



MINUTES OF THE PLANNING & DEVELOPMENT SERVICES COMMITTEE MEETING

March 5, 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 L. Pratt	City of Cranbrook
	Director W. Graham	City of Cranbrook
	Director D. McCormick	City of Kimberley
	Director A. Qualizza	City of Fernie
	Director D. Wilks	District of Sparwood
	Director D. McKerracher	District of Elkford
	Director A. Miller	District of Invermere
	Director K. Sterzer	Village of Canal Flats
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 1:17 pm.

Adoption of the Agenda

MOVED by Director Wilkie
SECONDED by Director Pratt

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

CARRIED

Adoption of the Minutes

February 14, 2020 Meeting

MOVED by Director Sterzer
SECONDED by Director Clovechok

THAT the Minutes of the RDEK Planning & Development Services Committee meeting held on February 14, 2020 be adopted as circulated.

CARRIED

Invited Presentations & Delegations

Bylaw No. 2973 & Bylaw No. 2974

Reto Barrington, agent for of K.V Properties Inc., gave a presentation and requested to amend the Lake Koocanusa Official Community Plan and SweetWater Zoning and Floodplain Management Bylaw to permit subdivision and establish additional residential lots around the marina. Mr. Barrington explained the down-zoning to single family residential zoning from commercial will align the zoning with the intended use, and there is ample commercial areas left to be developed in the future.

Bylaw No. 2975

Richard Haworth, agent for 1129759 Alberta Ltd., gave a presentation and spoke to amending the Upper Columbia Valley Zoning Bylaw to permit subdivision of 47 acres of the Grizzly Ridge Development on Westside Road. Mr. Haworth explained the amendment will allow for 15 developable lots, all serviceable by well and septic systems, and protect the adjacent grasslands by registering a covenant. In addition, there is a proposed development contribution agreement to go towards Area F park development or lake access improvements.

DVP No. 47-19

Richard Haworth, agent for Thomas and Brenda Fenwick, gave a presentation and requested a development variance permit to waive the provision of water and sewer for a proposed 2-lot subdivision located on Thistle Road, in the Tie Lake area. Mr. Haworth explained the existing property has two small cabins which will be subdivided onto two lots, which will reduce the minimum usable site area for both properties, as well as the options for servicing them in accordance with the bylaw.

DVP No. 1-20

Justin Keeler, on behalf of Kootenay Canine Adventures, made a presentation and requested a development variance permit to reduce the setbacks for enclosed runs and buildings used for kennel purposes. Mr. Keeler explained the business has grown steadily from providing dog walking services to kenneling, and this will allow for the required space needed as the business continues to progress.

977230 Alberta Ltd. Crown Land Licence of Occupation

Dennis Hockett, spoke on behalf of 977230 Alberta Ltd., and requested support of a licence of occupation over an existing roadway in the Sweetwater area. Mr. Hockett explained the licence for the road over Crown land is required in order to have reasonable public road access to a privately-owned parcel and for future development.

New Business**Bylaw No. 2973 & Bylaw No. 2974 (Sweetwater / KV Properties Inc.)**

49077

MOVED by Director Doehle

SECONDED by Director Sosnowski

THAT Bylaw No. 2973 cited as "Regional District of East Kootenay – Lake Koocanusa Official Community Plan Bylaw No. 2432, 2013 – Amendment Bylaw No. 4, 2019 (Sweetwater / KV Properties Inc.) be introduced;

and further, that the Board is satisfied that the Official Community Plan consultation identified in the staff report is appropriate.

OPPOSED: Director McKerracher

CARRIED

49078

MOVED by Director Doehle

SECONDED by Director Sosnowski

THAT Bylaw No. 2974 cited as "Regional District of East Kootenay – SweetWater Zoning and Floodplain Management Bylaw No. 2127, 2009 – Amendment Bylaw No. 7, 2019 (Sweetwater / KV Properties Inc.) be introduced;

and further, that the applicant be advised that future subdivision applications should include confirmation from a qualified professional that the community wastewater treatment system is fully operational.

OPPOSED: Director McKerracher

CARRIED

Bylaw No. 2975 (Westside / 1129759 Alb Ltd)

49079

MOVED by Director Sterzer

SECONDED by Director Clovechok

THAT Bylaw No. 2975 cited as "Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw No. 900, 1992 – Amendment Bylaw No. 359, 2020 (Westside / 1129759 Alb Ltd)" be introduced;

and further, that a development agreement containing the items identified in the February 26, 2020 Request for Decision be registered on title prior to bylaw adoption.

CARRIED

DVP No. 47-19 (Tie Lake / Fenwick)

49081

MOVED by Director Sterzer

SECONDED by Director Doehle

THAT Development Variance Permit No. 47-19 (Tie Lake / Fenwick) be granted subject to registration of a restrictive covenant on proposed Lot 2 prohibiting renovations, additions or other construction until proof of servicing is provided in accordance with the Subdivision Servicing Bylaw.

CARRIED

DVP No. 1-20 (Wycliffe / Keeler & Kreutzer)

MOVED by Director Gay

SECONDED by Director Walter

THAT Development Variance Permit No. 1-20 (Wycliffe / Keeler & Kreutzer) be refused.

DEFEATED

49082

MOVED by Director Gay

SECONDED by Director McKerracher

THAT Development Variance Permit No. 1-20 (Wycliffe / Keeler & Kreutzer) be granted.

CARRIED

977230 Alberta Ltd. Crown Land Licence of Occupation

49086

MOVED by Director Doehle

SECONDED by Director Clovechok

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK supports the 977230 Alberta Ltd. Crown Land Licence of Occupation for a roadway in the Sweetwater area.

OPPOSED: Director McKerracher

CARRIED

Bylaw No. 2654 (Miscellaneous / RDEK)

49076

MOVED by Director Doehle

SECONDED by Director Wilks

THAT Bylaw No. 2654 cited as "Regional District of East Kootenay – SweetWater Zoning & Floodplain Management Bylaw No. 2127, 2009 – Amendment Bylaw No. 5, 2015 (Miscellaneous / RDEK)" be introduced.

OPPOSED: Director McKerracher

CARRIED

DVP No. 38-19 (Wasa / Kon Kur Holdings Ltd.)

49080

MOVED by Director Walter

SECONDED by Director Miller

THAT Development Variance Permit No. 38-19 (Wasa / Kon Kur Holdings Ltd.) be granted.

CARRIED

DVP No. 2-20 (Jaffray / Branch Technologies Inc.)

49083

MOVED by Director Doehle

SECONDED by Director Sterzer

THAT Development Variance Permit No. 2-20 (Jaffray / Branch Technologies Inc.) be granted.

CARRIED

Director Qualizza left the meeting at 2:20 pm.

Hornaday Wilderness Society Application to Rehabilitate a Managed Trail

49084

MOVED by Director Miller

SECONDED by Director Sterzer

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, be advised the RDEK supports the Hornaday Wilderness Society Crown Land application to rehabilitate a managed trail in the vicinity of Hornaday Pass subject to the rehabilitation work not impeding the existing trapper's ability to operate a snowmobile on the trail during snowbound periods to conduct activities for trapping.

CARRIED

Director Qualizza joined the meeting at 2:23 pm.

South Kountry Cable Ltd. Crown Land Licence of Occupation

49085

MOVED by Director Doehle

SECONDED by Director Sterzer

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK supports the South Kountry Cable Ltd. Crown Land Licence of Occupation for a telecommunication site in the Tie Lake area, subject to Agricultural Land Commission approval.

CARRIED

Miscellaneous Items**Kootenay and Boundary Farm Advisors – Program Continuation**

49087

MOVED by Director Wilkie

SECONDED by Director Walter

THAT an amount not exceeding \$60,000 per year for three years, to allow the continuation of the Kootenay and Boundary Farm Advisor program to June 30, 2023, be approved to be paid from the Planning service.

CARRIED

Columbia Lake Management Plan

49088

MOVED by Director Miller

SECONDED by Director Clovechok

THAT preparation of the Columbia Lake Management Plan proceed generally as outlined in the February 13, 2020 Request for Decision.

CARRIED

Lake Windermere Groyne Navigation Markers

49089

MOVED by Director Clovechok

SECONDED by Director Miller

THAT Public Services and Procurement Canada be advised that while the installation of permanent navigation markers for the Lake Windermere Groyne is generally supported that the RDEK has concerns about the timing and short duration of the engagement opportunity, the aesthetic impact of the proposed pile markers and lack of information provided with regard to alternative options and environmental considerations of the proposed works.

OPPOSED: Director Miller, Director Sterzer, and Director Wilkie

CARRIED

Note: On March 6, 2020, the Board defeated the above motion and adopted Resolution No. 49090 to not support the installation of Marker Piles for the Lake Windermere Groyne.

Director Qualizza left the meeting at 2:36 pm.

Adjourn to Closed

MOVED by Director Gay

SECONDED by Director Sterzer

THAT the meeting adjourn to a Closed Planning & Development Services Committee meeting to consider the following matters:

- APC/EAAC Appointments - Section 90(1)(a) of the *Community Charter* - personal information about an identifiable individual who is being considered for a position appointed by the RDEK; and
- Kootenay and Boundary Farm Advisors Contract - Section 90(1)(k) of the *Community Charter* - negotiations and related discussions respecting the proposed provision of a municipal service that are in their preliminary stages and that, in the view of the Board, could reasonably be expected to harm the interests of the regional district if they were held in public.

CARRIED

The meeting adjourned to closed at 2:40 pm.

Committee Chair Clara Reinhardt

Shannon Moskal, Corporate Officer