



Committee Report

August 19, 2026

Environmental Development Permit Area (DPA) Enforcement

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

1.0 STAFF RECOMMENDATION

That Regional District of Central Kootenay Electoral Area 'G' Land Use Amendment Bylaw No. 3025, 2026 being a bylaw to amend the Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is considered consistent with the RDCK "2026-2030 Financial Plan" and RDCK "Resource Recovery Plan", pursuant to Section 477(3)(a) of the *Local Government Act*.

2.0 BACKGROUND/HISTORY

On July 16, 2026 Regional District of Central Kootenay Electoral Area 'G' Land Use Amendment Bylaw No. 3025, 2026 was given first and second reading and referred to a public hearing under Board Resolution #358/26.

As the bylaw seeks to amend the Electoral Area 'G' Official Community Plan, the RDCK must consider the proposed bylaw in conjunction with the RDCK 2026-2030 Financial Plan and the Resource Recovery Plan, pursuant to Section 477(3) of the *Local Government Act (LGA)*.

3.0 PROBLEM OR OPPORTUNITY DESCRIPTION

N/A.

3.1 Alignment to Board Strategic Plan

N/A.

3.2 Legislative Considerations

Local Government Act (LGA)

Section 477(3) of the *LGA* requires that:

(3)After first reading of a bylaw under subsection (1), the local government must do the following in the indicated order:

- (a) first, consider the proposed official community plan in conjunction with
 - (i) its financial plan, and

- (ii) any waste management plan under Part 3 [Municipal Waste Management] of the *Environmental Management Act* that is applicable in the municipality or regional district;
- (b) next, if the proposed official community plan applies to agricultural land, refer the plan to the Provincial Agricultural Land Commission for comment;
- (c) next, hold a public hearing on the proposed official community plan in accordance with Division 3 [Public Hearings on Planning and Land Use Bylaws] of this Part.

Before proceeding to a public hearing the RDCK must consider Bylaw No. 3025 in conjunction with the RDCK 2026-2030 Financial Plan and the Resource Recovery Plan.

This item proposed to do that through Board resolution.

Once LGA S.477(3)(a) has been satisfied, staff will proceed by referring the application to the ALC and completing the public hearing, as directed by Board Resolution #358/26.

3.3 What Are the Risks

N/A.

4.0 PROPOSED SOLUTION

N/A.

4.1 Financial Considerations of the Proposed Solution

This work has been funded through the Planning and Land Use S104 Service.

As this work is concerned with better operationalization of existing RDCK policy (the Electoral Area 'G' Watercourse Development Permit (WDP) Area), the work to complete and adopt Amendment Bylaw No. 3025 is considered to be a part of the Planning Department's core work.

4.2 Risks with the Proposed Solution

N/A.

4.3 Resource Allocation and Workplan Impact

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 WDP Area compliance issues.

4.4 Public Benefit and Stakeholder Engagement of Proposed Solution

N/A.

4.5 Leveraging Technology

N/A.

4.5 Measuring Success

N/A.

5.0 OPTIONS SUMMARY

Discussion:

This work is a part of the Planning Service's core work. As such, it does not require amendment to the RDCK 2026-2030 Financial Plan.

Additionally, as Bylaw No. 3025 would enable better operationalization of already-existing RDCK policy (the Electoral Area 'G' WDP Area), it is considered to be consistent with the RDCK Resource Recovery Plan.

Option 1: Recommended Solution

That the RDCK considers the proposed official community plan amendment in conjunction with its financial plan and resource recovery plan.

Recommendation:

That Regional District of Central Kootenay Electoral Area 'G' Land Use Amendment Bylaw No. 3025, 2026 being a bylaw to amend the Regional District of Central Kootenay Electoral Area 'G' Land Use Bylaw No. 2452, 2018 is considered consistent with the RDCK "2026-2030 Financial Plan" and RDCK "Resource Recovery Plan", pursuant to Section 477(3)(a) of the *Local Government Act*.

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Respectfully submitted,

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CONCURRENCE

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