



MINUTES OF THE PLANNING & DEVELOPMENT SERVICES COMMITTEE MEETING

**January 9, 2020
Regional District Office, Cranbrook, BC**

PRESENT:	Committee Chair C. Reinhardt	Village of Radium Hot Springs
	Director M. Sosnowski	Electoral Area A
	Director S. Doehle	Electoral Area B
	Board Chair R. Gay	Electoral Area C
	Director J. Walter	Electoral Area E
	Director S. Clovechok	Electoral Area F
	Director G. Wilkie	Electoral Area G
	Director W. Graham	City of Cranbrook
	Alternate Director R. Popoff	City of Cranbrook
	Director D. McCormick	City of Kimberley
	Director A. Qualizza	City of Fernie
	Director D. Wilks	District of Sparwood
	Director A. Miller	District of Invermere
	Director K. Sterzer	Village of Canal Flats
ABSENT:	Director L. Pratt	City of Cranbrook
STAFF:	S. Tomlin	Chief Administrative Officer
	S. Moskal	Corporate Officer
	R. Chippett	Planning Assistant
		(Recording Secretary)

Call to Order

Committee Chair Clara Reinhardt called the meeting to order at 1:49 pm.

Adoption of the Agenda

MOVED by Director Gay
SECONDED by Director Miller

THAT the agenda for the Planning & Development Services Committee meeting be adopted.

CARRIED

Adoption of the Minutes

December 5, 2019 Meeting

MOVED by Director Wilks
SECONDED by Director Walter

THAT the Minutes of the RDEK Planning & Development Services Committee meeting held on December 5, 2019 be adopted as circulated.

CARRIED

Invited Presentations & Delegations

Amendment of DP No. 28-19 & Reconsideration of DP No. 44-19

Greg and Tracey Urichuk spoke to their applications for a variance to allow an internally illuminated pylon sign and to permit a flat roof canopy for their business Crossroads Market Esso located at Highway 93/95 in Windermere. They distributed updated conceptual drawings, and explained how they have modified their plans to address issues raised with previous designs.

Bylaw No. 2966 and Bylaw No. 2967

Richard Haworth, agent for Fairmont Hot Springs Resort Ltd., gave a presentation and spoke to an application requesting an amendment to the Fairmont Hot Springs & Columbia Lake Area Official Community Plan and Upper Columbia Valley Zoning Bylaw to permit the development of townhome style units on an 11 acre parcel located along Fairway Drive and Mountainside Golf Course. Mr. Haworth explained in addition to the residential units, a portion of the golf course currently encroaches onto the property and will be rezoned also.

Bylaw No. 2969

Richard Haworth, agent for Vern and Sharon Barr, gave a presentation and spoke to an application to amend the Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw to rezone a portion of the property to separate an existing RV Park and residential houses. Mr. Haworth explained the rezoning provides a panhandle for highway access and allows the existing dwellings to meet setback requirements along the boundary line.

DVP No. 45-19

Ken Kachur gave a presentation and spoke to his application requesting support of his application to vary the maximum permitted height from 9.0 m to 9.5 m for a single family dwelling on Windermere Road. Mr. Kachur explained that the proposed mono-pitch roof design is permitted under other adopted zoning bylaws.

TUP No. 2-19

Kris Pickering & Clay Tanner, on behalf of EarthRite Industries Ltd., spoke to a Temporary Use Permit application to allow for the storage of wood mulch and the parking and maintenance of up to six highway trucks and trailers on property located on Highway 93/95 in the Mayook area. Mr. Pickering explained the operation is not full time and that the wood mulch is collected from various locations around the East Kootenay and would only be stored on the property until the Skookumchuk Pulp Mill is able to receive the product.

TUP No. 2-19

Mike Haslam spoke in opposition to the EarthRite Industries Ltd. application for a Temporary Use Permit to allow the wood mulch storage and parking / maintenance of highway trucks and trailers. Mr. Haslam explained that due to the risk of wildfire, potential for disease to forests, and noise to the neighbouring areas, a different location would be more suitable for this type of operation.

Kootenay Dirt Riders Crown Land Licence of Occupation

Alex Buterman, on behalf of Kootenay Dirt Riders, gave a presentation and requested support of a Crown Land Licence of Occupation to allow construction and maintenance of a recreation trail network and designated camping and staging area in the vicinity of Ta Ta Creek. Mr. Buterman explained that establishing the existing trails and staging area as a recreation site will provide the Kootenay Dirt Riders Association an opportunity to engage with Recreation and Trails BC to improve and manage recreation in the area.

ALR Subdivision Application

Alva Soppit spoke on behalf of her ALR Subdivision application to request a release of a covenant which currently binds two titles on the property which is restricting addition of an owner on one of the titles. Ms. Soppit explained no further development is being proposed, and that removing the covenant is a requirement of the Agricultural Land Commission and reverting back to two separate titles will have no impact on the land.

Meeting recessed at 3:32 pm and resumed at 3:44 pm.

Request for Reconsideration of DP 28-18 (KGT Enterprises Ltd / Windermere Esso)

489524

MOVED by Director Clovechok

SECONDED by Director Gay

THAT the amendment to Development Permit 28-18 (KGT Enterprises / Windermere Esso) be granted subject to the addition of gabled façades on the north and south elevations over all groupings of support columns.

CARRIED

Request for Reconsideration of DP 44-19 (KGT Enterprises Ltd / Windermere Esso)

48925

MOVED by Director Sosnowski

SECONDED by Director Graham

THAT Development Permit No. 44-19 (KGT Enterprises Ltd. / Windermere Esso) be granted.

OPPOSED: Director Clovechok and Director Wilkie

CARRIED

Bylaw No. 2966 & Bylaw No. 2967 (Fairmont / FHSR)

48928

MOVED by Director Sterzer

SECONDED by Director Miller

THAT Bylaw No. 2966 cited as "Regional District of East Kootenay – Fairmont Hot Springs & Columbia Lake Area Official Community Plan Bylaw No. 2779, 2017 – Amendment Bylaw No. 5, 2019 (Fairmont / FHSR)" be introduced.

CARRIED

48929

MOVED by Director Miller

SECONDED by Director Sterzer

THAT Bylaw No. 2967 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 357, 2019 (Fairmont / FHSR)" be introduced.

CARRIED

Bylaw No. 2969 (Jaffray / Barr)

48930

MOVED by Director Doehle

SECONDED by Director Sterzer

THAT Bylaw No. 2969 cited as "Regional District of East Kootenay – Jaffray, Tie Lake, Rosen Lake Land Use and Floodplain Management Bylaw No. 1414, 1999 – Amendment Bylaw No. 33, 2019 (Jaffray / Barr)" be introduced.

CARRIED

DVP No. 45-19 (Windermere / Kachur & Stringer)

48939

MOVED by Director Clovechok

SECONDED by Director Miller

THAT Development Variance Permit No. 45-19 (Windermere / Kachur and Stringer) be granted.

CARRIED

TUP No. 2-19 (Mayook / EarthRite Industries Ltd.)

48941

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT the EarthRite Industries Ltd. Temporary Use Permit to allow the storage of wood mulch and the parking and maintenance of up to 6 highway trucks and trailers on property located on Highway 3/93 in the Mayook area be refused.

CARRIED

Director Rob Gay left the meeting at 3:18 pm.

Kootenay Dirt Riders Crown Land Licence of Occupation

48942

MOVED by Director Qualizza

SECONDED by Director Clovechok

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised that the RDEK supports the Kootenay Dirt Riders Crown Land Licence of Occupation for a trails and staging area recreation site in the Ta Ta Creek area.

CARRIED

48943

MOVED by Director Sosnowski

SECONDED by Director Doehle

THAT a discussion be held at the Planning & Development Services Committee meeting in February regarding the need for increased enforcement on Crown land with respect to recreation access and unauthorized activities.

CARRIED

Director Rob Gay returned to the meeting at 3:32 pm.

Fort Steele / Elliott & Soppit ALR Subdivision Application

48933

MOVED by Director Gay

SECONDED by Director Sterzer

THAT the Agricultural Land Commission be advised that the RDEK supports the Elliott & Soppit ALR subdivision application for property located on Wardner-Fort Steele Road in Fort Steele.

CARRIED

Unfinished Business**Request for Reconsideration - City of Cranbrook Proposed Boundary Expansion**

48926

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT Resolution No. 48853 adopted on December 6, 2019, in support of the City of Cranbrook proposed boundary expansion, be rescinded.

OPPOSED: Director Qualizza

CARRIED

48927

MOVED by Director Gay

SECONDED by Alternate Director Popoff

THAT the City of Cranbrook be advised that the RDEK does not support the proposed 18.6 ha boundary expansion in the vicinity of 17th Street South as outlined in the November 14, 2019 correspondence from the City.

CARRIED

New Business**Bylaw No. 2970 (Miscellaneous / RDEK)**

48931

MOVED by Director Wilks

SECONDED by Director Sterzer

THAT Bylaw No. 2970 cited as "Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2929, 2019 – Amendment Bylaw No. 1, 2019 (Miscellaneous / RDEK)" be introduced.

CARRIED

Bylaw No. 2971 (Wilmer / Wilmer Eco Development Ltd.)

48932

MOVED by Director Wilkie

SECONDED by Director Clovechok

THAT Bylaw No. 2971 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 358, 2019 (Wilmer / Wilmer Eco Development Ltd)" be introduced.

CARRIED

DVP No. 36-19 (Fernie / Goran)

48934

MOVED by Director Sosnowski

SECONDED by Director Sterzer

THAT Development Variance Permit No. 36-19 (Fernie / Goran) be granted

CARRIED

DVP No. 39-19 (Meadowbrook / Hockley (Besold))

48935

MOVED by Director Walter

SECONDED by Director Wilks

THAT Development Variance Permit No. 39-19 (Meadowbrook / Hockley) be granted.

CARRIED

DVP No. 41-19 (Holland Creek / 1047217 Alb Ltd.)

48936

MOVED by Director Sterzer

SECONDED by Director Clovechok

THAT Development Variance Permit No. 41-19 (Holland Creek / 1047217 Alb Ltd.) be granted.

CARRIED

DVP No. 43-19 (Cranbrook East / ZAM Enterprises Ltd.)

48937

MOVED by Director Gay

SECONDED by Director Sterzer

THAT Development Variance Permit No. 43-19 (Cranbrook East / ZAM Enterprises Ltd.) be granted.

CARRIED

DVP No. 44-19 (Cranbrook North / Marlow)

48938

MOVED by Director Gay

SECONDED by Director Sterzer

THAT Development Variance Permit No. 44-19 (Cranbrook North / Marlow) be granted.

CARRIED

DVP No. 46-19 (Wycliffe / Odarich & Klekowski)

48940

MOVED by Director Walter

SECONDED by Director Wilks

THAT Development Variance Permit No. 46-19 (Wycliffe / Odarich and Klekowski) be granted.

CARRIED

Kootenay River Tributaries - Vessel Operation Restriction Regulations

48944

MOVED by Director Clovechok

SECONDED by Director Walter

THAT St. Eugene Resort and Casino be thanked for their letter regarding motor restrictions on the Upper Kootenay River tributaries and be advised that the RDEK is not aware of any work the East Kootenay River Alliance has undertaken in regards to establishing motor boat restrictions on the tributaries of the Kootenay River.

CARRIED

Adjournment

The meeting adjourned at 4:10 pm.

Committee Chair Clara Reinhardt

Shannon Moskal, Corporate Officer