

## Public Hearing Report – Bylaw No. 2972

### Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.

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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. 2972 cited as “Regional District of East Kootenay – South Country Zoning and Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 21, 2019 (Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.)” was held on March 11, 2020 at 7:00 pm at the Baynes Lake Community Hall, in Baynes Lake.

The following Regional District representatives attended the public hearing:

Director Stan Doehle, Electoral Area B  
Director Rob Gay, Electoral Area C  
Krista Gilbert, Planning Technician

The notice for the hearing was published in the February 27 and March 5, 2020 issues of the Free Press and in the March 5, 2020 issue of the East Kootenay Extra. Four (4) notices were sent to neighbouring property owners and occupiers on February 14, 2020 by regular mail with no notices returned as undeliverable.

Staff provided an overview of the amending bylaw and there was a question and answer period before the hearing.

Chair Doehle convened the hearing at 7:05 pm and Regional District representatives were introduced.

Chair Doehle advised those in attendance:

- to identify themselves and the property they own that may be affected by the Bylaw;
- 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. 2972** provides for:

1. This Bylaw may be cited as “Regional District of East Kootenay – South Country Zoning and Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 21, 2019 (Koocanusa West / Flood, Hopkins & C.D. Reay & Sons Ltd.).”
2. The designation of District Lot 2707, Kootenay District and District Lot 2708, Kootenay District is amended from RR-16, Rural Residential (Extensive) Zone to RR-8, Rural Residential (Country) 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 April 3, 2020 meeting.

Staff advised that no written submissions had been received prior to the hearing.

Five members of the public including the proponents attended the hearing and the following people spoke:

Randy Reay (proponent), 1900 Matson Road – He wanted to reiterate that the proposal will result in the land being better utilized for agriculture. The portions not utilized for hay production will be on one parcel and the land for hay production will be on the other parcel. He stated that the proposal also improves the use of the current irrigation system and will ultimately lead to a significant benefit to the agriculture operation on the lands.

Bill Leeper, 226 Kikomun-Newgate Road – He stated that the proposal makes sense from an agricultural perspective. He stated that the boundary adjustment would allow the existing road on the property to be reintegrated into the crop production due to the boundary adjustment, which is good over the long term.

Randy Reay (proponent), 1900 Matson Road (2<sup>nd</sup> time speaking) – He stated that he believes, where possible, applications should be reviewed based on the proposed enhancement of agriculture and not on parcel size, which does not make sense. He hopes that the Regional District will reconsider and remove parcel size requirements for agricultural parcels as a proposal that benefits agriculture should be enough to move forward on. He questioned why it matters if agricultural proposals do not meet parcel size requirements when parcel sizes are mainly for residential lots. He stated that if proposals for boundary adjustments were proven that they provided a benefit to agriculture then he doesn't understand why parcel size is relevant. He also mentioned that discussions throughout the Jaffray OCP consultation process included not requiring parcel size requirements for boundary adjustments on agricultural parcels, however the plan was not approved and he hopes the Regional District will reconsider parcel size requirements.

Chair Doehle called three times for comments and hearing none closed the hearing at 7:16 pm.

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**Chair Stan Doehle**  
**Electoral Area B**

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**Krista Gilbert**  
**Planning Technician**