

Board of Directors Meeting Amended Agenda

November 8, 2024

9:00 am

Voting Rules: *Unless otherwise indicated on this agenda, all Directors have one vote and a simple majority is required for a motion to pass.*

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1. Call to Order	
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9.3 Governance & Regional Services Committee	
9.4 Planning & Development Services Committee	
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ELECTION OF BOARD CHAIR AND VICE CHAIR

General provisions

- 1 As provided in the Act:
 - (a) At the first Meeting held after November 1 in each year, the Board must elect a Chair and a Vice Chair.
 - (b) The Vice Chair has, during the absence, illness or other disability of the Board Chair, all the powers and duties of the Board Chair and is subject to all rules applicable to the Board Chair.
 - (c) If the Board Chair and the Vice Chair are not present at a Meeting of the Board, the Directors present may elect an acting Chair who, during that Meeting, has all the powers of the Board Chair and is subject to all rules applicable to the Chair.
 - (d) Each Director present at the Meeting has one vote in each election for an office.

Election of Board Chair

- 2 The call for nominations for the office of Board Chair will be conducted by the Corporate Officer.
- 3 The Corporate Officer will call for nominations for the office of Board Chair. Each nomination must be seconded and the nominee must consent to the nomination. If the nominee is not present at the Meeting, he or she must have advised the nominator of his or her consent in writing or else such person will not be considered for the position of Board Chair.
- 4 If only one candidate is nominated for the office of Board Chair, that candidate will be declared elected by acclamation.
- 5 If more than one candidate is nominated for an office, each candidate will be given two minutes to speak. If a candidate is not present at the Meeting, he or she may have another Director deliver a prepared speech on his or her behalf.
- 6 At the conclusion of candidates' speeches, an election will be held and voting will be conducted by secret ballot. If a Director is participating in the Meeting electronically, to cast a vote for the office of Board Chair, he or she shall, at the time the vote is being conducted, telephone the Corporate Officer who will record his or her vote on a ballot paper and deposit same in the ballot box. When the Meeting location is equipped with electronic communications equipment and the appropriate security is in place, Directors shall vote by secret electronic ballot.
- 7 The counting of ballots will be conducted by the Corporate Officer together with the Chief Financial Officer. The number of votes for each candidate will be announced and, immediately thereafter, the ballots will be destroyed.
- 8 The candidate with the most votes for the office of Board Chair will be declared elected to that office.

Tie vote

- 9 In the event of a tie vote that makes the election results inconclusive, the candidates who are tied remain in the election. If a definitive election result cannot be declared after three elections have been held, then the result of the election will be determined by lot between those candidates as follows:
- (a) the name of each candidate is to be written on a separate piece of paper, as similar as possible to all other pieces prepared for the determination;
 - (b) the pieces of paper are to be folded in a uniform manner in such a way that the names of the candidates are not visible;
 - (c) the pieces of paper are to be placed in a container that is sufficiently large to allow them to be shaken for the purpose of making their distribution random, and the container is to be shaken for this purpose;
 - (d) a person who is not a candidate shall be asked to withdraw one paper;
 - (e) the candidate whose name is on the paper that was drawn shall be declared elected to that office.

Election of Vice Chair

- 10 The election for the position of Vice Chair will be conducted following the procedures set out in sections 2 to 9 above.



MINUTES OF THE BOARD OF DIRECTORS MEETING

**October 11, 2024
Regional District Office, Cranbrook, BC**

PRESENT:	Board Chair R. Gay Director T. McDonald Director S. Doehle Director J. Walter Director S. Clovechok Director R. Schnider Director W. Price Director N. Blissett Alternate Director K. McIsaac Director D. McCormick Director S. Fairbairn Director A. Miller Director D. Wilks Director M. Doherty Director M. Gray	Electoral Area C Electoral Area A Electoral Area B Electoral Area E Electoral Area F Electoral Area G (via Zoom) City of Cranbrook City of Cranbrook City of Fernie City of Kimberley District of Elkford District of Invermere District of Sparwood Village of Canal Flats Village of Radium Hot Springs
ABSENT:	Director N. Milligan	City of Fernie
STAFF:	S. Tomlin T. Hlushak C. Thom	Chief Administrative Officer Corporate Officer Executive Assistant (Recording Secretary)

Call to Order

The meeting was called to order at 9:00am.

Adoption of the Agenda

51953
 MOVED by Director Wilks
 SECONDED by Director Doherty

THAT the agenda for the RDEK Board of Directors meeting be adopted.

CARRIED

Adoption of the Minutes

September 6, 2024 Meeting

51954
 MOVED by Director Fairbairn
 SECONDED by Director Price

THAT the Minutes of the RDEK Board of Directors meeting held on September 6, 2024 be adopted as circulated.

CARRIED

Invited Presentations & Delegations

STARS - Critical Care Anywhere

Glenda Farnden, Sr. Municipal Relations Liaison and Jackie Seely, Municipal Relations Liaison, STARS, provided an overview of STARS critical care services, newest innovations and technology, statistical information specific to the region and the Municipal Initiative Program. STARS is seeking partnership with the RDEK within the STARS Municipal Initiative Program and requested annual funding of \$2 per capital for a three-year term.

United Way BC

Tracey Amy, Regional Coordinator - East Kootenays, United Way BC, provided a summary of initiatives that United Way BC is supporting in the East Kootenays and addressed local impacts, investments and challenges faced within the region.

New Business

STARS - Critical Care Anywhere

51955

MOVED by Director Gray

SECONDED by Director Miller

THAT the request from STARS for annual operational funding be referred to the 2025 - 2029 Financial Plan process for consideration.

CARRIED

Committee Recommendations

Columbia Valley Services Committee

Columbia Valley Search and Rescue - Letter of Support

51956

MOVED by Director Clovechok

SECONDED by Director Doherty

THAT a letter be sent to British Columbia Search and Rescue expressing concern towards the decreased funding allocation for the Columbia Valley Search and Rescue.

CARRIED

Columbia Valley Landfill Scale Operations Contract

51957

MOVED by Director Clovechok

SECONDED by Director Schnider

THAT the Columbia Valley Scale House Operations Contract with Sparkling Creek Silviculture be extended for an additional five-year term for a total price of \$588,212.

CARRIED

Electoral Area Services Committee

2024 Elected Officials Meeting - Attendance Approval

51958

MOVED by Director Clovechok

SECONDED by Director Walter

THAT Chair Rob Gay and Director Thomas McDonald be authorized to attend the 2024 Elected Officials Meeting held on October 23, 2024 in Fernie with the Chair's expenses paid from General Administration and the Directors' expenses paid from Electoral Area Administration.

CARRIED

Regional Parks Plan Amendment No. 19 – Silver Spring Public Access

51959

MOVED by Director McDonald

SECONDED by Director Schnider

THAT the Board designate Silver Spring Public Access as an Electoral Area B Park and amend Section 3 of Schedule B Regional Parks Plan to include B3.5 Silver Spring Public Access.

CARRIED

51960

MOVED by Director Gay

SECONDED by Director Walter

THAT the Chair and CAO be authorized to sign an agreement with Cardinal Meadows LLC to operate the Silver Spring Public Access Park as a Day Use Public Park and Parking Area.

CARRIED

Regional Parks Plan Amendment No. 20 – Moyie Lake Public Access

51961

MOVED by Director Gay

SECONDED by Director Clovechok

THAT the Board designate Moyie Lake Public Access as an Electoral Area C Park and amend Section 4 of Schedule B Regional Parks Plan to include B4.2 Moyie Lake Public Access.

CARRIED

Fernie Valley Trail Development

51962

MOVED by Director McDonald

SECONDED by Director Schnider

THAT an application be submitted to the BC Active Transportation Infrastructure grant program for \$500,000 to support Phase 2 paved trail construction between the City of Fernie and Fernie Alpine Resort along Highway 3 and Fernie Ski Hill Rd south of Fernie BC;

and further, that once constructed, the trail be added to the RDEK Parks Plan as an Electoral Area A park.

CARRIED

Discretionary Grants-in-Aid – October 2024

51963

MOVED by Director Clovechok

SECONDED by Director Walter

THAT the following Discretionary Grants-in-Aid be approved:

Canadian Mental Health Association for the Kootenays - Essential Items Project

- B - \$1,000
- C - \$2,000
- E - \$1,000

Windermere Valley Youth Centre – Basketball Skills Clinic

- F - \$2,500
- G - \$500

CARRIED

Budget Amendment - Short-Term Rental Enforcement

51964

MOVED by Director Gay

SECONDED by Director Clovechok

THAT the Electoral Area Services Budget be increased by \$71,000 for short-term rental compliance services;

and further, that the 2024 – 2028 Five-Year Financial Plan be amended.

CARRIED

Bylaw No. 3350 (East Side Lake Windermere Water System Service) - Introduction

51965

MOVED by Director Clovechok

SECONDED by Director Schnider

THAT Bylaw No. 3350 cited as "Regional District of East Kootenay – East Side Lake Windermere Water System Service Establishment Bylaw No. 2786, 2017 – Amendment No. 5, 2024" be introduced.

CARRIED

Notice on Title (4472 Moan Road, Skookumchuck Prairie Area)

51966

MOVED by Director Walter

SECONDED by Director Clovechok

THAT the Corporate Officer be directed to file a Notice on Title on the property legally described as Lot A, District Lot 342 Kootenay District, Plan EPP54283, 4472 Moan Road in the Skookumchuck Prairie area, for contravention of RDEK bylaws, and that no further action be taken.

CARRIED

Governance & Regional Services Committee

Cheque Register - September 2024

51967

MOVED by Director Gray

SECONDED by Director Wilks

THAT the cheque register for the RDEK General Account for September 2024 in the amount of \$3,143,550.32 be approved as paid.

CARRIED

Yellow Bin Recycling Program Continuation

51968

MOVED by Director Gay

SECONDED by Director Schnider

THAT staff prepare a plan to phase out the Yellow Bin Recycling Program in 2025.

CARRIED

Rural Transfer Station Network Optimization and Options

51969

MOVED by Director Miller

SECONDED by Director Doherty

THAT staff prepare a plan for an optimized transfer station network that develops or expands existing sites, considers new sites for development if existing cannot be expanded, and proposes closure of low volume and undevelopable sites.

CARRIED

The meeting recessed at 9:53am and reconvened at 10:05am.

Planning & Development Services Committee

Bylaw No. 3342 & Bylaw No. 3343 (Moyie / Teck Metals Ltd.) - Introduction

51970

MOVED by Director Gay

SECONDED by Director Fairbairn

THAT Bylaw No. 3342 cited as "Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)" be introduced;

and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.

CARRIED

51971

MOVED by Director Gay

SECONDED by Director McCormick

THAT Bylaw No. 3343 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)" be introduced.

CARRIED

DVP No. 19-24 (Windermere South / Blakley & Perrin)

51972

MOVED by Director Wilks

SECONDED by Director Gray

THAT Development Variance Permit No. 19-24 (Windermere South / Blakley & Perrin) be granted to increase the size of the sign to 2.7m² and 292m² of external storage to be located behind the fenced area as indicated in the September 23, 2024 staff report.

OPPOSED: Director Clovechok, Director Doehle, Director Fairbairn, Director Gay, Director McDonald, Director Miller, and Alternate Director McIsaac

CARRIED

TUP No. 7-24 (Rushmere / Fischer)

51973

MOVED by Director Schnider

SECONDED by Director Doherty

THAT Temporary Use Permit No. 7-24 (Rushmere / Fischer) be granted, subject to a 13-month term and that renewal of the permit will not be considered unless development of a single family dwelling is underway.

CARRIED

STR TUP No. 105-24 (Windermere North / vanOuwkerk)

51974

MOVED by Director Wilks

SECONDED by Director Doehle

THAT Short Term Rental Temporary Use Permit No. STR 105-24 (Windermere North / vanOuwkerk) be granted for a maximum occupancy of 10 guests with the following additional permit conditions:

1. On-street parking by guests is prohibited.
2. Five off-street parking spaces must be provided for guests.

CARRIED

STR TUP No. 106-24 (Panorama / Hearthstone Vacations Inc.)

51975

MOVED by Director Wilks

SECONDED by Director Schnider

THAT Short Term Rental Temporary Use Permit No. STR 106-24 (Panorama / Hearthstone Vacations Inc.) be granted for a maximum occupancy of 10 guests with the following additional permit conditions:

1. On-street parking by guests is prohibited.
2. Five off-street parking spaces must be provided for guests.

CARRIED

STR TUP No. 121-24 (Fairmont Hot Springs / Glazer)

51976

MOVED by Director McDonald

SECONDED by Director Doherty

THAT Short Term Rental Temporary Use Permit No. STR 121-24 (Fairmont Hot Springs / Glazer) be granted for a maximum occupancy of 10 guests with the following additional permit conditions:

1. On-street parking by guests is prohibited.
2. Five off-street parking spaces must be provided for guests.

CARRIED

Request for Letter of Concurrence for a proposed Communications Site (Elkford / Rogers Communications Inc.)

51977

MOVED by Director Fairbairn

SECONDED by Director McDonald

THAT Rogers Communications Inc. be advised:

- a. Rogers Communication Inc., has satisfactorily completed its consultation with the Regional District of East Kootenay;
- b. The Regional District of East Kootenay is satisfied with Rogers Communications Inc.'s public consultation process; and
- c. The Regional District of East Kootenay concurs with Rogers Communications Inc.'s proposal to build a telecommunications tower located near the top of the Wapiti Ski Hill located at 1000 Natal Road in Elkford, provided it is constructed substantially in accordance with the plans submitted to the Regional District of East Kootenay.

CARRIED

Bylaws

Bylaw No. 3350 (East Side Lake Windermere Water System Service)

51978

MOVED by Director Clovechok

SECONDED by Director Doherty

THAT Bylaw No. 3350 cited as "Regional District of East Kootenay – East Side Lake Windermere Water System Service Establishment Bylaw No. 2786, 2017 – Amendment Bylaw No. 5, 2024." be read a first, second and third time.

CARRIED

51979

MOVED by Director Clovechok

SECONDED by Director Doherty

THAT Bylaw No. 3350 cited as "Regional District of East Kootenay – East Side Lake Windermere Water System Service Establishment Bylaw No. 2786, 2017 – Amendment Bylaw No. 5, 2024." be adopted.

CARRIED

Planning Bylaws

Bylaw No. 3293 & Bylaw No. 3294 (Cranbrook West / Faiers & McNiven)

51980

MOVED by Director Clovechok

SECONDED by Director McDonald

THAT Bylaw No. 3293 cited as "Regional District of East Kootenay – Rockyview Official Community Plan Bylaw No. 2255, 2010 – Amendment Bylaw No. 35, 2024 (Cranbrook West / Faiers & McNiven)" be adopted.

OPPOSED: Director Blissett, and Director Price

CARRIED

51981

MOVED by Director Walter

SECONDED by Director Doherty

THAT Bylaw No. 3294 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 24, 2024 (Cranbrook West / Faiers & McNiven)" be adopted.

OPPOSED: Director Blissett, and Director Price

CARRIED

Bylaw No. 3342 & Bylaw No. 3343 (Moyie / Teck Metals Ltd.)

51982

MOVED by Director Walter
SECONDED by Director Wilks

THAT Bylaw No. 3342 cited as "Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)" be read a first and second time.

CARRIED

51983

MOVED by Director Clovechok
SECONDED by Director Walter

THAT Bylaw No. 3343 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)" be read a first and second time.

CARRIED

51984

MOVED by Director McDonald
SECONDED by Director Walter

THAT a public hearing be held regarding Bylaw No. 3342 and Bylaw No. 3343 and the hearing be delegated to:

- Director Rob Gay, Electoral Area C
- Director Wayne Price, City of Cranbrook
- Director Norma Blissett, City of Cranbrook

CARRIED

Director Roberta Schnider left the meeting at 10:51am.

Adjourn to Closed

51985

MOVED by Director McCormick
SECONDED by Director Doherty

THAT the meeting adjourn to a Closed RDEK Board of Directors meeting to consider the following matters:

1. Yellow Bin Contract and Third Party Agreement – Section 90(1)(j) of the *Community Charter* – information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*; and
2. Bylaw Non-Compliance – Section 90(1)(g) of the *Community Charter* – litigation or potential litigation affecting the RDEK.

CARRIED

The meeting adjourned to closed at 11:00am.

Chair Rob C. Gay

Tina Hlushak, Corporate Officer

Nikki Bradshaw

Subject: NWP Delegation in November

From: Dave Baines
Sent: Monday, September 2, 2024 9:13 AM
To: Nikki Bradshaw <nbradshaw@rdek.bc.ca>
Subject: RE: NWP Delegation in November

Nikki,

Nice to meet you.

- 1) Topic:
 - Crown Mountain Coking Coal Project Update
- 2) Summary:
 - NWP is pleased to provide the RDEK Board with another of our regular updates. Following submission of our environmental assessment for the Crown Mountain Coking Coal Project early in 2024, we've gone through several review steps, applied for and received an extension to the regulatory timeline, and started work towards updating our application. NWP will review some of the changes we are planning for the Project and discuss our involvement in related initiatives.
- 3) Designated Speaker
 - Dave Baines – Director Project Development
- 4) Action requested from the Board:
 - None – for information only
- 5) Meeting Attendance:
 - In person
- 6) Will we have a PowerPoint presentation?
 - Yes

Dave

Dave Baines, M.Sc. (He, Him, His)
DIRECTOR PROJECT DEVELOPMENT
Crown Mountain Coking Coal Project
Phone Number: (778) 988-7206
<https://www.nwpcoal.com/>





October 4, 2024

Ref: 122216

Chair Rob Gay
Regional District of East Kootenay
19 – 24th Avenue South
Cranbrook, B.C. V1C 3H8

Via email: director.gay@rdek.bc.ca

Dear Chair Rob Gay:

I would like to personally thank you and your delegation for meeting with Minister George Chow and Ministry staff during the 2024 Union of BC Municipalities (UBCM) Annual Convention in Vancouver. The Province always appreciates the chance to engage in meaningful conversations with you and your teams face-to-face as we work together to connect everyone in British Columbia to high-speed internet services.

Events like the UBCM Annual Convention offer such a valuable opportunity for us to learn more about not only the successes your region has achieved over the past year, but also some of the challenges and areas for growth that are still present.

Since 2017, the B.C. Government has allocated over half a billion dollars into expanding connectivity infrastructure to communities that do not have high-speed internet or cellular services. With our federal government funding partnership, we have committed to connecting all households to high-speed internet services by 2027 and to do this requires a collaborative approach.

Thank you for providing an update on the Columbia Basin Broadband Corporation's Connect the Basin project benefitting over 5400 households. I would encourage you to continue to work with the team in the Connectivity Division to find solutions that may require a mix of technologies to connect the remaining 3000 households throughout the region.

We appreciated you sharing your concerns regarding the permitting challenges that you are experiencing which may be putting some areas of the project at risk. As mentioned in the meeting, the Ministry has established regular communication with permit-issuing ministries across government and developed processes to improve efficiency. This includes permitting for access to rights-of-way, Crown land, and passive infrastructure, such as utility poles. Staff will raise these concerns with the cross-ministry permitting table that includes the Ministry of Transportation and Infrastructure to support some of these specific issues.

.../2

Thank you once again for bringing attention to areas within your District that are not receiving the internet speeds reported on the National Broadband Internet Service Availability Map. Since 2021, the Province has been investigating discrepancies in speed and eligibility data after hearing concerns from communities across British Columbia that federal data may not accurately reflect the actual speeds experienced by homes, businesses, and other local sites. During the meeting, we were pleased to explain that while the Province's MOU with the federal government for joint funding agreements prevents us from overriding eligibility decisions, we have been actively addressing speed discrepancies where they exist. In cases where 50/10 Mbps services are unavailable, we are collaborating with communities and service providers to explore potential projects and funding solutions to close these service gaps.

The week at UBCM always proves invaluable for the Minister and staff to hear from you and your delegation. These opportunities for discussion allow us to not only understand the issues your community faces around connectivity but learn about what we can do to help. If you have any further questions, please reach out to Executive Director, Connected Communities, Jeanne Holliss at Jeanne.Holliss@gov.bc.ca or 250-516-3848.

Thank you again for taking the time to meet with the Minister. I look forward to hearing about the progress your community continues to make in the coming year.

Sincerely,



Shauna Brouwer
Deputy Minister

pc: Susan Stanford, Assistant Deputy Minister
Connectivity Division

Connected Communities
ConnectedCommunitiesBC@gov.bc.ca



October 17, 2024

Rob Gay, Chair
Regional District of East Kootenay
19 24th Avenue South
Cranbrook BC V1C 3H8

Reference: 328783

Dear Chair Gay:

Re: UBCM Meeting 2024

I am writing to thank you and your staff for taking the time to meet with the former Minister of Transportation and Infrastructure and me during the 2024 Union of British Columbia Municipalities (UBCM) Convention.

I am glad there was an opportunity to discuss progress on the realignment of Highway 3 in Creston, as well as the eastbound passing lanes near Morrissey, the Yahk river crossing, conditions along Highway 3 near Whipsaw Creek, your support for improvements along Highway 3 between Hope and Sparwood, your concerns about wildlife fencing along the highway around Corbin Road and your concerns about the speed limit at Sunday Summit.

The ministry remains committed to working with the Regional District to address your area's transportation needs. Ministry staff will follow up with you directly to provide you with an update on the matters raised during the meeting. Please do not hesitate to contact District Manager Greg Kinnear directly if you have any questions in the meantime. He can be reached at 250 512-0096 or Greg.Kinnear@gov.bc.ca and would be pleased to assist you.

Each September, the UBCM gathering serves as an important opportunity to bring together our two levels of government so we can highlight and advance our communities' transportation priorities. Following the election, your thoughts and suggestions will be shared with the incoming Minister of Transportation and Infrastructure.

.../2

**Ministry of Transportation
and Infrastructure**

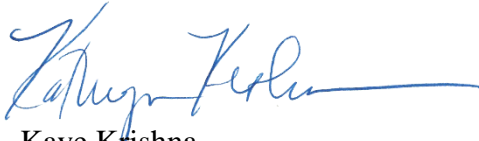
Office of the
Deputy Minister

Mailing Address:
PO Box 9850 Stn Prov Govt
Victoria BC V8W 9T5
Telephone: 250 387-3280
Fax: 250 387-6431

Location:
5B 940 Blanshard Street
Victoria BC V8W 3E6
www.gov.bc.ca/tran

Thank you for your hard work in supporting your community.

Sincerely,



Kaye Krishna
Deputy Minister

Copy to: Kevin Richter, Associate Deputy Minister
Highways and Regional Services Division

Steve Sirett, Executive Director
Southern Interior Region

Kenedee Ludwar, Executive Director
Engineering Services

Greg Kinnear, District Manager
West Kootenay District Operations

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3317

A bylaw to amend Bylaw No. 2929 cited as "Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2929, 2019."

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2929;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2929, 2019 – Amendment Bylaw No. 13, 2024 (Lyttle Lake / Vertz)."
2. The designation of those parts of Lot 1, District Lot 4596, Kootenay District, Plan 4023 except Plans NEP22509 and NEP69091, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, are amended from CR, Commercial Recreation, R-MF, Residential Multi-Family and R-SF, Residential Low Density, to SH, Small Holdings.

READ A FIRST TIME the day of , 2024.

READ A SECOND TIME the day of , 2024.

READ A THIRD TIME the day of , 2024.

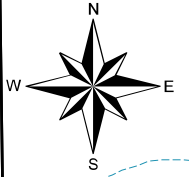
ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

SCHEDULE A

SL 146



SL 123

Madias-Tatley
FSR

DL 9245

24-1

24-2

EPP10621 P. 17682

Crooked Tree
Rd

P.9959

CR
to
SH

SL 131

P.16749

P.4022

EPP6615

P.11681

R-MF

to
SH

SL 131A

P.9959

CR
to
SH

R-SF
to
SH

P.4023

13

Kootenay No 3 Rd

14

IR 3
COLUMBIA
LAKE

Hwy-93-And-95

21

This is Schedule A referred to in Bylaw No. 3317 cited as "Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2929, 2019 – Amendment Bylaw No. 13, 2024 (Lyttle Lake / Vertz)."

Chair

Corporate Officer

Date

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3318

A bylaw to amend Bylaw No. 3255 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023."

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 3255;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 12, 2024 (Lytle Lake / Vertz)."
2. The designation of those parts of Lot 1 District Lot 4596, Kootenay District, Plan 4023 except Plans NEP22509 and NEP69091, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, are amended from RES-2, Resort Recreation Zone, R-1, Single Family Residential Zone and R-3, Multiple Family Residential – Medium Density Zone to SH-2, Small Holding Semi-Rural Zone and RES-2, Resort Recreation Zone.

READ A FIRST TIME the day of , 2024.

READ A SECOND TIME the day of , 2024.

READ A THIRD TIME the day of , 2024.

APPROVED by the Ministry of Transportation and Infrastructure the day of , 2024.

Signature: _____

Print Name: _____

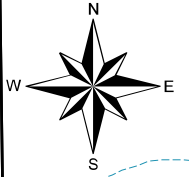
ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

SCHEDULE A

SL 146



SL 123

Madias-Tatley
FSR

DL 9245

24-1

**R-1
to
RES-2**

EPP10621 P. 17682

Crooked Tree
Rd

P.9959

P. 17682

**RES-2₃₁
to
SH-2**

P.16749

EPP6615

42

P.4022

P.11681

**R-3
to
SH-2**

P.1

SL 131A

P.4023

P.9959

**RES-2
to
SH-2**

**R-1
to
SH-2**

13

Kootenay No 3 Rd

14

IR 3
COLUMBIA
LAKE

Hwy-93-And-95

21

This is Schedule A referred to in Bylaw No. 3318 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 12, 2024 (Lyttle Lake / Vertz)."

Chair

Corporate Officer

Date

No. _____

MOVED by Director _____ SECONDED by Director _____

THAT a public hearing be held regarding Bylaw No. 3317 and Bylaw No. 3318 and the hearing be delegated to:

Director Susan Clovechok, Electoral Area F
Director Allen Miller, District of Invermere

FOR INFORMATION ONLY:

Public Hearing - TBD

Public Hearing Report – Bylaw Nos. 3342 & 3343 Moyie / Teck Metals Ltd.

This report is submitted to the Board of Directors of the Regional District of East Kootenay pursuant to Section 464 of the *Local Government Act*.

The public hearing for Bylaw No. 3342 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)” and Bylaw No. 3343 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)” was held on October 29, 2024 at 4:00 pm at the Regional District of East Kootenay Boardroom in Cranbrook.

The following Regional District representatives attended the public hearing:

Director Rob Gay, Electoral Area C
Director Wayne Price, City of Cranbrook
Director Norma Blissett, City of Cranbrook
Krista Gilbert, Planning Technician

The notice for the hearing was published in the October 24, 2024 issue of the Advertiser. Five (5) notices were sent to neighbouring property owners on October 11, 2024 by regular mail with no notices returned as undeliverable.

Chair Gay convened the hearing at 4:01 pm and Regional District representatives were introduced.

Chair Gay advised those in attendance:

- to identify themselves and the property they own that may be affected by the Bylaws;
- that only those written and/or verbal presentations made at the hearing will be considered as part of the hearing report;
- that no written or verbal submissions will be allowed subsequent to the close of this hearing.

Bylaw No. 3342 provides for:

1. This Bylaw may be cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)”
2. The designation of that part of District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR, Rural Resource to INST, Institutional.

Bylaw No. 3343 provides for:

1. This Bylaw may be cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)”
2. The designation of that part of District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR-60, Rural Resource Zone to P-1, Public Institutional Zone.

Staff read the legal proceedings for the public hearing as set out by the *Local Government Act* and noted that a report of the hearing would be submitted to the Board at its November 8, 2024 meeting.

Chair Gay called three times for speakers and since no members of the public attended the hearing and the proponent's agent chose not to speak, Director Gay adjourned the hearing at 4:02 pm.

Chair Rob Gay
Electoral Area C

Krista Gilbert
Planning Technician

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3342

A bylaw to amend Bylaw No. 2912 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2912;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.).”
2. The designation of that part of District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR, Rural Resource to INST, Institutional.

READ A FIRST TIME the 11th day of October, 2024.

READ A SECOND TIME the 11th day of October, 2024.

READ A THIRD TIME the day of , 2024.

ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

SCHEDULE A



DL4415

DL 5591

DL 16151

DL 15344

Moyie Lake

DL4416

RR
to
INST

Hwy-3-And-95

DL 4591

DL6135

DL4417

This is Schedule A referred to in Bylaw No. 3342 cited as "Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)."

Chair

Corporate Officer

Date

86

86



Request for Decision Bylaw Amendment Application

File No: P 724 330
Reference: Bylaw Nos. 3342 & 3343
Date: September 23, 2024

Subject: Bylaw No. 3342 & Bylaw No. 3343 (Moyie / Teck Metals Ltd.)
Applicant: Teck Metals Ltd.
Agent: Jason McBain
Location: Highway 3/95, directly north of Moyie Cemetery & south of Moyie Townsite.
Legal: District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A (PID: 023-509-309)

Proposal: To amend the OCP and zoning designation of a 0.2 ha portion of the subject property to accommodate a subdivision and return to Crown due to encroachments by the Moyie Cemetery.

Development Agreement: None.

- Options:**
1. THAT Bylaw No. 3342 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)” be introduced; and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.
 2. THAT Bylaw No. 3343 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)” be introduced.
 3. THAT Bylaw No. 3342 cited as “Regional District of East Kootenay – Moyie & Area Official Community Plan Bylaw No. 2912, 2019 – Amendment Bylaw No. 6, 2024 (Moyie / Teck Metals Ltd.)” not proceed.
 4. THAT Bylaw No. 3343 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)” not proceed.

Recommendation: Options 1 & 2

Existing encroachments on the area under application include a small number of gravesites, a storage shed and a fence. The area is more appropriately managed by the Moyie Cemetery Association under tenure by the Province.

Property Information:

Current OCP Designation: RR, Rural Resource

Proposed OCP Designation: INST, Institutional

Property Information - cont'd:

OCP Objectives & Policies:

- Support existing institutional and community land uses.
- Institutional uses of a local nature that are compatible with adjacent land uses are generally supported within the plan area.

Current Zone Designation: RR-60, Rural Resource Zone (minimum parcel size: 60 ha)

Proposed Zone Designation: P-1, Public Institutional Zone

Parcel Size: 18.6 ha (46 ac)
Proposed Lot 1: 0.2 ha (0.5 ac)
Proposed Remainder: 18.4 ha

Density:

Existing: One SFD and one secondary suite or one duplex is permitted in the RR-60 zone.

Proposed: The P-1 zone allows for one accessory dwelling unit.

ALR Status: Not within the ALR

Interface Fire Hazard Rating: Ranging from moderate to high, not within a fire protection area

BC Assessment: Residential (Vacant)

Water and Sewer Services: No services existing or proposed. The owners have also submitted a development variance permit application to waive RDEK Subdivision Servicing Bylaw requirements.

Flood Hazard Rating: The subject property is not identified as being within a flood hazard rating area.

Professional Studies:

None

Additional Information:

- The 0.2 hectare portion of the subject property that is under application has encroachments from the Moyie Cemetery, including a storage shed, a small number of gravesites, fencing and clearing.
- The proposed subdivision would result in a 0.2 ha piece of land that would be returned to Crown land. Subsequently the Moyie Community Association could submit an application for a licence over these lands to continue the existing uses.

Consultation:

Section 475 of the *Local Government Act* requires that local government consider the depth and breadth of consultation to be undertaken with persons or organizations that it considers may be affected by the proposed OCP amendment. Consultation completed to date for this amendment

includes referral of the bylaw to the following organizations. In addition, there will be opportunity for discussion with the public prior to the commencement of the public hearing.

Advisory Planning Commissions:

APC Area C: Support recommendation

Referral Agencies:

- **Interior Health Authority:** No response
- **Transportation & Infrastructure:** Application in conjunction with two ongoing MoTI applications, subdivision and a commercial access permit by the Moyie Community Association. Proposing parking lot improvements and improvements to the cemetery on/off the highway. MoTI is considering additional signage for “hidden access.” MoTI is considering design elements of current access and parking.
- **Environment:** No response
- **Ktunaxa Nation Council:** No concern
- **School District No. 5:** No response
- **Telus:** No issues

**Documents
Attached:**

- Bylaws
- Location Map
- Land Use Map
- OCP Designation Map
- Zone Designation Map
- Proposal
- Aerial Photo

**RDEK
Contact:**

Krista Gilbert, Planning Technician
Phone: 250-489-0314
Email: kgilbert@rdek.bc.ca

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3343

A bylaw to amend Bylaw No. 2913 cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 2913;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

- 1. This Bylaw may be cited as “Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)”
- 2. The designation of that part of District Lot 4416, Kootenay District, except that part outlined in red on Plan 18621A, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, is amended from RR-60, Rural Resource Zone to P-1, Public Institutional Zone.

READ A FIRST TIME the 11th day of October, 2024.

READ A SECOND TIME the 11th day of October, 2024.

READ A THIRD TIME the day of , 2024.

APPROVED by the Ministry of Transportation and Infrastructure the day of , 2024.

Signature: _____

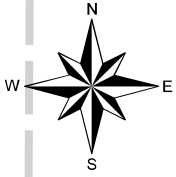
Print Name: _____

ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

SCHEDULE A



DL4415

DL 5591

Moyie Lake

DL 16151

DL 15344

DL4416

**RR-60
to
P-1**

Hwy-3-And-95

DL 4591

DL6135

DL4417

This is Schedule A referred to in Bylaw No. 3343 cited as "Regional District of East Kootenay – Electoral Area C South Zoning & Floodplain Management Bylaw No. 2913, 2019 – Amendment Bylaw No. 27, 2024 (Moyie / Teck Metals Ltd.)."

Chair

Corporate Officer

Date

36

86

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3346

A bylaw to amend Bylaw No. 3255 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 3255;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 17, 2024 (Fairmont Hot Springs / Fairmont Hot Springs Resort Ltd.).”
2. The designation of that part of Lot A, District Lots 18 and 4596, Kootenay District Plan 18179, outlined on the attached Schedule A, which is incorporated in and forms part of this Bylaw, are amended from RES-4, Resort Core Zone to RES-1, Recreation Accommodation Zone.

READ A FIRST TIME the day of , 2024.

READ A SECOND TIME the day of , 2024.

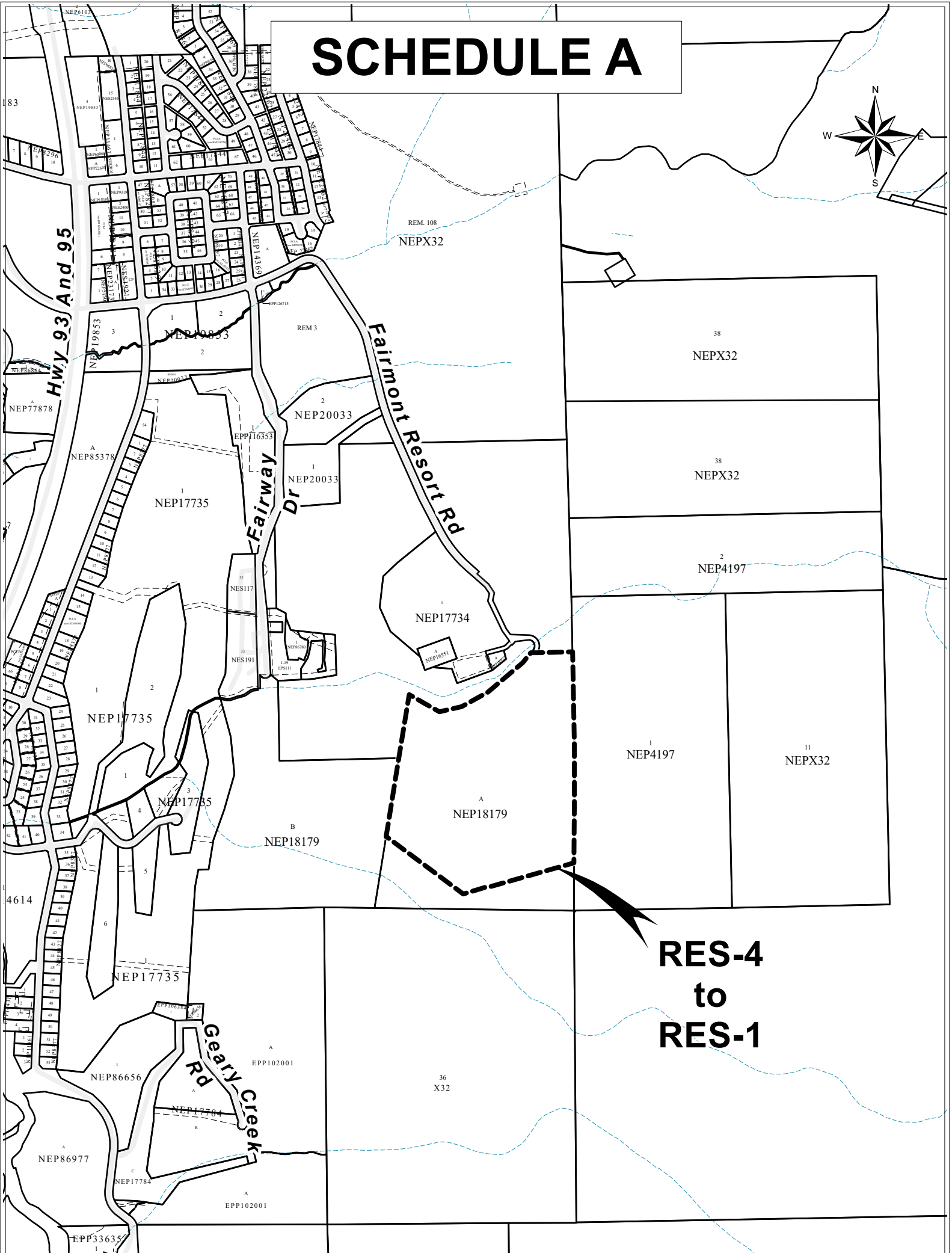
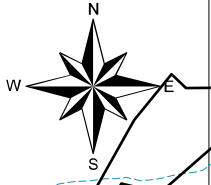
READ A THIRD TIME the day of , 2024.

ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

SCHEDULE A



**RES-4
to
RES-1**

This is Schedule A referred to in Bylaw No. 3346 cited as "Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 17, 2024 (Fairmont Hot Springs / Fairmont Hot Springs Resort Ltd.)."

Chair _____

Corporate Officer _____

Date _____

No. _____

MOVED by Director _____ SECONDED by Director _____

THAT a public hearing be held regarding Bylaw No. 3346 and the hearing be delegated to:

Director Susan Clovechok, Electoral Area F
Director Allen Miller, District of Invermere

FOR INFORMATION ONLY:

Public Hearing - TBD

REGIONAL DISTRICT OF EAST KOOTENAY

BYLAW NO. 3348

A bylaw to amend Bylaw No. 3255 cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023.”

WHEREAS the Board of the Regional District of East Kootenay has received an application to amend Bylaw No. 3255;

AND WHEREAS the Board deems it desirable to make this amendment as aforementioned;

NOW THEREFORE, the Board of the Regional District of East Kootenay in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “Regional District of East Kootenay – Columbia Valley Zoning Bylaw No. 3255, 2023 – Amendment Bylaw No. 18, 2024 (Windermere South / Egan).”
2. Section 1.33 is amended by adding the following:
 - (27) On Lot 67, District Lot 8, Kootenay District Plan 1080, except parts included in Plans R121 and R289, two *single family dwelling units* are permitted and the maximum *parcel coverage* permitted for buildings and structures associated with the principal and accessory uses is 20% and an additional 30% is permitted for greenhouses, for a total of 50% *parcel coverage*.

READ A FIRST TIME the day of , 2024.

READ A SECOND TIME the day of , 2024.

READ A THIRD TIME the day of , 2024.

APPROVED by the Ministry of Transportation and Infrastructure the day of , 2024.

Signature: _____

Print Name: _____

ADOPTED the day of , 2024.

CHAIR

CORPORATE OFFICER

No. _____

MOVED by Director _____ SECONDED by Director _____

THAT a public hearing be held regarding Bylaw No. 3348 and the hearing be delegated to:

Director Susan Clovechok, Electoral Area F
Director Allen Miller, District of Invermere

FOR INFORMATION ONLY:

Public Hearing - TBD

Reports from Directors

Director Clovechok

- Economic Trust of the Southern Interior Regional Advisory Committee
- Four J Gypsum Ktunaxa/Kinbasket Local Government Treaty Advisory Committee
- Kootenay West Mine Amendment Technical Advisory Committee
- Mine Development Review Committee
- Poverty Reduction Planning & Action Program Advisory Committee

Director Doehle

- Canadian Columbia River Local Government Committee
- Columbia Basin Regional Advisory Committee
- International Joint Commission – Council of Governments Advisory Group
- *Canada's Rural and Remote Broadband Community Conference*

Chair Gay

- Elko Class C Park Board
- Highway 3 Mayors' and Chairs' Coalition
- Municipal Finance Authority
- Southeastern BC Regional Connectivity Committee
- *Elected Officials Meeting*

Director Gray

- Kootenay Conservation Program Committee

Director McCormick

- Columbia Basin Trust

Director McDonald

- Columbia Basin Rural Development Institute Advisory Committee
- Environmental Assessment Working Groups – Fernie/Michel Creek Coking Coal

Director Miller

- Columbia Valley Physician Recruitment
- East Kootenay Division of Family Practice Red Carpet Committee
- Municipal Insurance Association

Director Schnider

- Columbia Valley Recreation Planning Committee
- East Kootenay Accessibility Advisory Committee
- Imagine Kootenay Steering Committee