



Committee Report

April 15, 2026

Environmental Development Permit Area (DPA) Enforcement

Author:	Corey Scott, Planner
File Reference:	10\5110\20\COMPLIANCE AND ENFORCEMENT\DEVELOPMENT PERMIT ENFORCEMENT
Electoral Area/Municipality:	ELECTORAL AREAS 'A', 'G', 'H'
Services Impacted	Planning S104; Bylaw Enforcement (Rural Administration) S101

1.0 STAFF RECOMMENDATION

That the Board direct staff to undertake early and ongoing consultation, pursuant to Sections 475 and 476 of the *Local Government Act*, with respect to Amendment Bylaws No. 3024, 3025, and 3026, being bylaws to amend Regional District of Central Kootenay Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and Regional District of Central Kootenay Slokan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009, as described in the Committee Report "Development Permit Area Compliance and Enforcement", dated April 15, 2026.

2.0 BACKGROUND/HISTORY

One of the most effective tools used by local governments to protect riparian areas adjacent to watercourses such as lakes, rivers, creeks, wetlands, and other streams is Development Permit Areas (DPAs). DPAs are designated under Section 488(1)(a) of the *Local Government Act (LGA)* for the purpose of protecting the natural environment, its ecosystems, and biological diversity. DPAs designated under this section of the *LGA* are commonly referred to as "environmental DPAs".

Environmental DPAs are designated in the Official Community Plans (OCPs) for Electoral Areas 'A', 'D', 'E', 'G', 'H', and 'I'. The other five electoral areas do not have DPAs designated for the specific purpose of riparian area protection, although they may have other types of DPAs (e.g., commercial and industrial form and character).

While the names of the environmental DPAs may vary between the six OCPs (e.g., Environmentally Sensitive DPA in Electoral Area 'A', Watercourse DPA in Electoral Areas 'D', 'E', 'G', and 'H', and Riparian Protection DPA in Electoral Area 'I') their purpose is the same: to protect riparian areas. Similarly, the content of these environmental DPAs varies minimally between most Electoral Areas, with the main difference being the physical space that they apply to (e.g., up to 30 metres from the natural boundary in Electoral Areas 'D', 'G', 'H', and 'I' and 15 metres for Electoral Areas 'A' and 'E'). Electoral Areas 'G' and 'I's' DPAs are an exception to this statement, as they were more recently adopted (2018 and 2025, respectively) and drafted giving consideration to the lessons learned from the first iterations of environmental DPAs in the other four OCPs.

Environmental DPAs are somewhat unique because they are one of the few DPAs that are triggered by "land alterations" under *LGA* Section 489(c). Land alterations include removal, alteration, disruption or destruction of vegetation, soil disturbance, and other activities related to land disturbance generally.

On March 20, 2025, the RDCK Board passed the following resolution (208/25):

That the Board direct staff to prepare amendment bylaws for FIRST and SECOND reading to amend Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Electoral Area 'G' Land Use Bylaw No. 2452, 2018; Slocan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009 in order to enable better enforcement of Environmental Development Permit Area requirements;

AND FURTHER, that the Board direct staff to prepare a staff report that details consultation considerations to accompany the aforementioned amendment bylaws.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

Increasing perceptions of lawlessness across the RDCK in recent years have resulted in more frequent un-authorized works in environmental DPAs. Un-authorized works are commonly characterized by the undertaking of land alterations prior to applying for, and receiving, a Development Permit (DP).

A key reason why this issue persists in environmental DPAs and not others is because there is often no approval process preceding land alteration works, such as building permits or subdivisions (two approvals where DP requirements are often flagged in other DPAs). This is not to say that environmental DPs are always missed, as many property owners are proactive in their due diligence and submit DP applications prior to undertaking land alterations. Rather, environmental DPA contraventions, when they do occur, account for nearly all DP-related enforcement issues.

While the core issue is un-authorized works in environmental DPAs, the consequence for the RDCK is that staff capacity becomes constrained in enforcing DPA requirements. There are currently two enforcement options:

1. Trying to compel voluntary compliance with property owners. This option is usually resource intensive, requiring significant staff time to achieve. The effectiveness of this approach depends on property owners' willingness to remediate the environmental damage they cause, a willingness that is often lacking.
2. Where voluntary compliance fails, another option is commencing civil proceedings with the Supreme Court of British Columbia to seek injunctive relief to remediate the environmental damage. This option is also resource intensive, requiring significant staff involvement as well as legal costs.

Regardless of the option used, there is always a path to compliance.

In the case of either enforcement option, timelines are usually prolonged. DP applications in the last five years that have resulted from enforcement have typically spanned multiple years to process, largely due to:

- property owners putting off submitting applications and/or moving through the process;
- incomplete application submissions;
- insufficient information being provided with application submissions;
- the riparian area being damaged in such a way that leads to a complex approval process, involving multiple approval agencies and careful timing considerations with respect to other approvals; or
- more often than not, a combination of all four.

Once a DP is issued, ensuring its conditions and associated remediation works are completed as originally intended takes another year or two at minimum. Due to the nature of the process, the typical timeline to address DPA contraventions and remediate damaged sites ranges between two to five years while fully restoring the environmental damage will take decades.

The RDCK could better utilize the enforcement tools available to it to address these challenges and reduce the administrative burden of environmental DPA compliance issues.

3.1 Alignment to Board Strategic Plan

Addressing environmental DPA contraventions using additional enforcement tools is consistent with the 2023-2026 Strategic Plan, specifically:

- To provide a resilient governance structure that fosters excellence in every aspect of service delivery.
 - Continue to update our policies and processes to be responsive and adaptable.
 - Continue to focus on our core services to ensure effective and efficient delivery through our Region.
- To optimize the utilization of our financial resources, ensuring maximum efficiency and delivering exceptional value.
 - Develop cost effective, practical solutions, and review and streamline outdated processes.
- To diligently respond to the expectations of our residents by actively incorporating their perspectives and prioritizing environmental stewardship in all our actions.
 - Ensuring our watersheds are protected and well governed.
 - Lead by example and implement strategies to support environmental stewardship and energy efficiency.

3.2 Legislative Considerations

Local Government Act (LGA)

Section 488 of the *LGA* authorizes local governments to designate DPAs as well as specify DPA guidelines and exemptions in a zoning bylaw, which better reflects their regulatory nature. The DPA tool is commonly used by local governments across the Province to address broader Official Community Plan (OCP) goals, objectives, and policies at the individual site level.

The RDCK has a Policy Manual for Official Community Plan Consultation (400-02-19; Resolution 343/22) to guide the consultation requirements stated in Section 475 of the *LGA*. However, the Policy does not apply to amendments of this nature as they do not meet the criteria of a “minor” amendment, which the Policy defines as “*any official community plan amendment application made by the public for a single property or multiple properties functioning as one site.*” As such, a decision from the Board is needed to determine the appropriate level of consultation, which should consider Sections 464, 475, 476, and 477 of the *LGA*.

Section 475(1) of the *LGA* requires that (bold added for emphasis):

During the development of an official community plan, or the repeal or amendment of an official community plan, the proposing local government must provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected.

Further, Section 475(2) of the *LGA* requires the local government to “*consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be **early and ongoing**, and specifically consider whether consultation is required with...:*

1. Adjacent regional districts
2. Adjacent municipalities
3. First Nations
4. Boards of education, greater boards and improvement district boards
5. The Provincial and federal governments and their agencies, including the Agricultural Land Commission where agricultural land might be affected (environmental DPAs cover some parcels in the Agricultural Land Reserve)

This consultation would be in addition to the public hearing requirements for OCPs and zoning bylaws prescribed by Sections 464¹ and 466 (public notice requirements) of the LGA.

Official Community Plan Policies

The Electoral Area ‘A’, ‘G’, and ‘H’ OCPs were created with a guiding principle to:

“support healthy, clean and sustainable communities based on an ecosystem approach, by ensuring that environmental integrity and diversity are considered in land use decisions.”

Electoral Area G and H’s OCPs also contain a guiding principle to preserve and enhance the local economy, the health and well-being of their residents and property owners, and the natural environment. Additionally, Area G’s OCP encourages environmental stewardship for land, water and air.

Each of the three OCPs contains objectives and policies related to the natural environment:

Electoral Area ‘A’

Table 1 - Electoral Area ‘A’ - Relevant Land Use Objectives and Policies

OBJECTIVES	POLICIES
To protect environmentally sensitive lands such as steep slopes, floodplains, alluvial fans, watersheds and soils subject to erosion from land uses.	Supports that development and subdivision adjacent to Kootenay Lake, any other identifiable lake, and tributary creeks shall be subject to a Development Permit.
To preserve water quality in Kootenay Lake and other identifiable lakes in Electoral Area ‘A’ and their tributaries.	Supports the efforts of all property owners to use Green Building and Subdivision practices for all new development and redevelopments.
To preserve natural values.	Will require that Development Permit areas be established to protect environmental qualities and to protect the form and character of residential areas where applicable. (Residential)
To protect all community watersheds within the Plan Area.	
To limit the use of land that is subject to hazardous conditions or that are environmentally sensitive to development. Sensitive and hazardous areas are lands that are located in alluvial fans or floodplain on Kootenay Lake.	

Other OCP objectives and policies related to agricultural, residential, commercial, industrial, and parks and recreation land uses, as well as infrastructure and transportation, also focus on avoiding adverse impacts to the natural environment but are not listed in the table above.

Electoral Area ‘G’

Table 2 - Electoral Area ‘G’ - Relevant Land Use Objectives and Policies

OBJECTIVES	POLICIES
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¹ Section 464(1) LGA “A local government must not adopt... an official community plan bylaw...[or] a zoning bylaw... without holding a public hearing on the bylaw for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw.”

Foster an awareness of the values associated with the natural environment and conserve sensitive and significant natural features and values from the negative impacts of development.	Will assess and evaluate proposed residential development based on the capability of the natural environment to support the proposed development, and any impacts on habitat and riparian areas. (Residential Policy 12.b)
Maintain high water quality of groundwater and surface water sources of domestic and irrigation water supply.	Supports best management practices for land developers as found in applicable provincial guidelines and regulations.
Encourage the maintenance of biodiversity, important to the biological functioning and ecological integrity of the area.	Encourages on-going efforts and a collaborative approach toward the remediation and restoration of riparian areas that have been modified or determined to be at risk.
Protect, restore and enhance natural areas and establish an interconnected ecosystem network of protected areas and corridors, wherever feasible.	Will prioritize the protection of Federally and Provincially listed ecological communities and species at risk and their associated habitats through minimizing direct disturbance and development impacts.
Support the protection, enhancement and management of sensitive habitat areas for endangered or threatened species in the Plan area.	

Other OCP objectives and policies related to home-based business and accessory tourist accommodations, residential and agricultural land uses, as well as aggregate and mineral resources, also focus on avoiding adverse impacts to the natural environment but are not listed in the table above.

Electoral Area 'H'

Table 3 - Electoral Area 'H' - Relevant Land Use Objectives and Policies

OBJECTIVES	POLICIES
To preserve and protect natural values within Slokan Lake North in recognition of their importance to the local economy, residents, visitors and for wildlife and ecological functioning.	Encourages the protection of environmentally sensitive areas, important to the biodiversity and ecological functioning of the Plan area, and areas that contribute to community 'greenway' corridors that link open space areas.
To preserve water quality in Slokan and Summit Lakes and their tributaries.	Supports best management practices for land developers... [specific documents listed]
To maintain high water quality of groundwater and surface water sources of domestic water supply.	Encourages the retention of existing wildlife corridors.
To foster an awareness of the natural environment and protect sensitive and significant natural features and values from negative impact as a result of development.	Supports the identification, protection, and enhancement of environmentally sensitive areas, such as watercourses, wetlands, shorelines, steep rocky terrestrial areas and ungulate winter range.

To encourage Provincial and Federal governments, private organizations and private landowners to protect, enhance and manage sensitive habitat areas in the Plan area and to adhere to Federal and Provincial statutes and regulations for the protection of fish and wildlife habitats.	Will assess and evaluate proposed residential development based on the capability of the natural environment to support the proposed development, and its impact on important habitat and riparian areas. (Residential Policy 1.b)
To preserve the aesthetic value of the landscape.	
To encourage the rehabilitation, restoration and enhancement of watercourses, and sensitive or significant environmental values which have been subject to degradation in the past.	
To encourage the maintenance of wildlife habitat and winter range.	

Other OCP objectives and policies related to agricultural, resource area, residential, commercial, industrial, and parks and recreation land uses, as well as servicing, also focus on avoiding adverse impacts to the natural environment but are not listed in the table above.

Unique to the Electoral Area ‘H’ OCP is that it lists broad goals to:

- Balance economic, social, and environmental values in land use decision making.
- Protect the natural environment.
- Ensure that development does not adversely harm or detract from identified wildlife corridors and areas with high wildlife and fisheries habitat value.
- Build upon the area’s cultural and environmental heritage features as an important attraction for full-time residency and tourism.

The guiding principles, goals, objectives, and policies of the three OCPs support, and are aligned with, the proposed bylaw amendments.

3.3 What Are the Risks

The RDCK currently addresses DPA contraventions through:

1. staff attempts to achieve voluntary compliance through communication and site visits with property owners; and,
2. where that method fails, filing civil proceedings in the BC Supreme Court to seek injunctive relief.

The DPA enforcement framework leans on achieving voluntary compliance to ensure a reasonable process is followed for addressing contraventions. The current emphasis on voluntary compliance as the primary mechanism for resolving DPA contraventions has proven largely ineffective in achieving the desired results. The reason being that it lacks practical consequences that are straightforward and enforceable. In all but the most egregious scenarios, where legal action is taken, there is no disincentive for not complying with the DPA requirements. As a result, the RDCK relies on an ineffective enforcement framework for DPA contraventions that leads to unnecessarily prolonged timelines for addressing compliance issues.

Relying on these two tools is unsustainable from both a staffing and a financial perspective. The current approach is heavily subsidized by the taxpayer due to the limited forms of cost recovery (covered in greater detail in Section 4.1 below). Continuing to utilize the current DPA enforcement framework will result in a continuation of taxpayers

subsidizing the actions of individual property owners, with the organizational burden growing larger in instances where those individuals refuse to come into compliance voluntarily.

If the RDCK were to implement additional enforcement measures available to it, there would be more opportunities to reduce the organisational costs of DPA enforcement. It should also be noted that voluntary compliance and court injunctions would remain available to the RDCK if it pursues additional measures.

4.0 PROPOSED SOLUTION

The RDCK could utilize bylaw offence notices (ticketing) as an enforcement mechanism for DPA contraventions, similar to how they are applied to other regulations, such as zoning or building bylaw infractions.

Bylaw offence notices for DPA contraventions are anticipated to alleviate some of the organization's capacity challenges related to enforcement. Utilizing them could reduce the amount of staff time spent convincing property owners to apply for a DP, as well as processing DP applications, by providing a disincentive for delaying application submissions. Additionally, it is anticipated that legal involvement in these enforcement files would be less frequent, leading to additional cost savings. It should be noted that bylaw offence notices would not need to be issued in every instance where DPA requirements are contravened; the RDCK has discretion on whether or not to issue a ticket in each circumstance.

The ability to issue bylaw offence notices for DPA contraventions could shift at least a portion of the financial burden from the taxpayer to the individuals responsible for the contravention. This shift in administrative cost recovery presents a more equitable approach to DPA enforcement than the current framework. Additionally, it would be expected to result in reduced application timelines, as unnecessary prolongment of applying for a DP or moving through the approval process could result in tickets being issued.

This work would be completed through amendment bylaws to the OCPs and zoning bylaws (where applicable) for Electoral Areas 'A', 'G', and 'H' (Attachments D-F).

4.1 Financial Considerations of the Proposed Solution

A DP application is \$500.00. Additionally, the RDCK Planning Procedures and Fees Bylaw No. 2457, 2015 contains a \$2000.00 surcharge that is applied to applications arising out of bylaw enforcement matters, which can help to offset the enforcement-related costs. However, for enforcement files where property owners are unwilling to achieve voluntary compliance or where the timeline is prolonged, these fees do not cover the costs to the organization. Where legal involvement is required the \$2,500.00 from the application fee and surcharge is usually a small fraction of the costs to the organization.

The majority of the costs associated with the amendment bylaws have already been incurred through the legal advice obtained prior to staff being directed to undertake this work under resolution 208/25 IC14/25.

The anticipated costs of moving forward with this solution, based on the level of consultation and engagement proposed, are anticipated to be slightly higher than those of a typical OCP and zoning bylaw amendment application. They are estimated to range between \$3,000.00 and \$5,000.00 for the remainder of this project with staff time over the next approximately six months, subject to the amount and nature of the feedback received as well as the amount of follow-up required to address any potential feedback. It would be funded through the Planning S104 Service.

4.2 Risks with the Proposed Solution

Prior to the Board directing staff to undertake this work, the topic, associated risks, and related legal advice were discussed in-camera. Section 4.4 below discusses the risks associated with public engagement and 'engagement fatigue'.

4.3 Resource Allocation and Workplan Impact

Maintenance and update of bylaws is a part of the Planning Department's core work.

The resource allocation for the duration of the project is 0.2FTE with a Planner 2 managing the project. This work has already been directed by the Board. Other projects will not be delayed because of this work.

Over the long term, implementation of this enforcement mechanism is anticipated to reduce staff time dealing with offenders, since they should be more motivated to comply in a timely way.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

The public benefit of this work would be:

- The RDCK would be better equipped to uphold the environmental values (reflected through goals, objectives, and policies) stated in its OCPs.
- Reduced burden on the taxpayer for environmental DPA enforcement.
 - The costs of enforcement that exceed the \$2,500.00 recovered through application fees and surcharges could be supplemented with the fine amounts for bylaw offence notices (tickets).
- Alleviating constraints on RDCK staff capacity through anticipated shorter timelines for achieving compliance.

Consultation is required under Sections 464 (public hearing), 475 (early and ongoing consultation), 476 (mandatory school board consultation), and 477 (adoption procedures) of the LGA. Section 475 is only required where the Board considers that organizations and authorities will be affected by the changes.

In determining the appropriate level of consultation for these OCP amendments and whether they warrant "early and ongoing consultation", consideration should be given to the nature of the changes sought. The amendments do not seek to change the intent of the DPAs or that of the natural environment goals, objectives, or policies of the OCPs; nor do they add any additional requirements for DPAs. The motivation for these amendments is the need for a better enforcement mechanism to already existing land use regulations. Any content changes in the amendment bylaws are to increase the clarity and transparency of the requirements to ensure successful enforcement in the future.

Broader public engagement is recommended to follow an "inform" approach for this work, given the procedural nature of the amendments. Staff would create an engagement page with a repository of information on the RDCK Engage website, with contact information to reach out to or meet with the project manager. The page would then be advertised in local newspaper publications covering Electoral Areas 'A', 'G', and 'H'.

This approach is recommended because the amendments are procedural in nature and a less onerous public engagement process is more practical in recognition of that. With critical OCP review projects upcoming, taking this approach will help to ensure that this work does not contribute to 'engagement fatigue' while also informing residents of the project and giving them an opportunity to learn more and provide feedback. A standard public hearing is also required should the amendment bylaws receive first and second reading.

In determining the consultation and engagement approach, it is recommended that the Board consider the following:

- Does the consultation approach create false expectations about broader DPA revisions?
 - The project focuses on improving the administration of existing DPA requirements, not changing the intent of the DPAs and associated OCP policies.
- Is public input going to be relevant to the decision?

- The changes would be procedural in nature, centered around how the RDCK can better respond to compliance issues in environmental DPAs.
- Does the consultation approach duplicate work that has already been completed?
 - The Kootenay Lake DPA Review (2020-2023) focussed on the content and requirements of DPAs, ensuring they align with community values. This project focuses on administrative improvements that were identified during that Review, not the fundamental DPA values and requirements that were explored in the Review itself.
- Will additional consultation lead to a longer project timeline?
 - A longer project timeline is likely to lead to increased strain on organizational resources due to continued reliance on the current, less effective, enforcement framework.
- Will additional consultation have budget implications?
 - Additional consultation would require more staff involvement in the project.

The recommended engagement and consultation approach is as follows:

1. “Inform” the public:
 - a. create an RDCK Engage Page and post advertisements in the local newspapers directing residents to the website or contacting the RDCK Planning Department directly for more information.
2. Undertake “early and ongoing consultation”, pursuant to Section 475 of the *LGA*:
 - a. refer the amendment bylaws for a period of 30 days prior to first and second reading to organizations and authorities who may have shared interests or are legislatively required to be consulted, including:
 - i. Member municipalities directly adjacent to Electoral Areas ‘A’, ‘G’, and ‘H’ – Villages of Salmo, Silverton, and New Denver (shared interests)
 - ii. local First Nations (shared interests & required)
 - iii. local school districts (required under *LGA* S.476)
 - iv. Fisheries and Oceans Canada (DFO) (shared interests)
 - v. BC Ministry of Water, Land, and Resource Stewardship – water and habitat branches (shared interests)
 - vi. BC Natural Resource Officer Service (shared interests)
 - vii. Agricultural Land Commission (ALC) (OCPs cover areas within the Agricultural Land Reserve – shared interests and required)
3. Follow standard public consultation requirements for OCP and zoning bylaw amendments (Sections 464 and 477 of the *LGA*).

4.5 Leveraging Technology

N/A

4.5 Measuring Success

Success can be measured through the following indicators:

- Destruction of riparian habitat decreased, resulting from potential offenders knowing there will be consequences to their unlawful actions in the form of immediate fines.
- Reductions in the number of days and staff attempts that it takes to compel property owners to submit a DP application once a contravention has been identified.
- Reductions in the number of days it takes to process retroactive DP applications.
- Increases in the costs recovered for DPA contraventions.

Tracking these indicators would require additional effort from staff and a change to current development application processes. If the Board wishes to track these indicators, it is recommended that specific direction be given to staff to do so through a separate Board resolution.

5.0 ALTERNATIVE SOLUTION(S)

An alternative to the proposed solution would be to proceed with an “early and ongoing” consultation process as required by the legislation but to not include any additional public engagement opportunities beyond the minimum legislated requirements (i.e. a public hearing).

This alternative would be similar to the recommended engagement and consultation approach outline in Section 4.4 above; however, the engagement component – described as “1.a)” in Section 4.4 would be removed.

5.1 Financial Considerations of the Alternative Solution(s)

The financial considerations from Section 4.1 above remain relevant. Under this option the level of staff effort required would be slightly less and project costs related to staff time would reflect that.

5.2 Risks with the Alternative Solution(s)

The primary risk of the alternative solution is that the public may feel uninformed about the project, which could lead to sentiments of distrust towards the RDCK.

5.3 Resource Allocation and Workplan Impact

The impacts outlined in Section 4.3 remain relevant, with slightly less staff time required for the project.

5.4 Public Benefit and Stakeholder Engagement of Proposed Solution

The alternative solution follows the same approach for “early and ongoing” consultation described in Section 4.4 above; however, it removes the additional public engagement component.

5.5 Measuring Success

The same indicators outlined in Section 4.5 could be applied to this alternative approach.

6.0 OPTIONS CONSIDERED BUT NOT PRESENTED

A third option would be to take no further action with respect to this work.

The RDCK would continue to rely on voluntary compliance, legal involvement, and court injunctions to achieve compliance with environmental DPA requirements. This option is expected to result in a sustained exhaustion of staff capacity and organizational resources.

7.0 OPTIONS SUMMARY

Option 1: Recommended Solution

This option consists of completing “early and ongoing consultation” as well as providing public information and engagement opportunities prior to first and second reading of the attached amendment bylaws, as outlined in Section 4.4.

Following completion of that consultation, staff would bring the amendment bylaws back to the Board for first and second reading and the regular procedures for OCP and zoning bylaw amendments would proceed.

Recommendation:

That the Board direct staff to undertake early and ongoing consultation, pursuant to Sections 475 and 476 of the *Local Government Act*, with respect to Amendment Bylaws No. 3024, 3025, and 3026, being bylaws to amend Regional District of Central Kootenay Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and Regional District of Central Kootenay Slovan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009, as described in the Committee Report "Development Permit Area Compliance and Enforcement", dated April 15, 2026.

Option 2: Alternative Solution

This option also consists of completing "early and ongoing consultation" prior to first and second reading of the attached amendment bylaws, as outlined in Section 4.4. However, public information and engagement opportunities would not be provided beyond what is legislatively required by the public hearing process.

Following completion of consultation, staff would bring the amendment bylaws back to the Board for first and second reading and the regular procedures for OCP and zoning bylaw amendments would proceed.

Recommendation:

That the Board direct staff to undertake early and ongoing consultation, pursuant to Sections 475 and 476 of the *Local Government Act*, with respect to Amendment Bylaws No. 3024, 3025, and 3026, being bylaws to amend Regional District of Central Kootenay Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and Regional District of Central Kootenay Slovan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009, as described in the "Alternative Solution" section of the Committee Report "Development Permit Area Compliance and Enforcement", dated April 15, 2026.

Option 3: No Further Action

This option would mean that staff would stop work on the amendment bylaws and that this item would be removed from the work plan.

Recommendation:

That no further action be taken with respect to Amendment Bylaws No. 3024, 3025, and 3026, being bylaws to amend Regional District of Central Kootenay Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and Regional District of Central Kootenay Slovan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009.

8.0 RECOMMENDATION

That the Board direct staff to undertake early and ongoing consultation, pursuant to Sections 475 and 476 of the *Local Government Act*, with respect to Amendment Bylaws No. 3024, 3025, and 3026, being bylaws to amend Regional District of Central Kootenay Electoral Area 'A' Land Use Bylaw No. 2315, 2013, Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018, and Regional District of Central Kootenay Slovan Lake North portion of Electoral Area 'H' Official Community Plan Bylaw No. 1967, 2009, as described in the Committee Report "Development Permit Area Compliance and Enforcement", dated April 15, 2026.

Respectfully submitted,

Corey Scott, Planner

CONCURRENCE

Planning Manager – Nelson Wight **Approved**

General Manager of Development Services and Community Sustainability – Sangita Sudan **Approved**
Chief Administrative Officer – Stuart Horn **Approved**

ATTACHMENTS:

Attachment A – Summary of Proposed Amendments to *Electoral Area ‘A’ Land Use Bylaw No. 2315, 2013*

Attachment B – Summary of Proposed Amendments to *Electoral Area ‘G’ Land Use Bylaw No. 2452, 2018*

Attachment C – Summary of Proposed Amendments to *Slocan Lake North portion of Electoral Area ‘H’ Official Community Plan Bylaw No. 1967, 2009*

Attachment D – Draft Amendment Bylaw No. 3024: A Bylaw to amend the *Regional District of Central Kootenay Electoral Area ‘A’ Land Use Bylaw No. 2315, 2013*

Attachment E – Draft Amendment Bylaw No. 3025: A Bylaw to amend the *Regional District of Central Kootenay Electoral Area ‘G’ Land Use Bylaw No. 2452, 2018*

Attachment F – Draft Amendment Bylaw No. 3026: A Bylaw to amend the *Regional District of Central Kootenay Slocan Lake North portion of Electoral Area ‘H’ Official Community Plan Bylaw No. 1967, 2009*