

**MINUTES OF THE REGIONAL DISTRICT OF EAST KOOTENAY  
PLANNING & DEVELOPMENT SERVICES COMMITTEE  
MEETING HELD AT THE REGIONAL DISTRICT OFFICE IN  
CRANBROOK BC ON JANUARY 10, 2019**

**PRESENT**

Committee Chair Clara Reinhardt	Village of Radium Hot Springs
Director Mike Sosnowski	Electoral Area A
Director Stan Doehle	Electoral Area B
Board Chair Rob Gay	Electoral Area C
Director Jane Walter	Electoral Area E
Director Susan Clovechok	Electoral Area F
Director Gerry Wilkie	Electoral Area G
Director Lee Pratt	City of Cranbrook
Director Wesly Graham	City of Cranbrook
Director Don McCormick	City of Kimberley
Director Ange Qualizza	City of Fernie
Director David Wilks	District of Sparwood
Director Allen Miller	District of Invermere
Director Karl Sterzer	Village of Canal Flats

**STAFF**

Shawn Tomlin	Chief Administrative Officer
Andrew McLeod	Planning & Development Services Manager
Sanford Brown	Building & Protective Services Manager
Shannon Moskal	Corporate Officer
Rhiannon Chippett	Planning Assistant (Recording Secretary)

Committee Chair Clara Reinhardt called the meeting to order at 1:47 pm.

**ADOPTION OF THE AGENDA**

Agenda	MOVED by Director Gay SECONDED by Director Sosnowski
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THAT the agenda for the Planning & Development Services Committee meeting be adopted.

CARRIED

**ADOPTION OF THE MINUTES**

Minutes	MOVED by Director Pratt SECONDED by Director Doehle
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THAT the Minutes of the Planning & Development Services Committee meeting held on December 6, 2018 be adopted as circulated.

CARRIED

**DELEGATIONS**

**Barry Brown-John**, spoke on behalf of Deborah Robillard to amend the Lake Windermere OCP and Upper Columbia Valley Zoning Bylaw to adjust zoning designations of property located at 474 Lakeview Road in the Windermere North area. Mr. Brown-John explained the owners intend to subdivide the subject property and rezone as R-5, to allow the existing four cabin-style dwellings to be further developed and also permit up to six additional dwellings.

**Richard Haworth**, made a presentation and spoke on behalf of Larry, Elmer & Jerry Meadows to amend the text of the Upper Columbia Valley Zoning Bylaw to permit a cannabis retail sales store on their property located at 4884 Athalmer Road. Mr. Haworth explained the proposal is supported by the commercial policies in the OCP, and the amendment would add cannabis retail sales to the current permitted uses for the property. Mr. Haworth explained the location was well-suited for this additional proposed use given its high traffic location, with no schools, churches or playgrounds within a 500 m radius of the property.

**DELEGATIONS** (continued)

**Richard Haworth**, made a presentation and spoke on behalf of Fairmont Hot Springs Resort Ltd. and requested to waive the requirement for proof of potable water and adequate sewage disposal to permit a boundary adjustment subdivision. Mr. Haworth explained the adjustment would add additional property to an already serviced residential lot.

**Richard Haworth**, agent for David and Tracy Taylor, made a presentation and requested to waive the Subdivision Servicing Bylaw requirement for proof of potable water and adequate sewage disposal for a proposed two-lot subdivision. Mr. Haworth explained the property was recently rezoned, the existing house has adequate services, and the owners have agreed to a covenant prohibiting further development until services on the second lot are provided by the City of Fernie.

**Jacque Savage** spoke against the Interoute Construction Ltd. Licence of Occupation Application for a Sand and Gravel Operation, east of Cranbrook. Ms. Savage explained the negative impacts the proposed operation would have on livestock and endangered species in the area, noise and dust pollution as well as concerns of an increase in traffic if the site was approved.

**Steve Klafki**, spoke on behalf of Donald and Elaine Jubinville, and requested an exemption from the requirement of providing an agrologist report in support of their ALR subdivision application. Mr. Klafki explained the applicants had previously submitted an application to the ALC in 2016 for a 2 ha lot which was refused, they want to reapply with a 8 ha lot size, and they are seeking an exemption to provide the report with this new application.

**NEW BUSINESS**

48219  
Bylaw No. 2895  
Introduced

MOVED by Director Miller  
SECONDED by Director Clovechok

THAT Bylaw No. 2895 cited as “Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2061, 2008 – Amendment Bylaw No. 25, 2018 (Windermere North / Robillard)” be introduced;

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

CARRIED

48220  
Bylaw No. 2896  
Introduced

MOVED by Director Miller  
SECONDED by Director Clovechok

THAT Bylaw No. 2896 cited as “Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw 900, 1992 – Amendment Bylaw No. 345, 2018 (Windermere North / Robillard)” be introduced.

CARRIED

48221  
Bylaw No. 2897  
Introduced

MOVED by Director Miller  
SECONDED by Director Clovechok

THAT Bylaw No. 2897 cited as “Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw 900, 1992 – Amendment Bylaw No. 346, 2018 (Windermere North / Meadows)” be introduced.

CARRIED

48222  
DVP 34-18  
Granted Conditions

MOVED by Director Clovechok  
SECONDED by Director Miller

THAT Development Variance Permit No. 34-18 be granted subject to registration of a restrictive covenant prohibiting habitable buildings until proof of servicing is provided.

CARRIED

**NEW BUSINESS (continued)**

48223  
DVP 35-18  
Granted Conditions

MOVED by Director Sosnowski  
SECONDED by Director Graham

THAT Development Variance Permit No. 35-18 be granted subject to registration of a restrictive covenant prohibiting habitable buildings until proof of servicing by the City of Fernie is provided.

CARRIED

OPPOSED: Director Qualizza

Interoute Construction Ltd.  
Licence of Occupation

MOVED by Director Gay  
SECONDED by Director Wilkie

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK requests that alternate locations that are further from residential properties be considered for the Interoute Construction Ltd. application for a Licence of Occupation for a sand and gravel operation east of Cranbrook.

DEFEATED

48224  
Interoute Construction Ltd.  
Licence of Occupation

MOVED by Director Gay  
SECONDED by Director Doehle

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK does not support the Interoute Construction Ltd. application for a Licence of Occupation for a sand and gravel operation east of Cranbrook.

CARRIED

48225  
Jubinville  
Request for Exemption

MOVED by Director Sosnowski  
SECONDED by Director Wilks

THAT the Jubinville request for exemption from providing a report from a qualified professional in support of the proposed ALR subdivision application for property located at 5683 Highway 43 between Sparwood and Elkford be granted.

CARRIED

48226  
Bylaw No. 2893  
Introduced

MOVED by Director Doehle  
SECONDED by Director Sterzer

THAT Bylaw No. 2893 cited as “Regional District of East Kootenay – Baynes Lake Official Community Plan Bylaw No. 2319, 2011 – Amendment Bylaw No. 9, 2018 (Baynes Lake / Bevand)” be introduced;

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

CARRIED

Director Rob Gay left the meeting at 2:43 pm.

48227  
Bylaw No. 2894  
Introduced

MOVED by Director Doehle  
SECONDED by Director Clovechok

THAT Bylaw No. 2894 cited as “Regional District of East Kootenay – South Country Zoning and Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 16, 2018 (Baynes Lake / Bevand)” be introduced.

CARRIED

Director Rob Gay returned to the meeting at 2:44 pm.

48228  
DVP 33-18  
Granted

MOVED by Director Doehle  
SECONDED by Director Sterzer

THAT Development Variance Permit No. 33-18 be granted.

CARRIED

**NEW BUSINESS** (continued)

48229  
Koocanusa Resorts Ltd.  
Crown Land Purchase

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 Koocanusa Resorts Ltd. Crown land application for their purchase of 0.17 ha of land on Lake Koocanusa, subject to ALC approval.  
CARRIED

48230  
Pow  
Specific Permission

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 Pow application for Specific Permission for an existing boat lift located on Crown foreshore fronting 1405 Stoddart Avenue in the vicinity of Calberley Beach in the Windermere area.  
CARRIED

48231  
Radium Hot Springs  
Floodplain Exemption

MOVED by Director Sterzer  
SECONDED by Director Wilkie

THAT a Site Specific Floodplain Exemption to reduce the required 30 m setback from the Columbia River to 22 m and to reduce the flood construction level from 3 m to 2.8 m, to accommodate a new washroom building on the Village of Radium Hot Springs property legally described as District Lot 10725 and located on Horsethief FSR, be granted, subject to the registration of a flood hazard covenant in accordance with the recommendations made in the flood hazard assessment report prepared by Groundtech Engineering Ltd.  
CARRIED

The meeting adjourned at 5:50 pm.

**CERTIFIED CORRECT**

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**Committee Chair Clara Reinhardt**

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**Shannon Moskal, Corporate Officer**