



REGIONAL DISTRICT OF CENTRAL KOOTENAY

AREA A ADVISORY PLANNING AND HERITAGE COMMISSION OPEN MEETING AGENDA

4:30PM PT

Tuesday, August 4, 2025

Hybrid Meeting

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

Join by Video:

<https://rdck-bc-ca.zoom.us/j/91557144774?pwd=yG19teggcHLayPeWG9wCzFhIarzne4.1>

Join by Phone:

+1 778 907 2071 Canada Toll-free

Meeting ID: 915 5714 4774

Meeting Password: 290445

In-Person Location: Gray Creek Hall – 15047 Highway 3A, Gray Creek, BC

1. CALL TO ORDER

Chair Ryks called the meeting to order at ____ p.m.

2. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

3. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the August 4, 2026 Electoral Area A Advisory Planning and Heritage Commission meeting, be adopted as circulated.

Carried/Defeated

4. RECEIPT OF MINUTES

The May 11, 2026 Electoral Area A Advisory Planning and Heritage Commission minutes, have been received.

5. STAFF REPORTS

5.1 Development Variance Permit Application - Bagnoli

The Referral Package dated June 26, 2026 from Planner Sadie Chezenko, has been received.

Moved and seconded,
AND Resolved:

That the Area A Advisory Planning Commission **SUPPORT/NOT SUPPORT** the Development Variance Permit Application to Irene and Antonio Bagnoli for the property located 10862 Sanca Park Road, Sanca, Electoral Area 'A' and legally described as LOT 7 DISTRICT LOT 913 KOOTENAY DISTRICT PLAN 8037 (PID: 012-078-255).

Carried/Defeated

6. PUBLIC TIME

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

7. NEXT MEETING

The next Electoral Area A Advisory Planning and Heritage Commission Meeting is scheduled for September 21, 2026 at 3:00PM PT at the Gray Creek Hall.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area A Advisory Planning and Heritage Commission meeting be adjourned at ____ p.m.



REGIONAL DISTRICT OF CENTRAL KOOTENAY

AREA A ADVISORY PLANNING AND HERITAGE COMMISSION OPEN MEETING MINUTES

3:00PM

Monday, May 11, 2026

Hybrid Meeting

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

Join by Video:

<https://rdck-bc-ca.zoom.us/j/91557144774?pwd=yG19tegqcHLayPeWG9wCzFhIarzne4.1>

Join by Phone:

+1 778 907 2071 Canada Toll-free

*6 to unmute or mute

*9 to raise or lower your hand

Meeting ID: 915 5714 4774

Meeting Password: 290445

In-Person Location: Gray Creek Hall 15047 Highway 3A Gray Creek, BC

COMMISSIONERS

Commissioner Shawn Ryks
Commissioner Michella Moss
Commissioner Julie March

Electoral Area A, Chair
Electoral Area A
Electoral Area A

COMMISSIONERS ABSENT

Commissioner Branca Lewandowski

Electoral Area A

DIRECTORS

Gary Jackman

Electoral Area A, Director

STAFF

Sadie Chezenko
Zachari Giacomazzo

Planner 1
Planner

Robin Baril

Meeting Coordinator

3 out of 4 voting Commission/Committee members were present – quorum was met.

1. CALL TO ORDER

Director Jackman called the meeting to order at 3:04 p.m.

2. ELECTION OF CHAIR

Director Jackman called for Nominations of the Chair 3 times.

Member March nominated Member Ryks

Member Moss nominated Member Ryks

Director Jackman ratifies the appointed Member Ryks as Chair of the Area A Advisory Planning and Heritage Commission for 2026.

3. COMMENCEMENT OF APHC MEETING

Chair Ryks assumed the Chair and called the meeting to order.

4. TRADITIONAL LANDS ACKNOWLEDGEMENT STATEMENT

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

5. ADOPTION OF AGENDA

MOVED and seconded,
AND Resolved:

The Agenda for the May 11, 2026 Electoral Area A Advisory Planning and Heritage Commission meeting, be adopted with the Inclusion of Item 9.1 Geothermal East Shore Helicopter Activity before circulated.

Carried

6. RECEIPT OF MINUTES

The November 24, 2026 Electoral Area A Advisory Planning and Heritage Commission minutes, have been received.

7. STAFF REPORTS

7.1 Development Variance Permit Application - Comer

Staff gave a brief overview of the Development Variance Permit Application:

- Applicant has confirmed the use of the top floor of newly proposed garage will be utilized for personal use only.
- Staff confirmed that the access road from Packing Shed Road is not regularly used by homeowners.
- Applicant has abided by the set procedures.

MOVED and seconded,
AND Resolved:

That the Area A Advisory Planning Commission SUPPORT the Development Variance Permit Application to David Comer for the property located 5033 Highway 3A, Wynndel and legally described as LOT 1 DISTRICT LOT 191 KOOTENAY DISTRICT PLAN NEP72779 EXCEPT PLAN EPP118106 (PID: 025-583-468).

Carried

7.2 Bylaw Amendment Referral Form

Staff gave an overview of the updated amendments that Planning has been working on. The Bylaw Amendment will revert allowing secondary dwellings on land parcels dependant on lot size without needing to subdivide the parcel in question. Staff cautioned that Agricultural Land Commission rules will be stricter than RDCK Bylaws of what is permitted in certain cases.

The Commission felt that the Bylaw Amendments are a progressive step forward.

Moved and seconded,
AND resolved:

That the Area A Advisory Planning and Heritage Commission SUPPORT the Bylaw Amendment Referral Form for Electoral Area A.

Carried

8. OLD BUSINESS

8.1 Good Company Coffee

The Commission had questions for staff in relation to the land use issue of Good Company Coffee. Staff answered the Commissioner's questions and gave an overview of the Agricultural Land Commission application and procedures.

9. NEW BUSINESS

9.1 Geothermal East Shore Helicopter Activity

Commission had questions about the helicopter activity recently on the East Shore. This is exploration work that the South Kootenay Lake Community Services Society has been doing to find hot spots to potentially provide alternative energy sources.

10. PUBLIC TIME

No public present

11. NEXT MEETING

The next Electoral Area A Advisory Planning and Heritage Commission Meeting is scheduled for June 15, 2026 at 3:00pm.

ADJOURNMENT

MOVED and seconded,
AND Resolved:

The Electoral Area A Advisory Planning and Heritage Commission meeting be adjourned at 4:51 p.m.

Carried

Digitally approved by

Shawn Ryks, Chair



Development Variance Permit Application

Referral Form – RDCK File V2612A

Date: June 26, 2026

You are requested to comment on the attached DEVELOPMENT VARIANCE PERMIT for potential effect on your agency's interests. We would appreciate your response WITHIN 30 DAYS (PRIOR TO July 17, 2026). If no response is received within that time, it will be assumed that your agency's interests are unaffected.

LEGAL DESCRIPTION & GENERAL LOCATION:

10862 Sanca Park Road, Sanca, Electoral Area 'A'
LOT 7 DISTRICT LOT 913 KOOTENAY DISTRICT PLAN 8037
012-078-255

PRESENT USE AND PURPOSE OF PERMIT REQUESTED:

The property is presently being used for residential purposes and has been improved with a residence and accessory buildings.

In April 2026, the property owners were issued a building permit to construct an accessory building 7.6m set back from the front lot line.

After the initial siting inspection, it was determined that the property line was not in the location that the property owner had initially thought, and that instead of being 7.6m from the front lot line, the forms were actually placed partially on the subject property and partially on the road right-of-way. As such, the property owners are seeking this variance to continue construction of the accessory building in this location.



This Development Variance Permit seeks to vary Section 18.17 of Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013 to reduce the required setbacks as follows:

- the front setback from 7.5 metres to 0.0 metre (a reduction of 7.5m).
- the side setback from 2.5 m meters to 2.17 metres (a reduction of 0.33m)

The building if constructed will encroach into the road right-of-way and a permit to authorize the structure in this location from the Ministry of Transportation and Transit is also required.

AREA OF PROPERTY AFFECTED	ALR STATUS	ZONING	OCP
0.34 ha	n/a	Suburban Residential (R1) in Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013	Suburban Residential (RS) in Electoral Area 'A' Comprehensive Land Use Bylaw No. 2315, 2013

APPLICANT: Irene and Antonio Bagnoli

Please provide your response via email.

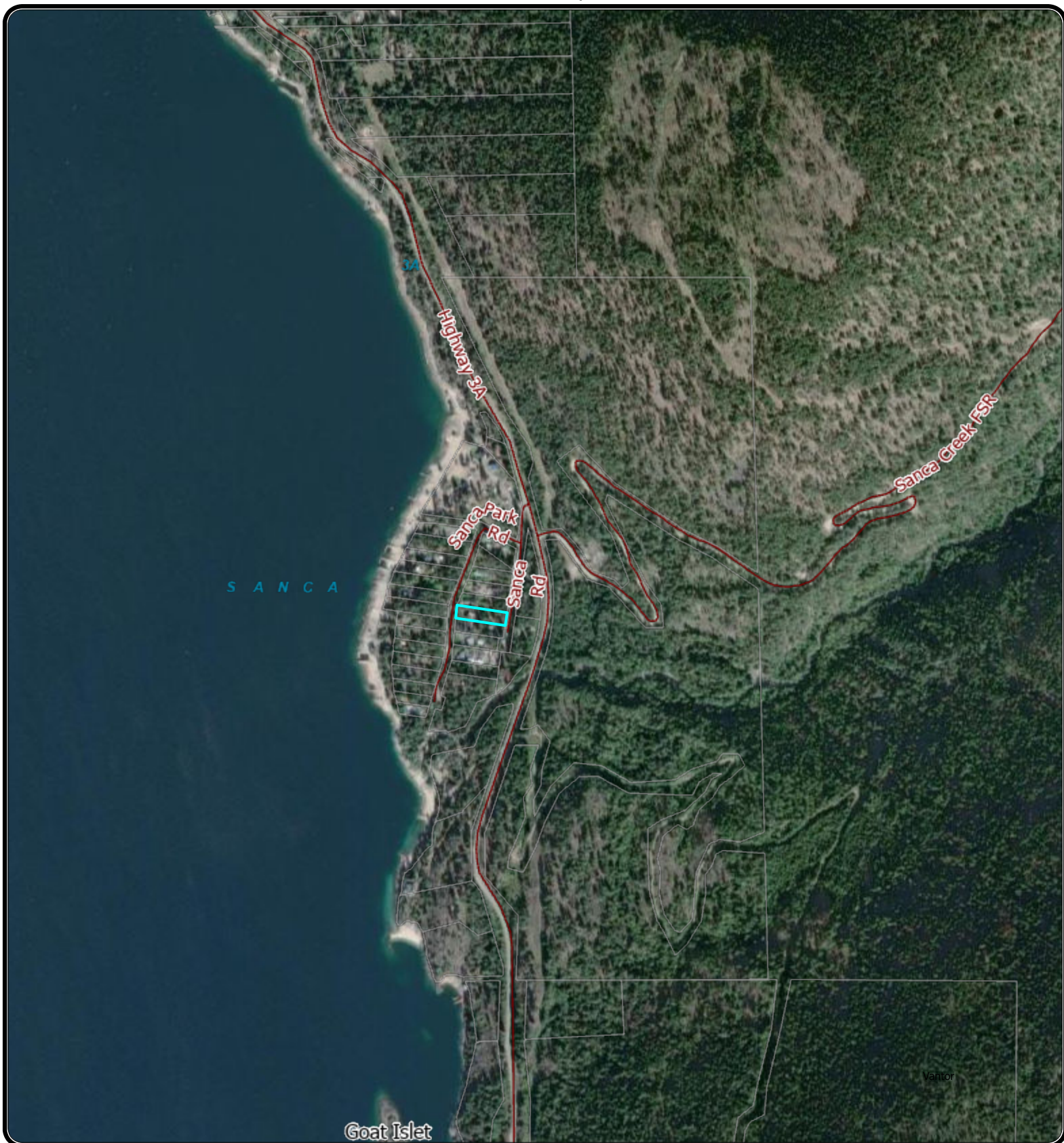
If your agency's interests are 'Unaffected' no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government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

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

☒ MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE ☒ HABITAT BRANCH (Environment) ☒ FRONTCOUNTER BC (MFLNRORD) ☐ AGRICULTURAL LAND COMMISSION ☐ REGIONAL AGROLOGIST ☐ ENERGY & MINES ☐ MUNICIPAL AFFAIRS & HOUSING ☒ INTERIOR HEALTH, HBE TEAM ☐ SCHOOL DISTRICT NO. ☒ WATER SYSTEM OR IRRIGATION DISTRICT ☒ UTILITIES (FORTIS, BC HYDRO, NELSON HYDRO, COLUMBIA POWER)	REGIONAL DISTRICT OF CENTRAL KOOTENAY DIRECTORS FOR: ☒ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K ALTERNATIVE DIRECTORS FOR: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ F ☐ G ☐ H ☐ I ☐ J ☐ K ☒ APHC AREA A ☒ RDCK FIRE SERVICES ☒ RDCK EMERGENCY SERVICES ☒ RDCK BUILDING SERVICES ☒ RDCK UTILITY SERVICES ☐ RDCK RESOURCE RECOVERY ☐ RDCK REGIONAL PARKS
---	--

The personal information on this form is being collected pursuant to *Regional District of Central Kootenay Planning Procedures and Fees Bylaw No. 2457, 2015* for the purpose of determining whether the application will affect the interests of other agencies or adjacent property owners. The collection, use and disclosure of personal information are subject to the provisions of FIPPA. Any submissions made are considered a public record for the purposes of this application. Only personal contact information will be removed. If you have any questions about the collection of your personal information, contact the Regional District Privacy Officer at 250.352.6665 (toll free 1.800.268.7325), info@rdck.bc.ca, or RDCK Privacy Officer, Box 590, 202 Lakeside Drive, Nelson, BC V1L 5R4

RDCK Map



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

Legend

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

Map Scale:

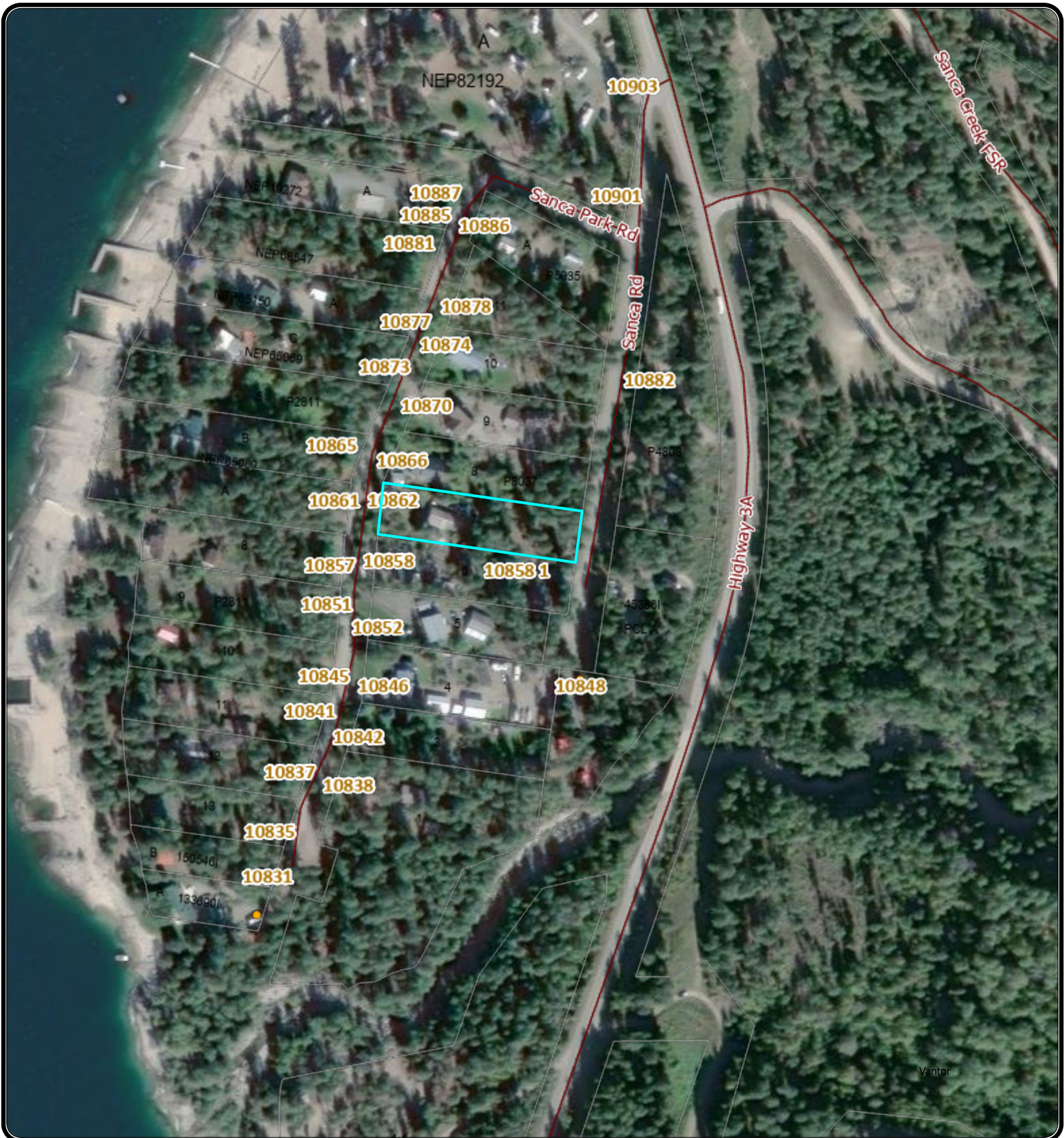
1:18,056

Date: June 8, 2026



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

RDCK Map



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

Legend

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

Map Scale:

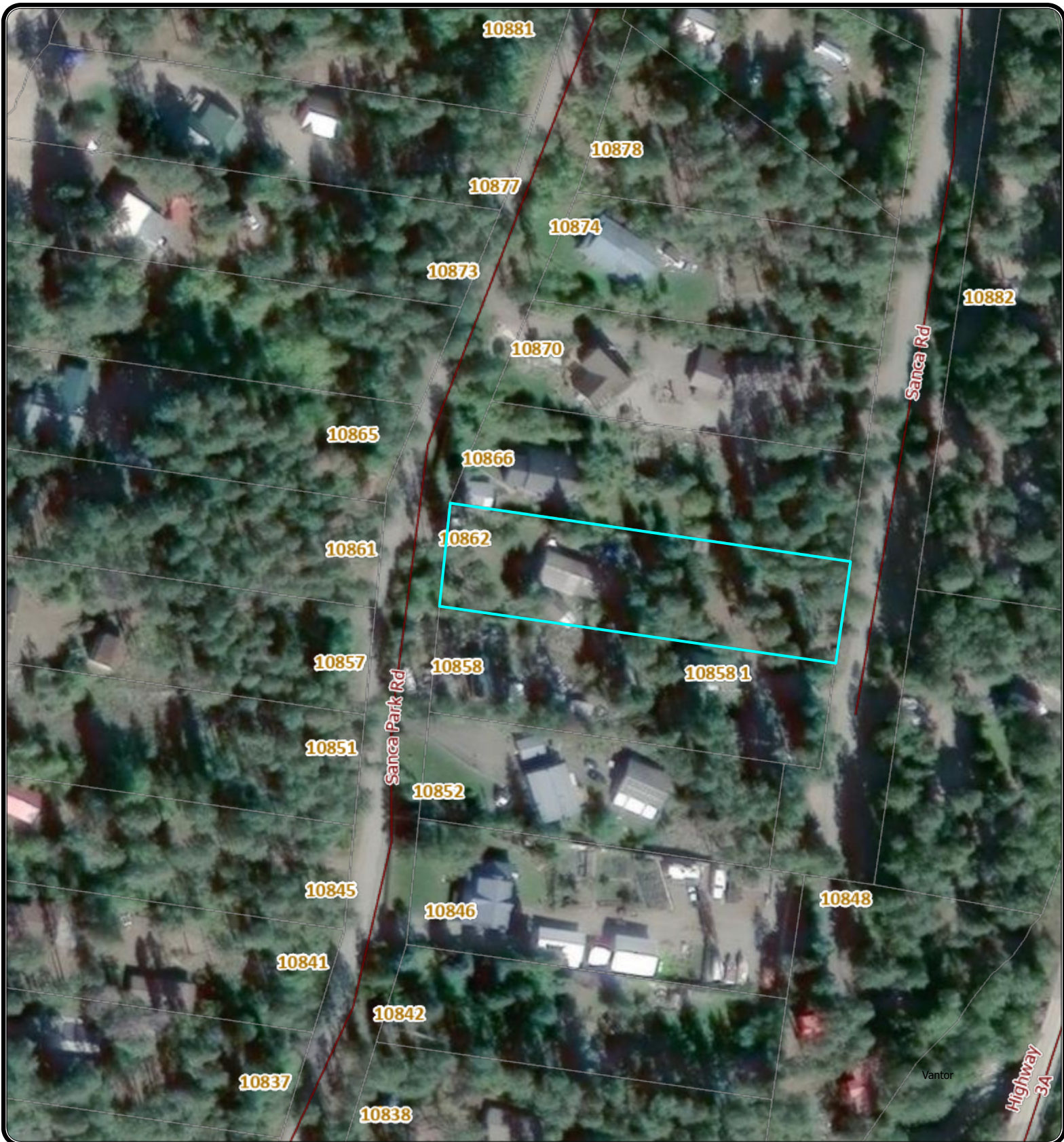
1:4,514

Date: June 8, 2026



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

RDCK Map



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

Legend

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

Map Scale:

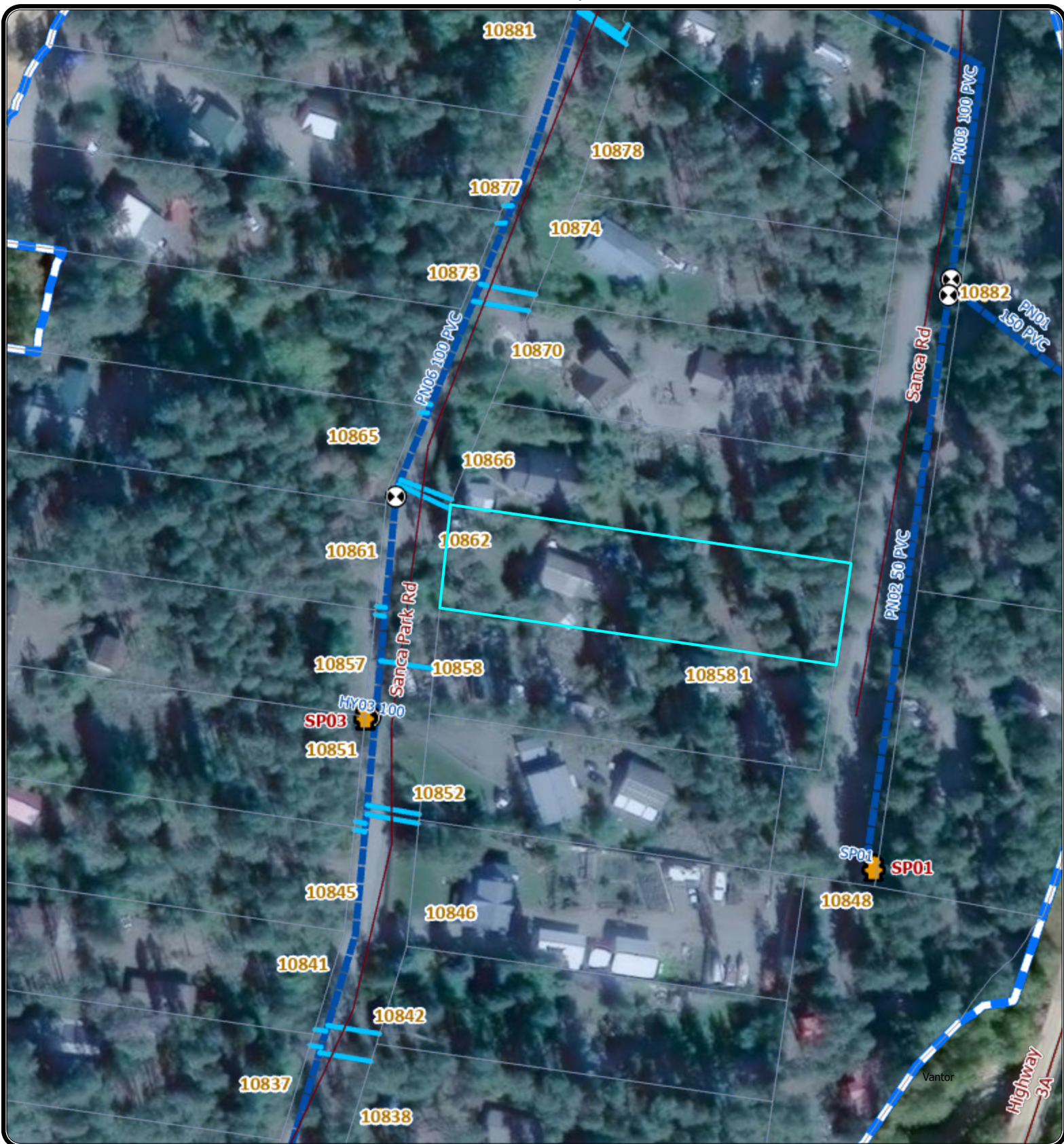
1:2,257

Date: June 8, 2026



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

RDCK Map



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

Legend



Valves

Water Systems



RDCK OWNED



Main Line



Service Connections

Hydrants



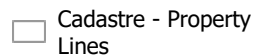
Stand Pipe



Electoral Areas



RDCK Streets



Cadastre - Property Lines



Address Points

Map Scale:

1:2,257

Date: June 8, 2026



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

RDCK Map



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

Legend

Official Community Plan

- Country Residential
- Environmental Reserve
- Resource Area

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

Map Scale:

1:2,257

Date: June 8, 2026



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

RDCK Map



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

Legend

Zoning Class

- Environmental Reserve
- Residential 1
- Residential 2
- Resource Area

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

Map Scale:

1:2,257

Date: June 8, 2026



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

RDCK Map



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

Legend

- Lakes and Rivers
- Streams and Shorelines
- Electoral Areas
- RDCK Streets
- Cadastre - Property Lines
- Address Points

Map Scale:

1:4,514

Date: June 8, 2026



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

RDCK Map



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

Legend

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

Map Scale:

1:2,257

Date: June 8, 2026



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

allow property owners to legitimize the structure as long as no lot is reduced in lot size.

Subdivision Servicing Requirements

14. All subdivisions shall comply with the provisions of the *Local Services Act* and the Subdivision Regulations thereto.
15. All subdivisions shall be in full compliance with any Regional District of Central Kootenay Subdivision Bylaw currently in effect for the area.
16. All subdivisions shall comply with the *Drinking Water Protection Act*, the *Health Act* and the *Waste Management Act*.

Setback Requirements

17. Unless otherwise stated, no principal or accessory building or structure except a fence may be located within 7.5 metres of a front or exterior side lot line or within 2.5 metres of any other lot line. Lands on the Kootenay Lake side of Highway 3A shall be permitted a 3.0 metre setback from front or exterior side lot line due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.
18. Despite sub-section 17, buildings or structures shall be setback a minimum of fifteen (15) metres from lot lines adjacent to the Agricultural Land Reserve.
19. Unless otherwise stated, no portable sawmill may be located within 100 metres from a property line.
20. Despite sub-section 17, on all lots less than 0.2 hectares in area, the minimum setback to front or exterior lot lines shall be 4.5 metres, with the exception of lots on the Kootenay Lake side of Highway 3A that shall be permitted a 3.0 meter setback from front or exterior side lot lines due to general topographical constraints, subject to approval by the Ministry of Transportation and Infrastructure.

Setback Exceptions

21. Where the top surface of an underground structure projects no more than 0.6 metre above the average finished ground elevation, that structure may be sited in any portion of a lot.
22. Freestanding lighting poles, warning devices, antennae, masts, solar collectors, utility poles, wires, flagpoles, up to ten (10) metres in height may be sited on any portion of a lot.
23. Where chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, or ornamental features project beyond the face of the building, the minimum distance to an abutting lot line as permitted elsewhere in this bylaw may

Property Boundary Drawing

Sanca Park Road (Travelled Portion)

South Neighbour

North Neighbour

Property Line

Property Line

D=9.22M

Highway Right of Way

Property line

1.6M

Garage

D=2.17M

D=20.81M

Storage &
Tool Shed

Home Building

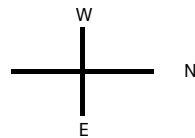
D = 116.09M

Garden
Shed

Green
House
Garden

10862 Sanca Park Road
PID: 012-078-255, Lot: 7, Block: 913
District Lot: 26, Plan: 8562

D-29.68M



Sanca Road

BRITISH COLUMBIA LAND SURVEYOR'S BUILDING LOCATION CERTIFICATE OF
LOT 7, DISTRICT LOT 913, KOOTENAY DISTRICT, PLAN 8037
PID 012-078-255



The intended plot size of this plan is 432mm in width by 280mm in height (B-size) when plotted at a scale of 1:500.

All distances are in metres and decimals thereof, unless otherwise noted.

Setbacks are derived from field survey completed on April 24, 2026, and are measured from forms.

The civic address of the building is:
10862 Sanca Park Road, Kuskanook, BC.

The following non-financial charges are shown on the current Certificate of Title and may affect the property:
Q29860 - UNDERSURFACE RIGHTS
LA94765 - STATUTORY RIGHT OF WAY
LB152601 - STATUTORY RIGHT OF WAY

This plan was prepared for building inspection purposes and is for the exclusive use of Antonio Joseph Bagnoli and Irene Bagnoli.

NOTE: This plan shows the building under construction only. Other buildings may exist on the property.

LEGEND

● denotes Standard Iron Post found

This document shows the relative location of the surveyed buildings and features with respect to the boundaries of the parcel described hereon. This document shall not be used to define property lines or property corners.

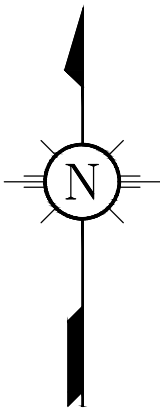
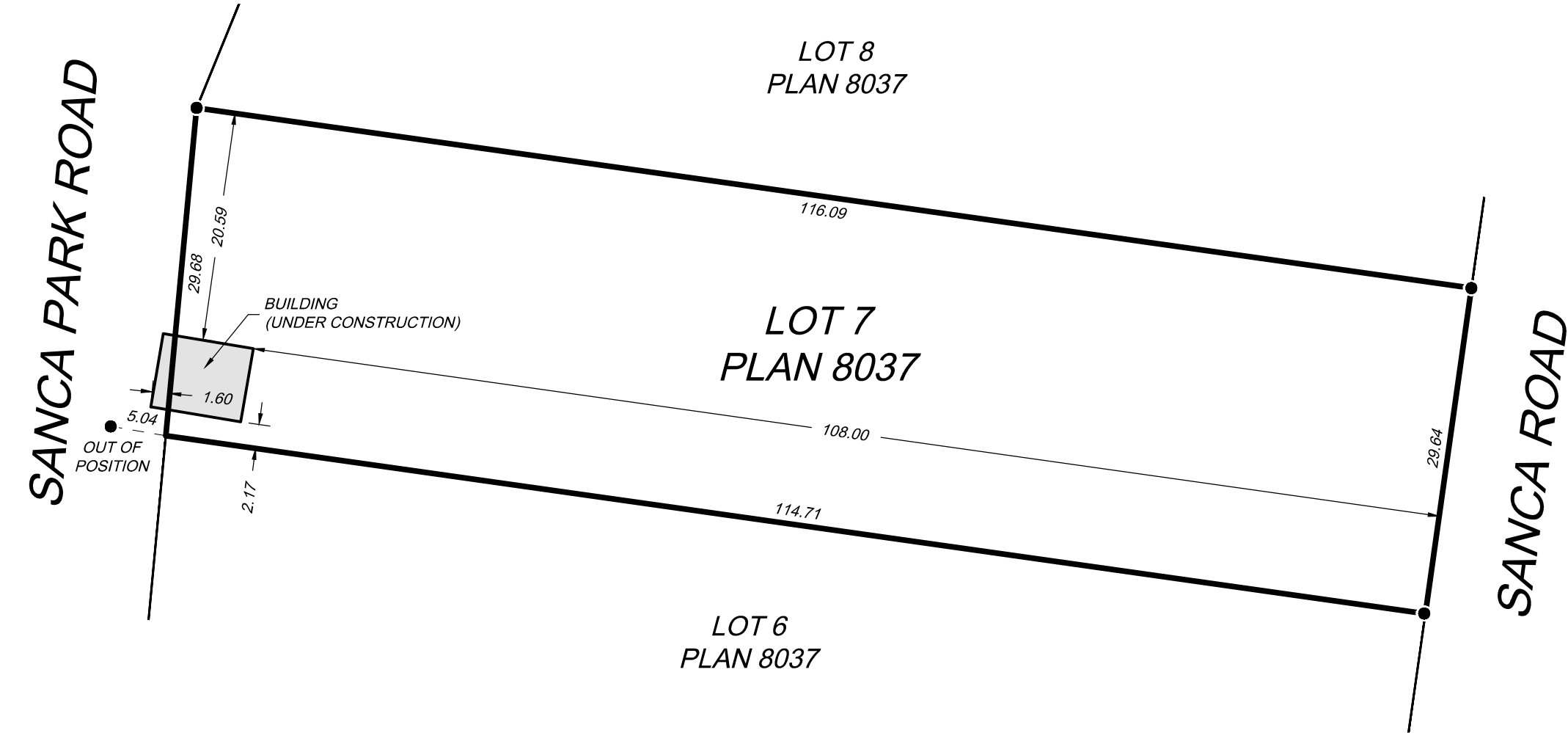
Feature labels are descriptive. The user is encouraged to refer to the appropriate land use bylaw for specific feature definitions.

Polaris Land Surveying 2024 Inc. accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decisions made, or actions taken based on this document.

©Polaris Land Surveying 2024 Inc. 2026. All rights reserved. No person may copy, reproduce, transmit or alter this document, in whole or in part, without the express written consent of Polaris Land Surveying 2024 Inc.



Mailing & delivery address: Toll Free: (877) 603 7398
Polaris Land Surveying 2024 Inc. Telephone: (250) 428 - 5810
1815 Canyon Street, info@plsi.ca
Creston, BC, V0B 1G5 www.plsi.ca



Certified Correct as to the practice of land surveying in accordance with Part 11-5(2) of the Survey and Plan Rules as of the 24th day of April, 2026.

Alexander Gorelik, BCLS 950

Date: 2026-05-05
File: 4813-01
Drawing: 4813-01_BLC.dwg
Layout: B-Landscape

Planning Department
Regional District of Central Kootenay
Box 590, 202 Lakeside Drive
Nelson BC V1L 5R4

June 4, 2026

SUBJECT: Development Variance Permit Application for Setback

I'm submitting an application for a DVP setback permit from the front of my property line to my planned garage building (building permit no. BP029234).

During the initial forms inspection for my building permit, the RDCK inspector requested I provide a Certification of Form Survey from a Surveyor. I hired a surveyor (Polaris) to perform the survey and provide the certificate. However, survey results showed the southwest property pin is not in the correct location (copy is attached), in fact it showed my form for the garage pad was encroaching on the highway right of way by 1.6M.

Basically I need to move my form for the garage pad, however, I have a limitation on how much I can move it as I don't want to interfere with my septic field. Thus I would like to request a setback of 0m from the Road Right of Way. With the 0m setback, the garage will be 35ft from the actual paved travel portion of the road. The road ends 5 lots south of my lot as Sanca Creek flows a short distance beyond the end of Sanca Park Road and all the lots have been developed on the road.

I submitted a permit application (file # 2026-02308) to MoTT on May 7 for a setback allowance of 0M from the front property line.

Along with my DVP application, I'm also including the same files/pictures I submitted for the MoTT permit, plus I've included the easement document I have in place with FortisBC which provides them access to their pole on my property. The documents include two pictures of the current garage form, one facing north and one facing south. The form in the pictures will be moved back to allow a 0M setback from the correct front property line and a minimum of at least 2.17 M setback the south side property line (assuming my applications are approved).

I'm requesting your approval for a 0M and 2.17M setback. If possible, it would be greatly appreciated if my request could be reviewed at your earliest convenience as I have a number of contractors on hold and I may lose them.

thank you

Tony Bagnoli





22' x 27' Double Garage – left Elevation

