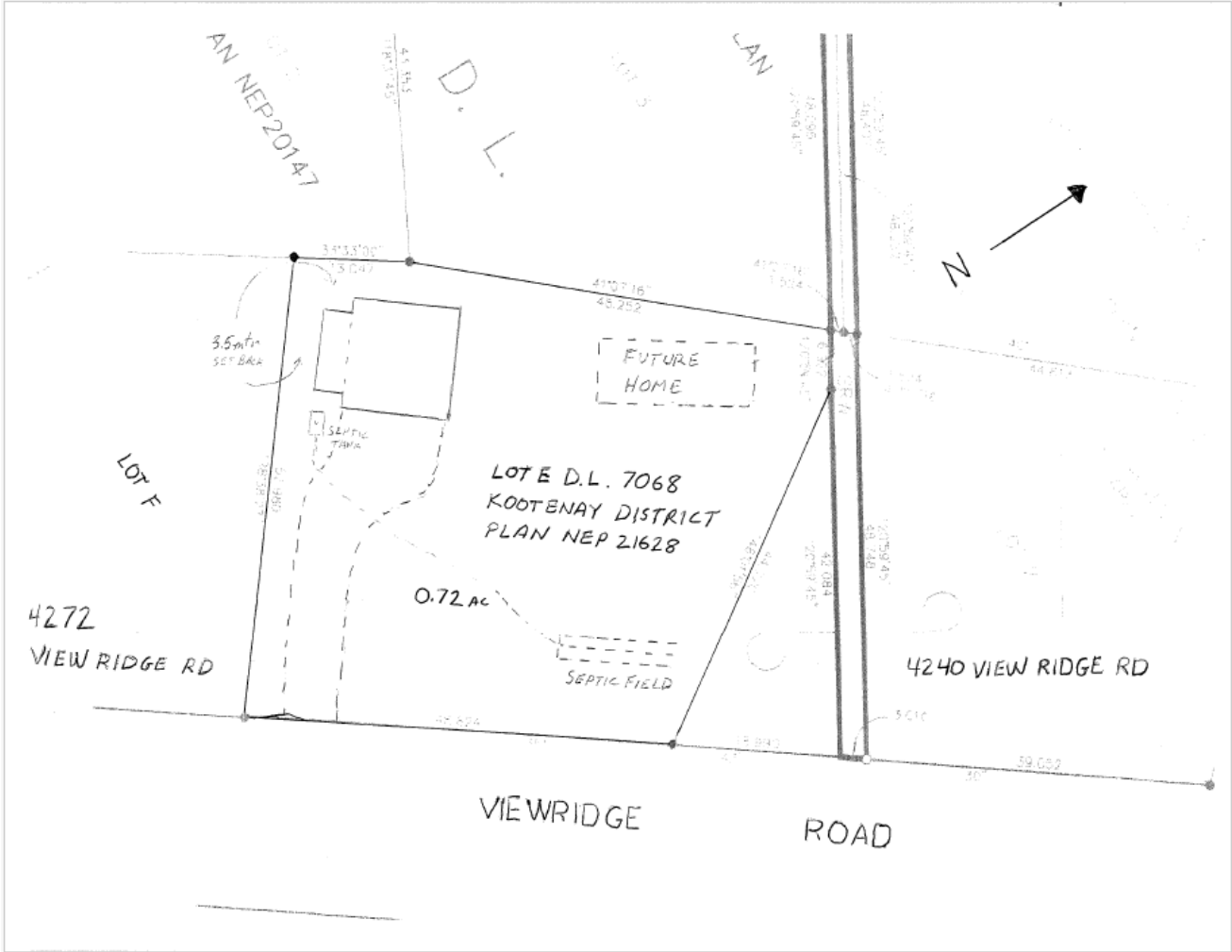
Aimee Watson, Board Chair

Mike Morrison, Corporate Officer

Schedule 1: Subject Property



Schedule 2: Site Plan



DIVISION 11 COUNTRY RESIDENTIAL (R2)

Permitted Uses

1100 Land, buildings and structures in the Country Residential (R2) zone shall be used for the following purposes only:

Dwellings:

- Single Detached Housing
- Duplex Housing

Accessory Uses:

- Accessory Buildings and Structures
- Accessory Dwelling Unit
- Accessory Tourist Accommodation
- Home Based Business
- Horticulture
- Keeping of Farm Animals
- Sale of Site Grown Farm Products
- Portable Sawmills for processing of material harvested on site only

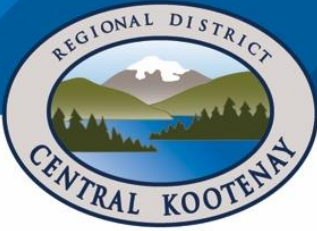
Development Regulations

1101

- 1 The minimum lot size is 1.0 hectare.
- 2 The minimum lot size for a parcel subdivided for a relative under Section 514 of the *Local Government Act*, with the approval of the Interior Health Authority shall be 0.8 hectare.
- 3 The maximum site coverage permitted shall be 50 percent of the lot area.
- 4 The keeping of farm animals shall comply with the requirements of section 613.
- 5 The maximum density is 2 Dwelling Units.
- 6 Buildings and structures in the case of a lot that may be further subdivided shall be sited so as to facilitate further subdivision of the lot or adjacent lots.
- 7 Portable Sawmills shall be located a minimum of 30 metres from any property line.
- 8 *Deleted by Bylaw 2757.*
- 9 The maximum height of any accessory building or structure shall not exceed 8 metres.
- 10 The maximum gross floor area of any accessory building or structure shall not exceed 200 square metres.
- 11 The cumulative gross floor area of all accessory buildings or structures shall not exceed 400 square metres.

Site Specific - Lot 13 District Lot 6300 Kootenay District Plan NEP21755 (PID 019-022-069) from Country Residential (R2) to Country Residential (R2) 'site specific' to enable a second dwelling to be constructed up to a maximum height of 6.5 meters, with a minimum 6.5 meter setback from a front lot line of and a minimum 5 meter setback from an interior side lot line.

Site Specific - LOT A DISTRICT LOT 5574 KOOTENAY DISTRICT PLAN NEP69101 (PID 025-049-780) from Country Residential (R2) to Country Residential (R2) Site-Specific to add "Horse Riding Area" as a permitted accessory use and further that despite section 1101(10) that the maximum gross floor area of any accessory building or structure shall not exceed 200 square metres, except for the Horse Riding Area which may be 1525m² and further that despite section 1101(11) the cumulative gross floor area of all accessory buildings or structures shall not exceed 1925m² square metres on this lot only



Committee Report

Date of Report: February 25, 2026
Date & Type of Meeting: March 18, 2026 Rural Affairs Committee
Author: Zachari Giacomazzo, Planner
Subject: SUBDIVISION IN THE AGRICULTURAL LAND RESERVE
File: A2510B – Wiebe
Electoral Area/Municipality B

SECTION 1: EXECUTIVE SUMMARY

The purpose of this report is for the Board to consider an Agricultural Land Commission (ALC) application for a proposed subdivision within the Agricultural Land Reserve (ALR) at 5324 Whimster Road in Canyon.

This ALC Subdivision application proposes to subdivide the 12.1 hectare subject property into 2 lots. The north portion, lot 1 would be 4 hectares and lot 2 would be approximately 8.1 hectares.

The application is not aligned with the RDCK Agriculture policies within *Electoral Area 'B' Comprehensive Land Use Bylaw No. 2316, 2013* and recommendations in the RDCK Agriculture Plan. Therefore, Staff recommend that the Regional Board not support the application and that the application not be forwarded to the ALC.

SECTION 2: BACKGROUND/ANALYSIS

GENERAL INFORMATION

Property Owners: Eugene G. Wiebe and Bertha Wiebe
Agent: John Purdy, North Arrow Development Services Ltd.
Property Location: 5324 Whimster Road, Canyon, Electoral Area 'B'
Legal Description: PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081)
Property Size: 12.1 hectares (30 acres)
Current Zoning: Agriculture 1 (AG1) in Comprehensive Land Use Bylaw No. 2316, 2013
Current Official Community Plan Designation: Agriculture (AG) in Comprehensive Land Use Bylaw No. 2316, 2013

SURROUNDING LAND USES

North: Agriculture (within ALR)
East: Rural Residential
South: Agriculture (within ALR)
West: Rural Residential

SITE CONTEXT AND PROPOSAL SUMMARY

The subject property has a total area of 12.1 hectares and is located in Canyon, BC in Electoral Area 'B'. The lot is entirely within the ALR and bordered by lands zoned Agriculture 1 (AG1) within the ALR to the north and the south. Lands to the east and west of the subject property are not within the ALR and are zoned Rural Residential

(R3). The subject property has been improved with a single detached dwelling, accessory buildings and agricultural improvements (e.g. animal enclosures, land cleared for grazing and a large garden). Portions of the property remain forested while other areas have been cleared. Sullivan Creek flows through the northwest corner of the subject property and this area is identified as being part of a Non-standard Flood and Erosion Area with a rating of 'G'. A geotechnical report is required through the building permit review process prior to the construction of any occupied structures within the identified hazard area.

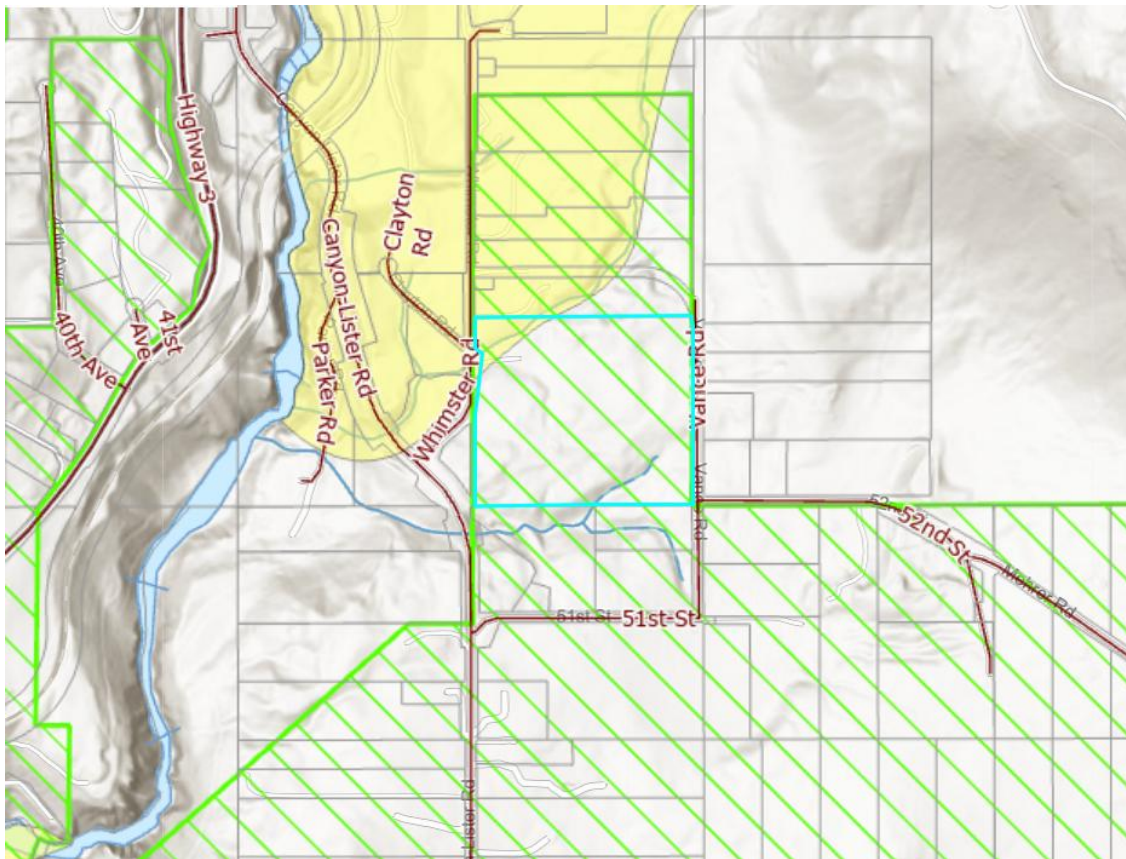


Figure 1: Location Map showing the boundary of the ALR (green hatched) and the Sullivan Creek Flood Hazard Area (yellow)



Figure 2: Zoning Map with ALR boundary still visible



Figure 3: Proposed Subdivision Plan with subject property outlined light blue

Agricultural Area Plan

In 2011, the RDCK developed an Agricultural Plan with the overall goal of increasing the quantity and quality of agricultural production in the Region.

The purpose of the Agriculture Area Plan is to ensure that the agricultural capability of the area is realized and protected as part of a secure food supply for the region. Agriculture in the Region is characterized by its diversity, with larger operations predominantly in the Creston Valley and many small-lot farms spread across the RDCK. The Plan's recommendations address all sizes and forms of farm operations.

Some of the issues facing farmers and food producers in the region were identified through public consultation when the Agriculture Plan was developed. Some of the issues that are relevant to the current report include:

- ongoing loss of farmland; and,
- farm income cannot support the purchase of land at residential / recreational market values.

The report goes on to make several recommendations which address agricultural viability, capability and secure food supply recommendations. The recommendations relevant to this application are listed below:

CAPABILITY RECOMMENDATION #1

It is recommended that the RDCK continue to use land use planning tools to discourage subdivisions of agricultural land and to encourage the consolidation of contiguous smaller agricultural lots provided they do not result in additional residences (resulting in higher land values for the farm).

CAPABILITY RECOMMENDATION #3 It is recommended that the RDCK encourage the protection of agricultural land where appropriate, through the Official Community Plan process and other land use planning tools.

Agricultural Land Use Inventory

The RDCK's Agricultural Land Use Inventory, 2016 (ALUI) was developed for the purpose of building a common understanding of agriculture within the RDCK.

Most of the agriculture activity in the area is in the form of livestock, equestrian and dairy farms to the south of the subject property in the Canyon/Lister Area and fruit trees/orchards west of the Goat River in Erickson. As previously mentioned in this report, the lands immediately to the east and west of the subject property are outside of the ALR and used predominantly as Rural Residential properties with minimal agricultural activities.

Within the RDCK, 30% of the effective ALR was in farmed land cover that includes cultivated crops and barns. 23% of ALR parcels were used for farming and 77% were not used for farming. Farming activities include forage and pasture, cereals and oilseeds, and tree fruits.

The ALUI defines the nature of farming practices. Parcel size must be considered when determining the agricultural potential of a parcel. Larger parcels usually allow farmers greater flexibility to expand or change their type of operation as the economy and markets change. Some types of agriculture can be successful on small parcels (e.g. intensive market gardens, nurseries, and poultry); however, the number of viable farming options generally decreases with a reduced parcel size. Smaller parcels are generally more costly per hectare than larger parcels, and can easily be disassembled from larger farm units and sold. Larger parcels accommodate equipment more efficiently and reduce the need to move farm equipment on public roads.

The Inventory outlines that there is evidence that small parcels are less likely than larger parcels to be utilized for farming. In the Regional District there are 1,178 ALR parcels that are less than 1 hectare. Of these parcels, 5% (60 parcels) are “Used for Farming”, 21% (245 parcels) are “Available for Farming”, and 74% (873 parcels) are “Unavailable for Farming”. Residential use accounts for the majority of the small and “Unavailable for Farming” parcels.

The ALUI identifies that the Creston Valley will continue to be the hub of agriculture in the region and the continued fragmentation of larger lots can constrain agriculture opportunities and limit the type and amount of agricultural production.

Agricultural Capability Rating

Approximately 53% (6.4 hectares) of the subject property has an unimproved agricultural capability rating of Class 3 with the limitation subclass being soil moisture deficiency. This same area has an improved capability rating of Class 2 with the limitation subclass being topography. The remaining 47% (5.7 hectares) of the property has a capability rating of 6 with the limitation subclass being topography. See Figure 4 below for a map that shows the different portions of the subject lands with colour-coded capability ratings. More details regarding soil classes and limitation subclasses can be found in the tables on the following page.

Agricultural Capability - RDCK File No. A2510B

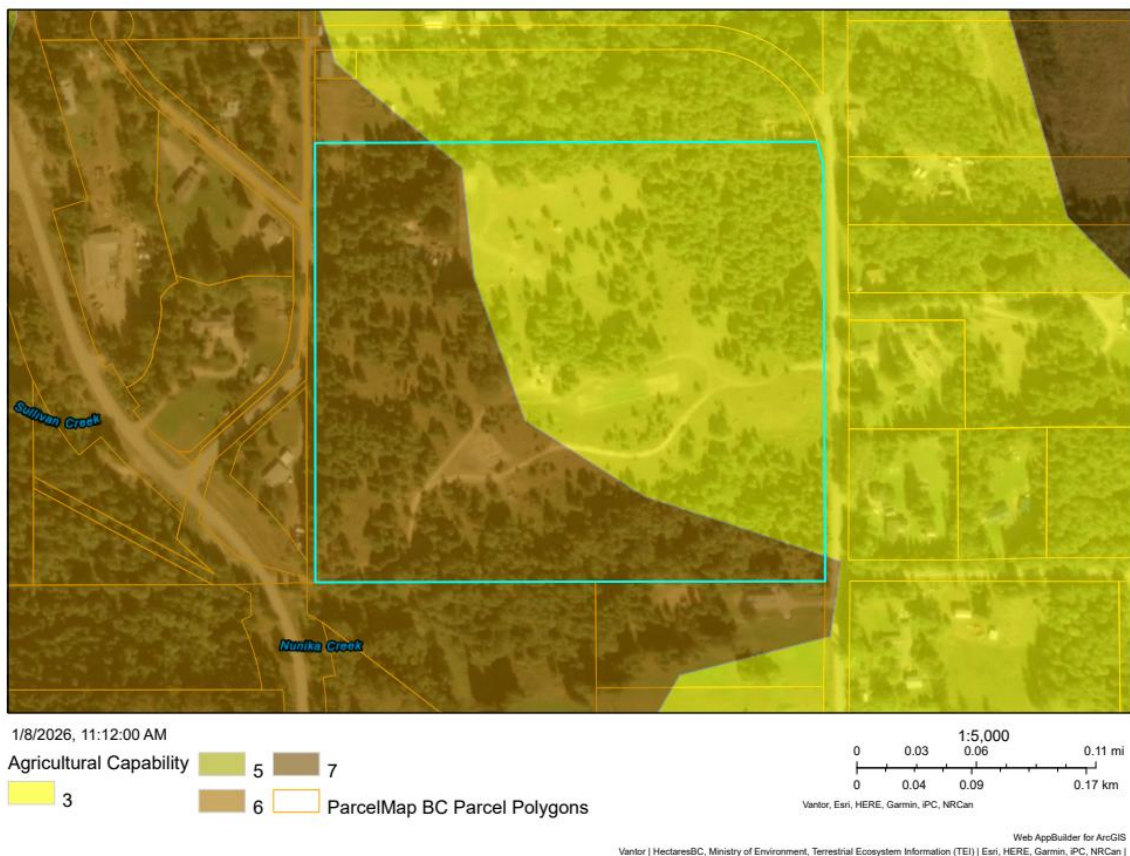


Figure 4: Unimproved Agricultural Capability Rating

Soil Class	Description
Class 2	Land in this class has minor limitations that required good ongoing management practises or slightly restrict the range of crops, or both.
Class 3	Land in this class has limitations that require moderately intensive management practises or moderately restrict the range of crops or both.
Class 6	Land in this class is non-arable but is capable of producing native and or uncultivated perennial forage crops.

Limitation Subclass	Description
M	Soil moisture deficiency
T	Topography

Soil Type

The Soil Resources of the Nelson Area published by the BC Ministry of Environment categorizes soils having similar agriculturally important characteristics into 'soil association descriptions'. The subject property is comprised of soils from the Creston and Tye associations. Figure 5 shows how the subject lands are divided by the soil types. Descriptions of each soil type are included in the following table.

Soil Class	Description
Creston	The areas occupied by Creston soils have favourable climatic characteristics and are very productive agriculturally when irrigated. The Creston soils are particularly suited for tree fruits and presently most of the orchards in the Creston area are located on these soils. These productive soils should be retained for agricultural production.
Tye	Tye soils are moderately suitable for agriculture. The main limitations are topography and stoniness



Figure 5: BC Soil Survey mapping

SECTION 3: DETAILED ANALYSIS

3.1 Financial Considerations – Cost and Resource Allocations:

Included in Financial Plan: Yes No Financial Plan Amendment: Yes No
 Debt Bylaw Required: Yes No Public/Gov't Approvals Required: Yes No

The applicant has paid the \$750 RDCK Referral Fee pursuant to the Planning Fees and Procedures Bylaw No. 2457, 2015.

3.2 Legislative Considerations (Applicable Policies and/or Bylaws):

This application was processed in accordance with the Planning Procedures and Fees Bylaw No. 2457, 2015.

Agricultural Land Commission Act (ALCA)

As per Section 25(1) of the Act, when making a decision on an application for a subdivision in the ALR the Agricultural Land Commission may do one of the following:

- (a) refuse permission;
- (b) grant permission;
- (c) grant permission for an alternative non-farm use or subdivision.

Section 25(3) of the ALCA states that a subdivision application may not proceed to the ALC unless authorized by resolution of the local government. Section 34 states that a local government may include comments and recommendations regarding an application should it resolve to forward the application to the ALC.

Electoral Area 'B' Official Community Plan (Comprehensive Land Use Bylaw No. 2316, 2013)

3.0 Agriculture

The amount of designated and undesignated land that is in agricultural production in the rural area is an important factor in developing a secure local food system. Lands within the Agricultural Land Reserve (ALR) can be found throughout the Plan area. The area is one of the richest agricultural areas of the Province, with lands being used for fruit production, wineries, produce, dairies, livestock, nurseries and greenhouses and other associated agricultural activities. Agriculture is also a basis for tourism and industry in the area. Many lands within the ALR are used for rural residential and country residential purposes with small market gardens that can be an important contributor to local food production. In addition, agricultural operations and activities, such as livestock grazing, are also dependent on rural lands outside of the 'Agricultural' designation.

Lands identified with a potential for agricultural operation or activity have been designated Agriculture in the OCP. Furthermore, when lands are also within the ALR, the direction from the province is to preserve these lands for future agriculture uses.

Objectives:

1. To preserve and promote the use of agricultural land for current and future agricultural production, and to protect this land from uses which are inconsistent with agricultural use or are incompatible with existing agricultural uses in the area.

Policies:

The Regional Board:

10. Directs that the principal use of land designated 'Agriculture' shall be for agricultural use.
11. Discourages subdivisions of agricultural land that do not benefit agriculture and result in further fragmentation of agricultural land.
12. Supports that all new land use and subdivision of land within the ALR shall be in accordance with the provisions of the Agricultural Land Commission Act, associated regulations, orders and decisions of the Provincial Agricultural Land Commission (ALC).

The **RDCK Subdivision Bylaw No. 2159** directs that each proposed lot be assessed for Type 1 septic disposal and have independent sources of water for each proposed lot.

The **RDCK Floodplain Management Bylaw No. 2080** identifies flood construction levels and floodplain setback distances from small creeks and watercourses when considering the construction of new buildings or renovation of existing buildings.

3.3 Environmental Considerations

None anticipated.

3.4 Social Considerations:

There is no public benefit associated with the application.

3.5 Economic Considerations:

The proposed subdivision would allow the property owner to place one of the subdivided properties for sale.

3.6 Communication Considerations:

The application was referred to the Ministry of Agriculture and Food, the Local Area Director and the applicable First Nations. The following comments were received:

Creston Valley Agriculture Advisory Commission (CVAAC)

From the approved minutes of the meeting held on January 15, 2026:

- The Commission had a site visit at 1:00 p.m. today at: 5324 Whimster Road
- Applicant wishes to subdivide the 12.18-hectare parcel into a 10-acre parcel and a larger 20-acre parcel. The larger parcel will be maintained by applicants for the purpose of animal husbandry.
- Commissioners asked detailed questions about water supply for both parcels. There is a drilled well on 20-acre parcel of land, the 10-acre parcel has an existing North Canyon Water District water connection.
- Commissioners debated the gain of splitting this designated agricultural land into two pieces. Applicant pointed out that the proposed subdivision meets RDCK subdivision mandate, as well as stays uniform with the lot sizes that are in the area.

MOVED and seconded,
AND Resolved:

That the Creston Valley Agricultural Advisory Commission SPLIT DECISION the Agricultural Land Reserve Referral to Eugene & Bertha Wiebe for the property located 5324 Whimster Road, Erickson and legally described as BLOCK 1 PLAN 1493 DISTRICT LOT 812 KOOTENAY LAND DISTRICT PARCEL 2.

Staff Note: Section 10 (J) (vi) of the RDCK's APHC Bylaw No. 1477, 2003 indicates that "In all cases where the votes of appointed members present are equal for and against the question, the question shall be negated."

Ministry of Agriculture & Food – Land Use Planner and Regional Agrologist

In the absence of a parcel-specific review, we encourage local government planning staff and decision makers to consider the following findings/key messages when reviewing ALC applications for subdivision on the Agricultural Land Reserve (ALR).

- *Subdivision in the ALR frequently results in each parcel having diminished agricultural potential and an increase in land cost per hectare due to increased residential and accessory structures. Smaller lots and increased residential structures can also increase conflict between adjacent land uses.*
- *Ministry data, through Agricultural Land Use Inventories (ALUI), consistently shows that smaller agricultural lots are less likely to be farmed.*
- *A recent 2022 Kwantlen Polytechnic University study exploring the impact of non-farm uses and subdivision on agricultural land found that in regions of B.C. reviewed, "30% of all new parcels created as a result of subdivision ceased to have a farm class status", and "64% of all the parcels had their ownerships transferred within three years after non-farm use and subdivision applications were approved. This percentage becomes higher for subdivided parcels" (Summary Results, p.1-2).*
- *To advance viable long-term agricultural opportunities on the ALR, Ministry staff encourage ALR landowners to pursue alternative land access and tenure options, other than subdivision, (such as the*

leasing of portions of the property) as part of a coordinated succession plan. For more information on B.C.'s Land Matching Program, please visit the Agrarians Foundation organization website.

- The Ministry also provides resources to producers to support successful farm transition, including support through the B.C. Agri-Business Planning Program, as well as succession planning workshops and webinars to familiarize farmers with the steps and practices required for a successful farm transition.
- Ministry staff are available to discuss viable agricultural opportunities with the landowners considering pursuing farming activities on ALR land. For more information or to contact Ministry staff, please visit the Ministry AgriService BC webpage or email AgriServiceBC@gov.bc.ca.

While the Ministry will not be providing a detailed review and response to this parcel-specific referral, please feel free to reach out to Ministry staff with specific questions or for advice on this referral or land use planning for agriculture in general.

Complete First Nations Comments are included as Attachment 'B'. A summary of the Comments received from the First Nation Communities are included below:

Shuswap Band: Based on our initial review, the nature of the proposed activity, its location, the current information available to our office at this time, we do not see any apparent significant impacts to our indigenous rights, including title at this time. However, we may at future date want to revisit consultation on this matter should new information become available.

3.7 Staffing/Departmental Workplace Considerations:

Depending on the Board resolution, staff will or will not forward the Board resolution and this staff report to the Agricultural Land Commission.

3.8 Board Strategic Plan/Priorities Considerations:

Not applicable.

SECTION 4: SUMMARY

PLANNING DISCUSSION

The Official Community Plan indicates that a key objective is to preserve and promote the use of agricultural land for current and future agricultural production. Fragmentation of agricultural land has been shown to reduce long-term agricultural viability and provincial data consistent smaller parcels that are less adaptable to a range of agricultural uses are less likely to be farmed. While this parcel has some topographic and soil moisture constraints, it is identified as having a moderate range of agricultural capability and is in the Agriculture Land Reserve (ALR) which exists to preserve agricultural land and maintain larger, contiguous parcels that support viable farming.

Only 2.5% of the RDCK's land is suitable for agriculture. The RDCK's Agriculture Plan recommends using land use planning tools to prevent the subdivision of agricultural land. As parcel sizes decrease, the number of viable farming operations typically declines, and smaller parcels tend to be more expensive per hectare than larger ones. According to data from the ALUI, smaller agricultural lots are less likely to be farmed.

Ultimately, staff do not recommend support for the subdivision application because:

- The proposal does not ensure a benefit to agriculture. The creation of smaller agricultural parcels is correlated with less agricultural activity, increased subdivision and rural residential pressures.
- Subdivision of the subject property could increase expectations that similar requests would be routinely permitted and encourage future proposals. The effects of heightened expectations often include speculation, increased farmland prices, and reduced agricultural investment and activity.
- Staff has been consistent in recommending non support for applications for subdivision that fragment the ALR land base, particularly where broad public interest and a clear agricultural benefit is not demonstrated.

For these reasons, staff recommend that the Board not support the proposed ALC subdivision application.

Options

Option 1:

That the Board NOT SUPPORT application A2601B for the proposed subdivision in the Agricultural Land Reserve proposed by John Purdy for the property located at 5324 Whimster Road, Canyon, Electoral Area 'B' and legally described as PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081).

Should the Board choose to not support the application, it will not be forwarded to the ALC for a decision, in accordance with the *RDCK Planning Procedures and Fees Bylaw* and the *Agricultural Land Commission Act*.

Option 2:

That the Board PROVIDE NO COMMENT regarding application A2601B for the proposed subdivision in the Agricultural Land Reserve proposed by John Purdy for the property located at 5324 Whimster Road, Canyon, Electoral Area 'B' and legally described as PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081).

Should the Board choose to provide no comment on the application, it will be forwarded to the ALC for a decision, in accordance with the *RDCK Planning Procedures and Fees Bylaw* and the *Agricultural Land Commission Act*.

Option 3:

That the Board SUPPORT application A2601B for the proposed subdivision in the Agricultural Land Reserve proposed by John Purdy for the property located at 5324 Whimster Road, Canyon, Electoral Area 'B' and legally described as PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081).

Should the Board choose to support the application, it will be forwarded to the ALC for a decision, in accordance with the *RDCK Planning Procedures and Fees Bylaw* and the *Agricultural Land Commission Act*.

SECTION 5: RECOMMENDATIONS

That the Board NOT SUPPORT application A2601B for the proposed subdivision in the Agricultural Land Reserve proposed by John Purdy for the property located at 5324 Whimster Road, Canyon, Electoral Area 'B' and legally described as PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493 (PID: 011-518-081).

Respectfully submitted,



Zachari Giacomazzo, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Approved**

General Manager Development & Sustainability – Sangita Sudan **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – ALC application form, completed by applicant

Attachment B – Referral comments from First Nations



Provincial Agricultural Land Commission - Applicant Submission

Application ID: 106067
Application Type: Subdivide Land in the ALR
Status: Submitted to L/FNG
Name: Wiebe et al.
Local/First Nation Government: Central Kootenay Regional District

1. Parcel(s) Under Application

Parcel #1

Parcel Type Fee Simple
Legal Description PARCEL 2 (SEE 125110I) BLOCK 1 DISTRICT LOT 812 KOOTENAY DISTRICT PLAN 1493
Approx. Map Area 12.26 ha
PID 011-518-081
Purchase Date May 3, 2022
Farm Classification No
Civic Address 5324 Whimster Rd Canyon BC
Certificate Of Title TITLE-CA9900244-PID-011-518-081.pdf

Land Owner(s)	Organization	Phone	Email	Corporate Summary
Bertha Wiebe	Not Applicable	██████████	██████████ ████	Not Applicable
Eugene Wiebe	Not Applicable	██████████	██████████	Not Applicable



2. Other Owned Parcels

Do any of the land owners added previously own or lease other parcels that might inform this application process? Yes

Describe the other parcels including their location, who owns or leases them, and their use. PID 006-780-920 fully owned by Eugene and Bertha Wiebe which is directly adjacent the subject parcel. This is a small (1Ha) residential parcel which contains their single detached dwelling. Proximity of the owner's home to the subject parcel will allow them to easily and efficiently tend to their livestock, cultivated areas and support the long term agricultural use of the proposed subdivision.

3. Primary Contact

Type Third-Party Agent
First Name JOHN
Last Name PURDY
Organization (If Applicable) North Arow Development Services Ltd
Phone [REDACTED]
Email [REDACTED]

4. Government

Local or First Nation Government: Central Kootenay Regional District

5. Land Use

Land Use of Parcel(s) under Application

Describe all agriculture that currently takes place on the Native grasses on accessible portions of the parcel are mowed for feed for the owner's livestock. Given challenging topography and soil conditions, the

parcel(s).

total area with feed production is approximately 2.5Ha. Approximately 0.4Ha of the most fertile ground on the parcel has been tilled and seeded with winter wheat to determine feasibility for increased production of livestock feed. Hog pens and structures providing shelter for approximately 20 animals is located on the east boundary of the parcel and covers approximately 0.2Ha

Describe all agricultural improvements made to the parcel(s).

Due to challenging topography and soil conditions there has been very little improvement on the parcel that would benefit agriculture. It appears that the parcel may have been cleared approximately 50 years ago, likely for timber value, however mature 2nd growth now covers the majority of the parcel.

Describe all other uses that currently take place on the parcel(s).

There is an existing small residential dwelling and homestead in the north-west corner of the parcel which house a long term tenant. A small (40 sq metre) unserviced cabin and covered shelter (15 sq metre) for recreational use are located at the approximate centre of the parcel.

Land Use of Adjacent Parcels

	Main Land Use Type	Specific Activity
North	Residential	Small lot (< 4Ha) residential holdings, zoned AG1 (Agriculture 1)
East	Residential	Small lot (< 4Ha) residential holdings, zoned R3 (Rural Residential)
South	Residential	Small lot (< 4Ha) residential holdings, zoned AG1 (Agriculture 1)
West	Residential	Small lot (< 2Ha) residential holdings, zoned R3 (Rural Residential)

6. Proposal

Proposed Lot Areas

#	Type	Size
1	Lot	4

2	Lot	8.26
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What is the purpose of the proposal?

The purpose of the application is to create a 4Ha lot which would reflect existing community context and satisfy the lot area standards allowed under the AG1 rules of the RDCK zoning bylaw.

This application would achieve the following:

- it would allow both parcels to continue to be used for agricultural purpose in a manner which is typical of the surrounding small lots (less than 4Ha) in the immediate area.
- it would allow the owner to concentrate and consolidate agricultural efforts on the 8.2Ha remainder parcel which is not constrained by the Sullivan Creek non-standard flood and erosion area (NSFEA). These efforts will include:
 - expanding the existing livestock (hogs) pens and shelters to accomodate a higher concentration of animals
 - expanding the existing cultivation area which is currently seeded with winter wheat intended for feed for the owner's current livestock.
 - clearing additional overgrowth and 2nd growth forest to increase native forage production
- it would create a parcel which is typical of and contextually appropriate for the surrounding area.
- it would allow the owners, who reside directly adjacent the parcel at 5320 Canyon-Lister Road, to care for and expand their existing livestock, poultry and feed production without the need to construct a new residential dwelling on the 8.2Ha remainder parcel
- it would result in an agriculturally viable remainder parcel which would still be significantly larger than other surrounding lots in the community

Why do you believe this parcel is suitable for subdivision?

The subject parcel is located at the north limit of ALR designated land lying east of the Goat River in the Creston Valley. This portion of the Canyon ALR community east of the Goat River and north of 40th St is characterized by rural residential lots ranging in size from 0.4Ha to 4Ha. Of the approximately 217 ALR designated lots in this area (see attached "Community Context" map), only 3 are larger than 12Ha, including the subject parcel. Of these 217 lots, approximately 34 maintain Farm Status according to assessed use through BC Assesment.

Despite being the one of the larger ALR parcels within the immediate area, there are significant constraints which restrict this parcel from being maintained over the long term for intensive crop production, grazing or similar agricultural practice requiring large contiguous parcel area.

These constraints include:

- the Sullivan Creek Non-Standard Flood Erosion hazard, which impacts the NW portion of the parcel

- steeply rolling topography which will not allow for effective cultivation over the majority of the parcel
- poor soil quality (sand/silt) which will inhibit native or forage crop production. *Note* A SIFT Capability Map with the proposed subdivision overlaid does not appear to accurately represent the current soil or topographic characteristics. The subject parcel area would be more accurately described as 6T as both soil characteristics and topography are consistent across the parcel.
- fundamental lack of available surface or sub-surface water for irrigation purposes

The proposed 4Ha lot contains an existing older homesite and associated residential improvements. This portion of the parcel is affected by the Sullivan Creek non-standard flood and erosion area (NSFEA) hazard and is crossed by a network of old stream beds which are steeply sloped, poorly soiled and poorly suited for either grazing or intensive cultivation. Portions of the proposed 4Ha parcel may be suitable for horticulture production and would be consistent with all existing surrounding parcel areas and land uses, however access to sufficient quantities of water for irrigation purposes, particularly in height of summer, remains a strong constraint in this particular area.

The remaining proposed 8.26Ha lot is also challenging for establishing intensive agriculture use given soil conditions, steeply gullied contours and access to adequate irrigation supply. There is, however, limited cultivable area which would support the owner's intent to produce feed crop for intensified hog and poultry production in a sheltered area along the east boundary of the property. This portion of the proposed lot would also be marginally suitable for intensive horticultural production provided additional water supply could be secured. A well recently drilled on the property demonstrates the low production rate of the aquifer, which is categorized as "vulnerable" under the BC Water Resources Atlas.

Notwithstanding the immediate proximity of the parcel to Sullivan Creek, a review of the BC Water Resources Atlas advises that Sullivan Creek is Fully Recorded, and therefore unavailable for access for additional irrigation licenses issued by the Ministry.

In summary, the combination of the proposed parcel area aligning with existing community context, NSFEA hazard, poor soil conditions, challenging topography and lack of available irrigation all contribute to the owner's reasonable rationale to subdivide this parcel.

Does the proposal support agriculture in the short or long term? Please explain.

The application would support sustainable agriculture in both the short and long term by creating a smaller parcel which is typical of surrounding community context and suitable for intensive horticulture, but affordable enough for an entry level investment in to the industry.

Revenue generated by the disposal of the 4Ha parcel would allow the owner to invest in the additional efforts to increase agricultural capability, as noted above.

Proposal Map / Site Plan

Wiebe - Proposed Plan.pdf

Are you applying for subdivision pursuant to the ALC Homesite Severance Policy?

No

7. Optional Documents

Type	Description	File Name
Other files that are related	SIFT Overlay	Wiebe Ag Capability.pdf
Other files that are related	Parcel Size Comparison	Parcel Map BC Extent.pdf
Other files that are related	Community Context Map	Community Context.pdf



3A – 492 Arrow Road
Invermere, BC V0A 1K2



T: 250-341-3678
F: 250-341-3683



www.shuswapband.net

4-Dec-2025 11:03 MST

Weyt-k (Hello),

Shuswap Band is in receipt of the project information for: -ALC Referral for subdivision in the ALR - RDCK File #A2510B.

The proposed project is located within Shuswap Band's Caretaker Area, within the greater Secwépemcúlecw (Secwepemc Traditional Territory). As land users and stewards, Shuswap Band members continue to exercise their Section 35 Aboriginal rights as their ancestors have done for generations, including hunting, trapping, gathering, and fishing, along with rights associated with spiritual and cultural traditions that are practiced in accordance with Secwepemc customs, laws, and governance structures. Secwepemc share an obligation of caretaker responsibility (stewardship) which is to act mindfully, learning from and caring for surrounding ecosystems for the health and survival of future generations, as is their Indigenous right (UNDRIP, Bill 41, Bill C15) Secwepemc culture hinges on the belief that the land responds positively to care and respect, and that tmicw (the air, lands, and resources) is interconnected at a watershed level. It is therefore critical for Shuswap Band to be actively engaged and consulted on all developments occurring within their Caretaker Area.

Based on our initial review, the nature of the proposed activity, its location, the current information available to our office at this time, we do not see any apparent significant impacts to our indigenous rights, including title at this time. However, we may at future date want to revisit consultation on this matter should new information become available.

Further, the watersheds in this area are significant to Shuswap Band's cultural heritage, as an area of ancestral land use, and presently significant as an area needing restoration and protection. Currently, Shuswap Band members collect medicines and berries in the surrounding area, fish the area waters, and camp nearby. While the area and its vitality has been impacted by industry developments, Shuswap Band has been actively involved in research and other initiatives which aim to restore this region to an ecologically and culturally thriving place.



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Wherever possible, Shuswap Band recommends the reuse of existing infrastructure so as to avoid unnecessary ground disturbance and additional cumulative impacts to the region. It is Shuswap Bands expectation that all disturbed areas be reclaimed as soon as possible with the areas being monitored and treated for invasive plants to aid the ecosystem in its healing.

The province is responsible for ensuring adequate consultation and where appropriate, accommodation to address potential impacts of proposed developments on asserted Aboriginal rights including title. It is Shuswap Band expectation that continued consultation on projects and on matters that may affect our long-term traditional land use, occupancy and access, including potential cumulative impacts between proposed activity and other previous or future developments within the project footprint and in adjacent areas (watershed, habitat type, aquifer, viewscape, etc).

Kukwstsétsemc (Thank you).

Referrals Coordinator

“Our people are our strength. Our children are our future.”

ec: Barb Cote - Chief, Shuswap Band

Mark Thomas - Councilor, Shuswap Band

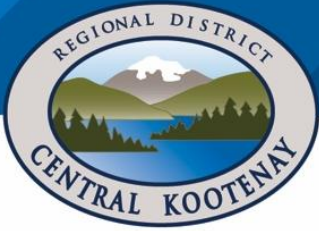
Richard Martin - Councilor, Shuswap Band

Braydi Rice – Director, Territorial Stewardship, Shuswap Band

Travis Yeats – Referrals Coordinator, Shuswap Band

Joshua Martin – Guardian Manager, Shuswap Band

Enola Eugene – Culture, Shuswap Band



Committee Report

March 18, 2026

WildSafeBC Funding Proposal and Annual Report for RDCK

Author: Todd Johnston, Environmental Coordinator
File Reference: 12-6200-20
Electoral Area/Municipality: All Electoral Areas
Services Impacted: Rural Administration S101.

1.0 STAFF RECOMMENDATION

That the Board approve the RDCK extend into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of April 01, 2026 and ending on December 31, 2028, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000;

AND FURTHER, that the costs be paid from Rural Administration S101.

2.0 BACKGROUND/HISTORY

The purpose of this report is to present the WildSafeBC 2025 Annual Report, the Valhalla Wilderness Society 2025 Annual Report, and a funding proposal submitted by the BC Conservation Foundation (BCCF), requesting funding of \$20,000 per year for their WildSafeBC (WSBC) Programming, under a three-year (2026-2028) contract.

WSBC works to prevent conflict with wildlife, and provides education and community-based solutions to residents in Central Kootenay area who report human-wildlife conflict within their communities.

The Regional District of Central Kootenay is roughly 22,130 square kilometres. Among the 27 regional districts in British Columbia, the RDCK ranks 11th in size and 15th in population. WildSafeBC has five programs which run in the RDCK: Castlegar, Nelson, Kaslo, Arrow-Slocan Lakes, and Selkirk Purcell:

- 1. Castlegar Program:** Covers electoral area I (Pass Creek, Thrums, Tarrys, Shoreacres, Glade, Brilliant and the Voykin Subdivision), and electoral area J (Ootischenia, Robson, Renata, Deer Park, Brooklyn, Shields, Raspberry, Syringa and Fairview).
- 2. Nelson Program:** Covers electoral area E (Blewett, Balfour, Queens Bay, Longbeach, Harrop, Procter, Sunshine Bay, Bealby/Horlicks, Taghum Beach and rural Nelson as far south as Cottonwood Lake), electoral area F (Beasley, Taghum, Willow Point, Nasookin, Grohman, Crescent Beach, Sproule Creek, Six Mile and Bonnington).

3. **Kaslo Program:** covers electoral area D (Lardeau, Argenta, Howser, Gerrard, Cooper Creek, Poplar Creek, Ainsworth, Mirror Lake, Marblehead, Johnsons Landing, Shutty Bench and Meadow Creek).
4. **Arrow-Slocan Lakes Program:** covers electoral area H (South Slocan, Crescent Valley, Slocan Park, Passmore, Winlaw, Red Mountain, Vallican, Perry Siding, Appledale, Hills, Summit Lake, Playmor Junction, Krestova, Brandon, Lemon Creek, Sandon, Rosebery and New Settlement), and electoral area K (Applegrove, Edgewood, Fauquier, Burton, Arrow Park, Crescent Bay, Whatshan Lake, Brouse/Glenbank, Box Lake, Needles, Halcyon and Inonoaklin Valley).
5. **Selkirk Purcell Program:** covers electoral area A (Boswell, Sirdar, Sanca, Wynndel, Gray Creek, Kootenay Bay, Riondel, Twin Bays, Kuskanook, Pilot Bay and Crawford Bay), electoral area B (Canyon, Erickson, Lister, Huscroft, Rykerts, Arrow Creek, Yahk, Goatfell, Kingsgate, Kitchener, Glenlily, and Goat River Bottom), electoral area C (Duck Lake, Lakeview, West Creston (Flats) and South Reclamation) and electoral area G (Hall Siding, Ymir, Ross Spur, Airport Road, Erie, Porto Rico, Nelway and Salmo North).

WSBC Community Coordinators (WCC) perform outreach activities designed to prevent human-wildlife conflict within their communities such as:

- WildSafe Ranger presentations for youth;
- Display booths at community events, markets, trailheads and frequented local recreation sites;
- Wildlife presentations and/or bear spray workshops;
- Garbage tagging events where removable warning stickers are placed on garbage containers set out the night before collection;
- Door-to-door outreach campaigns;
- Cost-share programming directed at removing fruit trees from communities.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

ANNUAL REPORT

The 2025 Annual Report (The Report - See Attachment 01) describes the activities of the WildSafeBC Arrow Slocan Lakes, Nelson, Castlegar, and Kaslo programs for the 2025 season between mid-May and end of November.

The main goal of the WildSafeBC (WSBC) program is to assist communities in preventing human-wildlife conflicts through educational programs, collaboration, and community solutions.

The Report summarizes key program deliverables over the course of the 2025 season, which will help shape the delivery of the program for the 2026 season, based on coordinator, community, and sponsor needs.

In 2025, WildSafeBC partnered with over 100 communities and coordinated staff and support for 21 local programs, and specifically:

- worked with 1444 students (59 WildSafe Ranger Program presentations at elementary schools);
- Facilitated 20 community presentations to over 421 participants;

- Reached 3513 community members;
- Staffed 27 community booths, reaching more than 1948 people;
- Canvassed 1312 homes door-to-door;
- Tagged 162 bins; and
- Reached 313,100 Facebook users through 241 posts.

WildSafeBC continued their “Business Pledge Program”, developed to encourage businesses to set good examples in their community and requires following best practices in solid waste management, providing staff training and supporting WildSafeBC safety and conflict reduction information. Their “Bare Campsite Program” also continued at seven campgrounds in 2025, to ensure proper food storage, waste management, and other key measures to reduce attractants.

Due to a lack of suitable applicants, The Selkirk Purcell program has struggled without a full-time coordinator since 2023. In 2025, the long-time Nelson coordinator monitoring the Selkirk Purcell email, Facebook, and phone, and made herself available to local residents and local officers as needed. However, WSBC is making progress on hiring a new coordinator located in the Creston area.

The Valhalla Wilderness Society 2025 Annual Report – For Information Only

The Valhalla Wilderness Society (VWS) provides a separate and distinct Bear Aware program from the BC Conservation Society’s WildSafe Program. The VWS program occurs only within the Slocan Valley rural areas and areas that lie outside the communities of Nakusp, Edgewood, Burton and Fauquier, and strives to reduce conflict between people and wildlife through education, cooperation and innovation.

In 2025, VWS activities were supported by RDCK Area H Community Development Fund, VWS member donations, and foundation contributions, enabling ongoing collaboration with WildSafeBC, Harvest Share, the Bear Smart Working Group, and electric-fence consultant Gillian Sanders.

2025 Highlights

- Cost-shared bear-resistant bins and eight electric-fence energizers
- Delivered electric-fence workshops in Slocan and New Denver
- Responded to resident inquiries on attractant management and compost security
- Monitored subadult grizzlies and local black bear family activity
- Supported Northern Lights Wildlife Rehab (non-RDCK funds)
- Applied for a proposed grizzly bear corridor Wildlife Habitat Area between Valhalla and Goat Range parks
- Continued windfall and brush clearing on a number of high country trails in prime grizzly bear habitat (non-RDCK funds).

For more detailed information, please review Attachment 03.

FUNDING REQUEST

On June 19, 2025, RDCK Board approved the following resolution:

357/25 *That the Board approve the RDCK extend into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of June 30, 2025 and ending on December 31, 2025, and that the Chair and Corporate Officer be authorized to sign the necessary documents;*

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000;

AND FURTHER, that the costs be paid from Service S101 Rural Administration (transferred through A100 Environmental Services).

WSBC has submitted a proposal (see Attachment 02), requesting funding over a three-year period, at the same annual dollar value (\$20,000), as was approved for both 2024 and 2025.

The current contract (See Attachment 04) expired December 31, 2025.

Staff recommend entering into a three-year agreement with WSBC, similar to previous years.

3.1 Alignment to Board Strategic Plan

Due to the program's work in reducing human/wildlife conflict, this program supports the RDCK's Strategic Objective of "Energy efficiency and environmental responsibility".

3.2 Legislative Considerations

None at this time.

3.3 What Are the Risks

None at this time.

4.0 RECOMMENDATION

Recommendation #1:

That the Board approve the RDCK extend into a Goods and Services Agreement with the British Columbia Conservation Foundation for their WildSafeBC Program for the period of April 01, 2026 and ending on December 31, 2028, and that the Chair and Corporate Officer be authorized to sign the necessary documents;

AND FURTHER, that the annual funding for the WildSafeBC Program not exceed an annual cost of \$20,000;

AND FURTHER, that the costs be paid from Rural Administration S101.

Respectfully submitted,



Todd Johnston – Environmental Coordinator

CONCURRENCE

General Manager of Environmental Services – Uli Wolf **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

General Manager Finance, IT and Economic Development / Chief Financial Officer – Yev Malloff **Approved**

Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment 01 – WildSafeBC 2025 Annual Report

Attachment 02 – WildSafeBC Funding Proposal for 2026-2028 RDCK Programming

Attachment 03 – Valhalla Wilderness Society 2025 Annual Report

Attachment 04 – 2026 BCCF WildSafeBC Funding Agreement



WildSafeBC Proposal for RDCK Funding 2026



Prepared by:

Christina Vales – WildSafeBC Program Coordinator



Overview

BC Conservation Foundation's WildSafeBC is the provincial leader in preventing conflict with wildlife through collaboration, education and community solutions. WildSafeBC uses scientific consensus of subject matter experts and focuses on addressing the root causes of human-wildlife conflicts.

The goal of WildSafeBC is *keeping wildlife wild and communities safe*. WildSafeBC continues to learn from and incorporate greater understanding, learnings and respect for wildlife conservation carried by Indigenous knowledge holders.

WildSafeBC collaborates with many partners to provide education and community-based solutions to residents in Central Kootenay area who report human-wildlife conflict within their communities. There are multiple factors that lead to these reports including population dynamics, natural food availability, a busy forest fire season, and the continuing availability of human-provided food sources in communities.

In 2025, the WildSafeBC Community Coordinators (WCC) have been performing outreach activities since mid-April, with the goal of preventing conflict with wildlife in their communities. These activities have so far included:

- WildSafe Ranger presentations for youth
- Display booths at community events, markets, trailheads and frequented local recreation sites.
- Wildlife presentations and/or bear spray workshops
- Garbage tagging events where removable warning stickers are placed on garbage containers set out the night before collection
- Door to door outreach campaigns
- Cost share programming directed at removing fruit trees from communities.

WCCs are responding to inquiries over the phone, email and through their local WildSafeBC Facebook pages. The WCCs also submit news articles and provide interviews for local media.

WildSafeBC continues to collaborate with other organizations to provide solutions in the region. This season these collaborations include a fruit tree removal/replacement program with Biodiversity Pathways, electric fencing referrals and workshops with Grizzly Bear Coexistence Solutions, and support of various bear working groups.

WildSafeBC continues to evaluate program effectiveness by conducting surveys after WildSafe Ranger presentations and wildlife and awareness presentations and bear spray workshops. Coordinator feedback surveys are being performed here at the end of the season to provide opportunities for continual program improvement.

WildSafeBC is grateful for the RDCK's ongoing support, which allows the Program to be effective at changing peoples' perceptions and behaviours with regards to wildlife safety and attractant management. Together we can meet the challenge of keeping wildlife wild and communities safe.



WildSafeBC augments provincial initiatives and agencies in meeting their mandates through the Bear Smart Community Program, the Conservation Officer Service, and Species-At-Risk management.

WildSafeBC is supported by a Provincial Advisory Committee comprised of representatives from the Provincial Ministry, BC Parks and academia.

Wildlife Conflicts

British Columbians value wildlife (such as bears, cougars, wolves and coyotes) because they provide numerous social, economic, environmental and cultural benefits and provide a sense of home and identity. While coexistence between people and wildlife is a high priority, there are many challenges that lead to negative interactions. These conflicts are a result of the many ways humans live, work, recreate and grow food in BC, such as:

- Allowing easy access to attractants that contain caloric rewards for wildlife (e.g. garbage, compost, fruit, oils, grease etc.). This signals to animals that our communities provide good sources of non-natural food sources and leads into conflicts resulting in property damage, risks to human safety, increased wildlife-vehicle collisions and the spread of disease.
- Increased development in urban-wildland interfaces and resource extraction in pristine habitat result in wildlife being displaced into populated habitats and urban environments.
- Food crops, beehives and livestock are attractive food sources and are often located along wildlife corridors.
- Local food production often leads to unintended conflicts with wildlife (e.g. urban livestock predation, damage to apiaries, backyard chickens, damage to residential fruit trees and gardens). Predators are drawn into communities by these food sources and create safety risks for the public and the lethal removal of that animal.
- Organic waste diversion initiatives often do not incorporate measures to prevent conflicts with bears and other wildlife (e.g. increased curbside collection in containers easily accessible by wildlife).
- Bird feeding attracts non-target species (e.g. bears, deer, raccoons, rats and squirrels). For example, the global bird food market has surged since the pandemic.
- Increasing tolerance for animals such as bears and coyotes in urbanized areas lead to human habituation with intentional and unintentional wildlife feedings.
- Over 50% of black bear inflicted injuries on people in US/Canada involved dogs (2010-2013).
- A growing disconnect between people and the natural environment leads to wildlife conflicts and safety issues (e.g. storing food in tents, hiking alone without bear spray).
- Climate change and wildfires affecting natural food, water and shelter availability leads to animals encroaching on human settlements.



- Communities provide ideal habitat and safety from predators and experience a growing escalation in urban deer conflicts.
- Wildlife-vehicle collisions result in approximately 870 human injuries and 4 fatalities in BC annually (Wildlife Collision Prevention Program).
- Growth in tourism and recreation lead to negative interactions with wildlife, damage to wildlife habitat, displacement and increased access to unsecured attractants.
- There is a lack of knowledge and cost barriers to electric fencing and certified bear-resistant containers.

While wildlife management is a Provincial responsibility, local governments are responsible for how attractants are managed (e.g. solid waste collection). The Provincial Bear Smart Community framework provides some initial steps for reducing human-bear conflicts, however barriers still remain. Successful implementation requires a significant investment of time, resources, funding and technical support.

Each year brings significant challenges in relation to human-wildlife conflicts. Wildfires and drought conditions across the Province have been more common, leading to an increase of wildlife moving into human settlements and seeking food sources. When human-wildlife conflicts are not prevented, damage to property (e.g. crops, orchards, outbuildings, vehicles and livestock) occurs with risks to public safety (e.g. rattlesnake bites, attacks by ungulates and carnivores).

Results

The Province has committed to reducing conflicts between humans and wildlife as part of its strategic goal of maintaining safe, healthy communities and a sustainable environment. Issues around human-wildlife conflicts are complex and will not be solved by one organization or government.

WildSafeBC uses an adaptive approach to embed wildlife conflict prevention within Ministerial objectives, such as local food production, solid waste reduction and diversion from landfills, tourism, recreation, and resource and land development.

In 2025, WildSafeBC partnered with over 100 communities and coordinated staff and support for **21** local programs.



2026 Funding Proposal		
RDCK Supported Communities	Funding Requested per RDCK Community	Total funds requested from the RDCK
<i>WildSafeBC Castlegar:</i> Electoral Areas I and area J	\$4000	
<i>WildSafeBC Kaslo:</i> Electoral Area D	\$4000	
<i>WildSafeBC Nelson:</i> Electoral Areas E and F	\$4000	
<i>WildSafeBC Arrow Slocan Lakes:</i> Electoral Areas H and K	\$4000	
<i>WildSafeBC Selkirk Purcell:</i> Electoral Areas A, B, C, and G	\$4000	
		\$20,000

If possible, a multi-year commitment over the next three years instead of reapplication each year would be beneficial to the overall stability of the program. Due to the nature of our season which concludes at the end of November, it is difficult to report and propose during the fall when the RDCK does their financial planning.

Multi-Year Funding Proposal		
2026	2027	2028
\$20,000	\$20,000	\$20,000

RDCK ANNUAL REPORT 2025



Prepared By :

WildSafeBC
Program Coordinator



***Keeping Wildlife Wild and
Communities Safe***



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Executive Summary

This report describes the activities of the WildSafeBC Arrow Slokan Lakes, Nelson, Castlegar, Kaslo, and Selkirk Purcell* programs for the 2025 season between April/May and November 30th. The main goal of the WildSafeBC program is to assist communities in preventing human-wildlife conflicts through educational programs, collaboration, and community solutions. The following report summarizes key program deliverables over the course of the 2025 season, and will help shape the delivery of the program for the 2026 based on coordinator, community, and sponsor needs.

**Due to a lack of suitable applicants, the Selkirk Purcell program was modified to run as a hybrid program this season by the long-time Nelson coordinator, Lisa Thomson. Lisa monitored the Selkirk Purcell email, Facebook, and phone, and made herself available to local residents, and the the local officers if her assistance was needed. She drove out to the program area during the season to run WildSafeBC booths at events, but due to driving limitations she had to prioritize only doing this a few times. WildSafe is currently in the process of planning for the 2026 season, and has a potential new coordinator lined up. Next season we are hopeful to once again have a full Selkirk Purcell program running.*



Children enjoying bear pawprint casts at a WildSafeBC presentation

Program Coverage Area

The Regional District of Central Kootenay is roughly 22,130 square kilometres. Among the 27 regional districts in British Columbia, the RDCK ranks 11th in size and 15th in population. WildSafeBC has 5 programs which run in the RDCK: Castlegar, Nelson, Kaslo, Arrow-Slocan Lakes, and Selkirk Purcell.

- **Castlegar Program:** Covers electoral area **I** (Pass Creek, Thrums, Tarrys, Shoreacres, Glade, Brilliant and the Voykin Subdivision), and electoral area **J** (Ootischenia, Robson, Renata, Deer Park, Brooklyn, Shields, Raspberry, Syringa and Fairview).
- **Nelson Program:** Covers electoral area **E** (Blewett, Balfour, Queens Bay, Longbeach, Harrop, Procter, Sunshine Bay, Bealby/Horlicks, Taghum Beach and rural Nelson as far south as Cottonwood Lake), electoral area **F** (Beasley, Taghum, Willow Point, Nasookin, Grohman, Crescent Beach, Sproule Creek, Six Mile and Bonnington).
- **Kaslo Program:** covers electoral area **D** (Lardeau, Argenta, Howser, Gerrard, Cooper Creek, Poplar Creek, Ainsworth, Mirror Lake, Marblehead, Johnsons Landing, Shuttly Bench and Meadow Creek).
- **Arrow-Slocan Lakes Program:** covers electoral area **H** (South Slocan, Crescent Valley, Slocan Park, Passmore, Winlaw, Red Mountain, Vallican, Perry Siding, Appledale, Hills, Summit Lake, Playmor Junction, Krestova, Brandon, Lemon Creek, Sandon, Rosebery and New Settlement), and electoral area **K** (Applegrove, Edgewood, Fauquier, Burton, Arrow Park, Crescent Bay, Whatshan Lake, Brouse/Glenbank, Box Lake, Needles, Halcyon and Inonoaklin Valley).
- **Selkirk Purcell Program:** covers electoral area **A** (Boswell, Sirdar, Sanca, Wynndel, Gray Creek, Kootenay Bay, Riondel, Twin Bays, Kuskanook, Pilot Bay and Crawford Bay), electoral area **B** (Canyon, Erickson, Lister, Huscroft, Rykerts, Arrow Creek, Yahk, Goatfell, Kingsgate, Kitchener, Glenlily, and Goat River Bottom), electoral area **C** (Duck Lake, Lakeview, West Creston (Flats) and South Reclamation) and electoral area **G** (Hall Siding, Ymir, Ross Spur, Airport Road, Erie, Porto Rico, Nelway and Salmo North).

Program Coverage Area



2025 Highlights

1444

Students Educated

3513

Community Members Reached

27

Community Event Booths

1312

Homes Canvassed

162

Bins Tagged

313,100

Facebook Users Reached

Conservation Officer Service Reports

From January 1 to November 30, a total of **583** wildlife reports have been made to the BC Conservation Officer Service (BCCOS) through the Report All Poachers and Polluters (RAPP) line (1-877-952-7277) or online form (<https://forms.gov.bc.ca/environment/rapp/>) in the respective RDCK Coordinators' areas.

Similar to previous years, black bears were the species most often reported to the BCCOS in 2025, with **309** reports.

Black bears easily become habituated to residential areas when they learn that garbage and other attractants such as fruit trees, bird seed, gardens, pet food, and barbeque scraps are an easy way to score a high-calorie meal. Once a black bear begins to associate food with humans they lose their innate fear, and become bolder and more aggressive. Female bears teach these behaviours to their cubs, and the cycle continues.

Residents are often charmed by seeing bears in their backyard, and let bears consume attractants under the impression that the bear is unable to find natural food sources and is hungry. They enjoy seeing the bear, taking photos of the bear, and some residents even purposefully leave out fallen fruit and food scraps for bears to consume. Once these bears undoubtedly become more aggressive and fail to leave the area, residents then begin to fear for their pets and children and call BCCOS. By this point the bear is a threat to public safety and unfortunately this could lead to bear being euthanized.

Once a bear is destroyed there is usually outcry from the public. They fail to understand that their actions of leaving unsecured attractants out, failing to deter the bear, and allowing it to become comfortable around people is the direct reason for the animal's demise. While bears are common, other wildlife easily become habituated as well.

WildSafeBC plays an integral role in educating communities about why human-wildlife conflicts occur and how to prevent them. The results of these conflicts may be property damage, pets/livestock injured or killed, human safety put at risk, and wild animals being displaced, injured or killed. These conflicts are often preventable with increased knowledge of the causes followed by actions to address and manage attractants. The role of the WildSafeBC Program is prevent conflict with wildlife through collaboration, education and community solutions.

WildSafe Ranger Program

The WildSafe Ranger Program introduces students to the concept of human-wildlife conflict and encourages them to take an active role in reducing human-wildlife conflict at home by helping their families identify backyard wildlife attractants. In addition, students learn how to have a safe and respectful relationship with wildlife. The program complements the BC Science K-9 Curriculum.

The WildSafeBC RDCK Coordinators delivered **59** WRP presentations at elementary schools, summer camps, and youth programs. A total of **1444** children throughout the RDCK became WildSafe Rangers and received a WildSafe Ranger kit (activity book, bookmark/ruler, Ranger sticker, wildlife button pin) to take away with them.



WildSafeBC Arrow Slovan Lakes Coordinator giving a WildSafe Ranger presentation in Winlaw

Community Groups

This year the WildSafeBC RDCK Coordinators gave **20** presentations and workshops to various community groups and organizations, and reached over **421** participants. Common presentations given were: Wildlife Awareness and Safety, wildlife attractant management, rat prevention, bear spray workshops, electric fencing workshops. Groups reached with these workshops and presentations included: government departments, teachers, seniors, city employees, newcomers to BC, international university students, and private businesses.



WildSafeBC Arrow Slokan Lakes Coordinator giving a rat prevention presentation in Nakusp



WildSafeBC Kaslo Coordinator after a presentation to community members in Kaslo

Display Booths

Display booths allow the public to view and interact with our educational materials, learn about wildlife safety, discuss wildlife attractant management, and network our program offerings to various groups of residents. In 2025, more than **1948** people visited the WildSafeBC RDCK Coordinators' display booths at **27** community events across the community. Examples of some locations booths were held at include: New Denver Farmers Market, Hills Garlic Festival, Lucerne Harvest Festival, Slocan Saturday Market, Toad Fest at Summit Lake, Syringa Park, Senior Expo, Nelson Farmers Market, Kokanee Creek Provincial Park Nature Centre, Kaslo's Birthday, Kaslo Saturday Markets, Volunteer Fair, and the Creston Bear Fair.



A WildSafeBC Castlegar Display Booth

Bin Tagging and Door-to-Door

Garbage bin tagging consists of placing a highly visible and removable warning sticker on top of curbside containers the evening before collection day to encourage residents to secure their garbage bins at night. Unsecured garbage is the most commonly reported wildlife attractant, and bears that become accustomed to consuming garbage often become habituated to residential areas, lose their fear of people, and become engaged in conflict. During 29 outings, a total of **162** bins were tagged. During repeat outings, most homes that were initially tagged did not have their bins out again, showing that the warning sticker was effective in educating and changing the behaviours of residents.

Door-to-door education consists of canvassing neighbourhoods and knocking on doors, providing in-person education to residents that are home, and leaving door hangers for those who are out. Education provided included: warnings about wildlife spotted in the nearby area, providing wildlife attractant management tips, stressing the importance of garbage securement, and general safety information. The WildSafeBC RDCK Coordinators reached **1312** people with door-to-door education this year.



Social Media and Press

Throughout the season, the WildSafeBC RDCK Coordinators engaged with posts relating to wildlife activity and provided education and information to residents on their community Facebook Pages. This approach was an effective method to bring people in to explore our page and our content while continuing to provide engaging education.

The pages have a combined follower count of **4828**. Many Facebook posts created were also shared by Facebook users into other groups or on their own personal timeline, which helped promote the WildSafeBC messages being posted. In total, **241** Facebook posts were created by the coordinators that reached over **313,100** people.

Many press appearances were also made by the WildSafeBC RDCK Coordinators in local newspapers, and on the radio. The WildSafeBC Nelson Coordinator even appeared as a guest on a local podcast, "The Headwaters" by Kootenay Mountain Culture Magazine.

Views 
251.5K

Views 
19.2K

Views 
13.4K

Views 
15.9K

Views 
13.1K



EPISODE #40

Rascally Rodents

Published: September 11, 2025
Episode Length: 37:05
Episode Guests: Lisa Thomson – WildSafeBC Nelson/RDCK Area E & F Coordinator
Ben Brown – Selkirk Pest Control
Cal – Urban Rat Battler
Sally – Rural Rat Battler
Sam – Deep Woods Rodent Zen Master

[Listen to "Episode #40 Rascally Rodents" on Spreaker.](#)

on empowering individuals to take small, actionable steps in their daily lives to improve the welfare of wildlife both close to home and worldwide.”

The WildSafeBC Coordinator position is a “great opportunity to use my experience to contribute to the safety and well-being of this community I now call home,” she said.

Erin says this year is particularly significant for wildlife in the Kootenays. Many young animals are striking out on their own, and there has been a notable increase in bear sightings in the area. “It’s crucial during this time to secure all attractants, clean up properties, prune back fruit trees, and take down



Erin Lawrence is Kaslo and area's WildSafeBC Coordinator.

Business Pledge

The WildSafeBC Business Pledge Program has been developed to encourage businesses to set good examples in their community on how to safely co-exist with wildlife. To take the pledge, a business is required to follow best practices in solid waste management, provide adequate training to staff and support WildSafeBC safety and conflict reduction information. In return, WildSafeBC will provide ongoing support to the business in the form of staff training, WildSafeBC materials (subject to budget constraints) and a WildSafeBC Business Pledge poster.

Businesses that have taken the pledge previously, such as The Hume Hotel & Spa, The Adventure Hotel, The Kootenay Co-op, The BridgeFM, and Silverton Camp Cafe all committed and re-resigned this year and continue to set a strong example for the community by following best practices. Three new businesses also signed the Business Pledge this year – Caravan Company Goods, Silverton General Store, and Silverton Building Supplies.



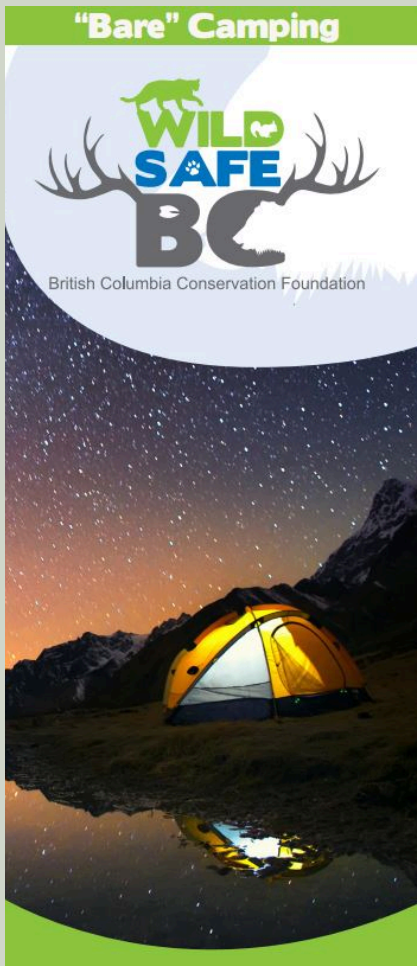
The Adventure hotel in Nelson re-signed the business pledge again this year

Bare Campsite Program

Through the WildSafeBC Bare Campsite Program, clear guidelines and resources are provided to assist campground operators and staff in maintaining a safe campsite for both people and wildlife.

The WildSafeBC RDCK Coordinators visited **7** campgrounds this year, including: Pass Creek Campground, Syringa Provincial Park, Kokanee Creek Provincial Park, City of Nelson Campground, Kaslo Campground, David Creek Campground, and Lost Ledge Campground.

Campground staff and operators were trained in "bare" camping practices to ensure proper food storage, waste management, and other key measures to reduce attractants. WildSafeBC educational brochures such as the "Bare" Camping brochure were given to the campgrounds to display and hand out to campers.



BC Goes Wild

Throughout September when human-bear conflicts are at their highest in BC, WildSafeBC runs its annual BC Goes Wild campaign to acknowledge the spectacular diversity of wildlife in the Province and bring more awareness to the importance of protecting this diversity. This year WildSafeBC celebrated it's 10th Annual BC Goes Wild Event. The WildSafeBC RDCK Coordinators organized and hosted many special events:

- The Nelson Coordinator held their fourth annual Bears & Brews Trivia night at The Adventure Hotel's sports bar, The Uptown Tavern. 36 contestants participated and won prizes. Prizes for the event were graciously donated by Business Pledgers and other local businesses.
- The Arrow Slokan Lakes Coordinator held a draw for a giant stuffed plush bear, and put up posters throughout the Arrow Slokan area and on Facebook to promote BC Goes Wild.
- The Castlegar Coordinator hosted a free family movie night at the Old Movie Theatre, which played "Arctic Tale". Over 60 people were in attendance.
- The Kaslo Coordinator held booths at the Kaslo Saturday markets, where they handed out coloring competition sheets for kids and encouraged everyone to join in the wildlife photography contest.



Challenges and Future Goals

Improperly managed garbage, fruit trees, bird feeders, and urban livestock continue to be a source of human-wildlife conflict in the RDCK. While some residents are familiar with conflict and how to prevent it, others are less aware of the risks of human-wildlife conflict. Continued outreach is needed to provide people with knowledge and skills on how to manage wildlife attractants and how to stay safe when in wildlife country.

The WildSafeBC RDCK Coordinators recommend the following activities for 2025:

- Review and strengthen local bylaws on attractant management
- Complete new Bear Hazard Assessments to bring more current concerns forward
- Wildlife Safety outreach for high-risk areas and campgrounds
- Promote “living in wildlife country” literature to newcomers
- Aim to have roadside signage on highways notifying of wildlife crossings/corridors
- Action to remove feral fruit/nut trees along highways and right of ways
- Promote shared harvesting programs or fruit gleaning
- Initiate the garbage tagging program as soon as possible in the active bear season
- Continue to educate the public on the importance of keeping bins locked and secured until the morning of collection
- Consider including warnings and/or tickets for houses placing recycle bins out the night before collection
- Continue to install bear resistant bins within the community & school districts, and decommission/repurpose outdated open concrete bins
- Support cost-share/discounted bear resistant garbage container availability to residents
- Encourage continued education and enforcement efforts, especially focusing residents and businesses where repeated attractant mismanagement occurs
- Focus on engaging with local businesses and having them commit to the business pledge
- Wildlife safety and awareness, electric fencing, and bear spray workshops
- Advertising through posters, local papers, visitor guides

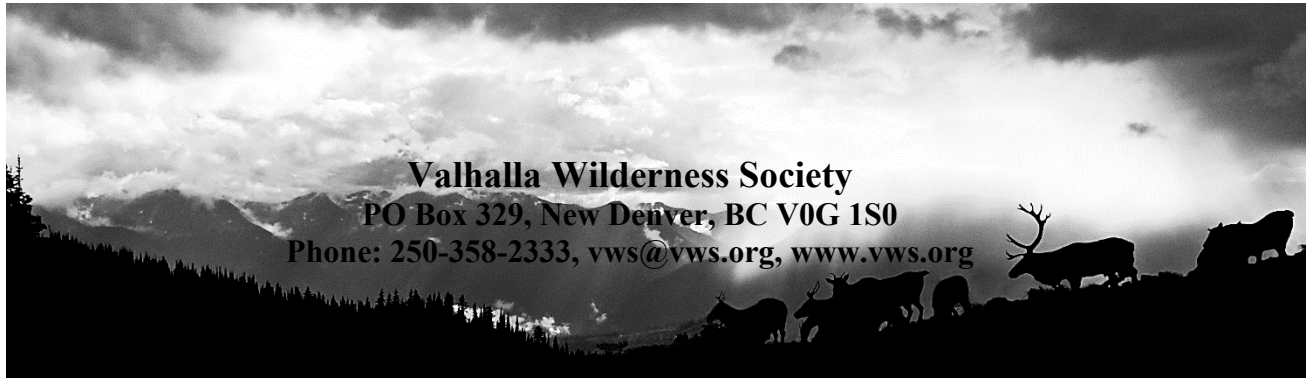
Acknowledgements

The WildSafeBC Arrow Slokan Lakes, Nelson, Castlegar, Kaslo, and Selkirk Purcell Programs are made possible through funding support from the Regional District of Central Kootenay, Village of New Denver, Village of Silverton, Village of Nakusp, Village of Slokan Valley, City of Nelson, City of Castlegar, Village of Kaslo, the Columbia Basin Trust, the Province of BC, and the BC Conservation Foundation. Thank you for supporting the programs and allowing for the Coordinators to conduct vital work in their communities. Through their efforts we can see the impact WildSafeBC education has on a community in keeping wildlife wild and people safe.

Thank You!



***Keeping Wildlife Wild and
Communities Safe***



November 6, 2025

SLOCAN VALLEY RURAL AREA “H” RDCK BEAR SMART REPORT FOR 2025
PROJECT 2021-56-ENV_VWS

SUMMARY



Two subadults grizzly at residential area at north end of Slocan Lake, April 9, 2025. Subadults about 2-3 years old and despite sometimes frequenting areas near human habitation, appear to have stayed out of conflict; likely a result of improved Upper Slocan Valley bear attractant control and community networking. Heather Wurtele photo.



Probably one of same subadults swimming in Summit Lake between rainbow trout spawning streams near provincial campground, June 2025. Bear appeared to stay out of conflict and mostly avoided humans despite frequenting the Summit Lake park campground and residential areas. Photo. W. McCrory.

On behalf of VWS part time Bear Smart coordinators/biologists Wayne McCrory and Amber Peters, we are very appreciative of the continuing support from RDCK Area “H” for our program. As in 2024, 2025 was another relatively quiet year for bear-people issues in Area H. Monitoring of huckleberry shrub fields in the backcountry at different elevations showed another exceptional berry crop this year.

Besides the annual RDCK grant, 2025 funding was supplemented by VWS member donations and several foundations who support VWS conservation work. VWS has a support base of 1,800 members and supporters.

VWS biologists Wayne McCrory and Amber Peters continued the coordination role for the year. Throughout the year we continued to coordinate with WildSafeBC, Harvest Share – Bear Aware Society and the Bear Smart Working Group Coordinator Cora Skaien as well as Gillian Sanders, electric fence consultant (for workshops only).

Following are the 2025 VWS Bear Smart activities:

-Contributed to group collaborative Valley Voice article that included VWS bear smart program, electric fence workshop and VWS 50:50 cost sharing for purchase of e-fence energizers and bear

resistant residential garbage bins (from Silverton Building Supplies). Compared to 20 sold in 2023 and four last year, VWS expended \$347 in 2025 towards the purchase of two bear bins.

-In collaboration with Slocan Solutions Society, VWS continued to offer cost-share assistance on 50% of the purchase of electric fencing energizers as part of the Slocan Solutions Society providing each participant with a \$250 reimbursement towards the cost of their electric fence. VWS Contributed to cost sharing of eight electric fence energizers with Wild safe BC and Slocan Solutions for a total of \$1,175.

-Responded to phone and e-mail inquiries promoting and advising residents on bear behavior, responsible co-existence with bears including best practices for attractant management, fruit trees, garbage, compost and electric fencing. Advised New Denver coordinator for Village compost program on storage depot wrt. to keeping out Norwegian rats, ravens and bears. Suggested best type of e-fence protection.

- VWS contributed funding (from members only, not RDCK) to the Northern Lights Wildlife Rehab. Facility in Smithers towards the rehabilitation of orphaned black bear and grizzly bear young.

-Coordinator Amber Peters provided electric fence workshops with biologist Cora Skaien in Slocan in June and New Denver in July. They were well attended.

-Monitored from late April to June, two subadult grizzly bears that are likely the offspring of the same mother grizzly and two subadults that had frequented the Bonanza Creek and beach area the previous two years during the fall Kokanee spawning season. Both subadults were reported feeding on spawning rainbow trout at feeder streams at Summit Lake but the only one remained in the area of over a month; this included feeding on rainbow trout at the small spawning creek in Summit Lake provincial park campground even after it opened on May Day weekend. Wayne McCrory visited Summit Lake several times and talked to the park contractor who was practicing due diligence. Local networking with others on the grizzly bears presence and activities was also important. The subadults appeared to stay out of conflict with humans and may have moved early in the summer to higher elevations to take advantage of the bumper black huckleberry crop. Apparently neither of the subadults showed up at the mouth area of Bonanza Creek this fall despite another high Kokanee run but may have utilized spawning areas in more secluded habitat further upstream.

-In later October-early November biologist Wayne McCrory monitored through our local Bear Smart network with a land-owner near New Denver activities of a mother black bear and two subadults including one that is very light coloured. The bears had raided a nearby chicken group and killed some chickens but VWS has yet to hear back on their offer to help electrify the chicken area. So far conflicts appear to be minimal including some fruit tree feeding activity.



Photo courtesy of B. Yeomans

-Collected bear huckleberry scat at higher elevations and sent to Kinseed nursery in Nelson to produce new shrubs in the spring for planting in appropriate areas.

-VWS applied to the province, through a separate funding program (not RDCK) for a large grizzly bear corridor Wildlife Habitat Area (WHA) between Valhalla and Goat Range provincial parks that if designated in a few years will improve forestry and other management for bears at the north end of Area H including Summit Lake. However, RDCK is on the referral list.

-Through separate funding VWS continued to clear windfalls and brush out a number of high-country trails in prime grizzly bear habitat.

-Critiqued Bear Country documentary by Vancouver film maker on urban-black bear issues and made recommendations to emphasize more attractant management.

**TIME TO GET BEAR SMART!
BUY A BEAR PROOF GARBAGE BIN**

Silverton Building Supply

Now Has Household Bear Proof Bins!

For a limited number, Valhalla Society
is able to offer 50% cost sharing on bins and
electric fence chargers



Cost per bin: \$336 (tax included). For 50% refund,
e-mail copy of receipt with your name
and mailing address to: amber@vws.org,
waynem@vws.org

(Funding courtesy of RDCK Area H &
VWS donors)



Contribution Agreement

Contract #: 2025-206-ENV
Project: 2025 WildSafe BC Program
GL Account #: 54030 / OVR199-100
Board Resolution(s): 357/25

THIS AGREEMENT executed and dated for reference the: 19 day of September, 2025
 (Day) (Month) (Year)

BETWEEN

REGIONAL DISTRICT OF CENTRAL KOOTENAY
 (hereinafter called the "RDCK")

AND

BRITISH COLUMBIA CONSERVATION FOUNDATION
 (hereinafter called the "Recipient")

at the following address:

Box 590, 202 Lakeside Drive
 Nelson, BC V1L 5R4

at the following address:

1B – 1445 McGill Road
 Kamloops, BC V2C 6K7





Agreement Administrator: Todd Johnston
 Telephone: 250.352.1523
 Email: TJohnston@rdck.bc.ca

Agreement Administrator: David Hendrickson
 Telephone: 604.576.1433 ext 315
 Email: dhendrickson@bccf.com

The parties agree to the General Terms and Conditions of this Agreement and the Schedules outlined below, which are incorporated into, and form part of this Agreement:

- Schedule A – Project

IN WITNESS WHEREOF the parties hereto have duly executed this Agreement as of the day and year first above written.

REGIONAL DISTRICT OF CENTRAL KOOTENAY	BRITISH COLUMBIA CONSERVATION FOUNDATION
	
(Signature of Authorized Signatory)	(Signature of Authorized Signatory)
Mike Morrison, Corporate Officer	David Hendrickson
(Name and Title of Authorized Signatory)	(Name and Title of Authorized Signatory)
	
(Signature of Authorized Signatory)	(Signature of Authorized Signatory)
(Name and Title of Authorized Signatory)	Kerry Baird, Director of Project Mangement (Name and Title of Authorized Signatory)

GENERAL TERMS AND CONDITIONS

REPRESENTATIONS AND WARRANTIES

1 RECITALS:

- (a) **WHEREAS** the Recipient has requested funding from the Regional District of Central Kootenay (RDCK) for a specific project to be delivered within RDCK boundaries.
- (b) **WHEREAS** the RDCK Board has approved funding for the proposal submitted by the British Columbia Conservation Foundation (the Recipient) towards funding the “2025 WildSafe BC Program” project (the “**Project**”).
- (c) **WHEREAS** the RDCK and the Recipient understand that the Recipient has control over the Project and is responsible for the outcomes and products of the Project, and that the RDCK role is limited only to providing funds for the Project.

2 NOW, THEREFORE in consideration of the \$20,000 to be paid to the Recipient, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, in accordance with the terms and conditions of this Agreement, the parties agree as follows:

- 3** The Recipient represents and warrants to the RDCK, with the intent that the RDCK rely on it in entering into this Agreement, that:
- (a) all information, statements, documents and reports furnished or submitted by the Recipient to the RDCK in connection with this Agreement are true and correct;
 - (b) the Recipient has no knowledge of any fact that materially adversely affects, or so far as it can foresee, might materially adversely affect, the Recipient’s ability to fulfill its obligations under this Agreement; and
 - (c) the Recipient is not in breach of, or in default under, any law of Canada or of the Province of British Columbia applicable to or binding on it.

4 All statements contained in any certificate,

application, proposal or other document delivered by or on behalf of the Recipient to the RDCK under this Agreement or in connection with any of the transactions contemplated by it are deemed to be representations and warranties by the Recipient under this Agreement.

- 5** All representations, warranties, covenants and agreements made in this Agreement and all certificates, applications or other documents delivered by or on behalf of the Recipient are material, have been relied on by the RDCK, and continue in effect during the continuation of this Agreement.

RECIPIENT’S OBLIGATIONS

- 6** The Recipient must:
- (a) deliver the Project in accordance with the terms of this Agreement;
 - (b) maintain its corporate existence throughout the term of this Agreement;
 - (c) deliver the Project substantially in accordance with the deliverables, outcomes, methodology, schedule, budget and resources outlined in **Schedule A**;
 - (d) ~~adhere to the terms in **Schedule B**;~~
 - (e) acquire all permits, authorizations, and land access agreements required to deliver the Project;
 - (f) comply with all Federal, Provincial and Municipal Government Acts, Laws, Bylaws and Regulations applicable to the implementation and maintenance of the Project. This includes, but is not limited to, the Criminal Records Review Act (pertaining to any person working with minors) and the Workers Compensation Act;
 - (g) hire and retain only qualified staff and contractors;
 - (h) unless agreed otherwise, supply, at its own cost, all labour,

- materials and approvals necessary to carry out the Project;
- (i) use good business practices in delivering the Project;
 - (j) award contracts related to the Project using a fair and competitive processes or otherwise justifiable and generally-accepted sound business practices;
 - (k) unless agreed otherwise, retain ownership to all assets acquired or intangible property created in the process of carrying out this Agreement;
 - (l) request amendments to this Agreement from the RDCK if, following execution of this Agreement, significant changes to the Project scope or budget are desired that would result in the Project being substantively different from that which is described within **Schedules A and B**.

TERMS, METHOD AND TIME OF PAYMENT

- 7 The RDCK will contribute the total amount of \$20,000 to the Project in accordance with this Agreement.
- 8 The RDCK shall pay the Recipient within 15 days of receipt by the RDCK of a duly signed copy of this Agreement and according to the following schedule of payments:
 - (a) \$20,000 upon signing of this Agreement
- 9 The Recipient is responsible for all expenses incurred in the completion of the Project. The RDCK is not responsible for any costs in excess of its contribution to the Project.

TERMS OF AGREEMENT

- 10 The term of this Agreement is from June 30, 2025 to December 31, 2025 being the expected Project completion date.

FINANCIAL MANAGEMENT

- 11 The Recipient will maintain accurate financial records with supporting receipts, and provide this

to the RDCK upon request.

- 12 The Recipient is responsible to pay all costs for the delivery of the Project.
- 13 The Recipient must use the money contributed by the RDCK for this Project only.
- 14 If the Project costs are more than the RDCK's contribution, the RDCK is not responsible for payment of expenses exceeding the amount of this Agreement.
- 15 When there is unspent money after payment of Project costs:
 - (a) If the RDCK is the only contributor for funding for this program, and there is money left over at the end of the Project, the Recipient will return the unspent money to the RDCK.
 - (b) If additional funding for this Project is provided by other sources, and the total funding of the Project is more than 100% of the Project costs, the RDCK will be reimbursed its proportionate share of the excess funds on request.

- 16 Any interest earned on the money contributed by the RDCK should be used for purposes consistent with the funded Project.

INDEPENDENT CONTRACTOR

- 17 The RDCK's responsibilities with respect to the Project are limited to providing financial assistance to the Recipient towards the cost of the Project.
- 18 The Recipient and the RDCK are not partners or joint venturers with each other and nothing herein shall be construed to make them partners or joint venturers or impose any liability as such on either of them.
- 19 The Recipient, its volunteers, personnel, subcontractors and agents are not employees, servants, partners or agents of the RDCK.

CRIMINAL RECORD CHECKS

- 20 The Recipient will comply with all Federal and Provincial Government Acts and Regulations that apply to the hiring of employees and

subcontractors required to carry out its Project. This includes, but is not limited to, the Criminal Records Review Act (pertaining to any person working with minors) and the Workers' Compensation Act.

EARLY TERMINATION OF THE AGREEMENT

- 21** If the Recipient does not operate in accordance with the obligations under this Agreement, the RDCK may give 7 days' notice and terminate this Agreement and funding.
- 22** If the RDCK terminates this Agreement and funding, the Organization must promptly:
 - (a) Return all unspent money, including any interest earned, to RDCK.
 - (b) Fully account for all money spent to date.

CHANGES TO THIS AGREEMENT OR TO THE PARTICIPANTS IN THIS AGREEMENT

- 23** Changes to this Agreement must be agreed to in writing by the parties. No oral agreements can amend this agreement.
 - (a) The RDCK may, at its sole discretion and upon the written request of the Recipient, approve an extension to this Agreement subject to the Recipient providing the RDCK a written report evaluating the current status of the Project and the Recipient's ability to perform the Project within a revised timeframe.
- 24** There are no representations, warranties, collateral agreements, or conditions except as specified in this Agreement.
 - (a) This Agreement will bind and benefit successors of the Recipient and of the RDCK.
 - (b) Any transfer of duties and obligations under this Agreement to another Recipient must be agreed to in writing.
 - (c) If a court decides that any part of this Agreement is not valid, then the RDCK and the Recipient will agree on substitute language, which accomplishes a legally similar purpose.

LAWS OF BRITISH COLUMBIA

- 25** This Agreement shall be governed by the laws of the Province of British Columbia and the parties agree to attorn to the exclusive jurisdiction of the Courts of the Province of British Columbia.
- 26** The Recipient must indemnify and save harmless the RDCK, its employees and agents, from and against any and all losses, claims, damages, actions, causes of action, cost and expenses that the RDCK may sustain, incur, suffer or be put to at any time either before or after the expiration or termination of this Agreement, if the same or any of them are based on, arise out of or occur, directly or indirectly, by reason of any act or omission of the Recipient, or of any agent, employee, officer, director or sub-contractor of the Recipient pursuant to this Agreement, excepting always liability arising out of the independent negligent acts of the RDCK.
- 27** Without limiting its obligations or liabilities under this Agreement, and at its own expense, the Recipient shall obtain and maintain in force through the duration of the Project Commercial General Liability insurance in an amount usual for a project of this nature to cover the risks it has assumed or may encounter as a result of entering into this Agreement or completing the Project.
- 28** The Recipient shall be solely responsible for determining what additional insurance coverage, if any, is necessary or advisable for the protection of the Recipient or that is required by the Recipient to fulfill its obligations under this Agreement with such additional insurance maintained and provided at the sole expense of the Recipient and with the Recipient being responsible for obtaining whatever additional insurance it deems necessary.

NOTICES OF CHANGE

- 29** Any notice may be given in writing if sent by personal delivery or registered or certified mail to the other at the address given above.
- 30** Notice is effective upon receipt by personal delivery or fourteen days after mailing.

SCHEDULE A: PROJECT

The Recipient will provide a Wild Safe program within each of the West, Central, and East Resource Recovery Sub-Regions of the Regional District of Central Kootenay to reduce conflict between people and wildlife through education, cooperation and innovation as outlined below.

- 1 The Recipient shall deliver services, as needed, within each of the five RDCK-Supported Communities to provide Wild Safe education in the RDCK:
 - a. **WildSafe BC Nelson:** Electoral Areas E & F.
 - b. **WildSafe BC Castlegar:** Electoral Areas I and J - Robson, Blueberry, Thrums, and Ootischenia.
 - c. **WildSafe BC Selkirk-Purcells:** Creston and Electoral Areas A, B, C, and G.
 - d. **WildSafe BC Kaslo:** North Kootenay Lake - Area D, including Meadow Creek and surrounding area.
 - e. **WildSafe BC Arrow – Slocan:** Nakusp, Edgewood, Burton, Silverton, Fauquier and Electoral Areas H and K.
- 2 The Recipient shall complete work under the direction of Conservation Officers and Police to direct education to areas experiencing current wildlife-human conflict.
- 3 The Recipient shall address the following concepts in the education program:
 - a. how to properly dispose of and store garbage;
 - b. how to manage fruit and fruit trees so that they do not attract wildlife to urban areas;
 - c. how to compost properly, and store and dispose of organic waste where regional composting services exist;
 - d. the importance of keeping barbeques clean;
 - e. the importance of keeping dumpsters locked;
 - f. how to maintain restaurant grease barrels properly;
 - g. the importance of keeping pet food inside;
 - h. how to manage gardens in a wildlife safe manner; and
 - i. how to maintain other attractants in order to avoid attracting wildlife.
- 4 The Recipient shall use media channels, interviews, and web-based education to inform people about how to avoid and minimize wildlife-human conflicts
- 5 The Recipient shall undertake the following activities to help deliver the education program:
 - a. make presentations at public forums and in schools about how to avoid wildlife-human conflict;
 - b. go door-to-door to inform residents about managing wildlife attractants;
 - c. tag garbage (where appropriate and with the knowledge of the local police) that is left out overnight;
 - d. facilitate fruit-picking projects where appropriate; and
 - e. initiate and facilitate appropriate other means to alleviate wildlife-human conflict through education.
- 6 The Recipient shall recruit and use volunteers to help deliver the program, where appropriate.
- 7 The Recipient shall work with municipalities and regional districts to facilitate communities becoming Wild Safe by:
 - preparing wildlife-hazard assessment plans;

- preparing wildlife - human conflict management plans;
- assisting with the revision of legislative, planning and decision making documents to reflect wild safe principles; and
- assisting communities to develop wildlife-proof solid waste management systems.

8 The Recipient shall:

- a. Build Indigenous outreach work, possibly incorporating Indigenous perspectives and knowledge to help local residents best understand how to coexist with wildlife.
- b. Support communities to obtain Bear Smart Community status and others to maintain their status as Bear Smart Communities.
- c. Increase education around electric fencing as a safe and effective tool to reducing human-wildlife conflicts.
- d. Build out the opportunity for volunteer training for local groups to learn WildSafeBC messaging and find confidence and support in sharing this info within their communities.

9 The Recipient agrees to supply all labour, equipment, materials and supplies necessary to provide the Wild Safe education program.

10 On or before the expiration date of this Agreement the Recipient shall provide a written report (in digital format) summarizing the programs' achievements for the entire RDCK region. The report shall include:

- a. Map of the RDCK region, delineated by Electoral Areas, and identifying 2025 season highlights, including but not limited to:
 - i. Wildlife Activity
 - ii. Surveys
 - iii. Education Programs
 - iv. Community Group Presentations
 - v. Door-to-Door Education and Bin Tagging
 - vi. Display Booths
 - vii. Other initiatives
- b. Supplementary summary of the details of the mapped seasonal highlights;
- c. Social Media and Press;
- d. Challenges and Opportunities;
- e. Reports to Conservation Officer Service and Wildlife Alert Reporting Programs;
- f. Financial statement for the fiscal year in which that reporting occurred, including a breakdown of program revenues and expenses;
- g. Funding contribution summary for the RDCK region, from all contributors;
- h. Collaborations with other funding contributors, volunteer groups, or in-kind services from other agencies.

11 The Recipient shall initiate both a pre and post season meeting with RDCK Staff to share information, discuss plans and identify opportunities for collaboration; and to discuss successes and challenges with the closing season.