

**MINUTES OF THE REGIONAL DISTRICT OF EAST KOOTENAY
PLANNING & DEVELOPMENT SERVICES COMMITTEE
MEETING HELD AT THE REGIONAL DISTRICT OFFICE IN
CRANBROOK BC ON FEBRUARY 7, 2019**

PRESENT

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| 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 |
| Alternate Director Ron Popoff | 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 |

ABSENT

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| Director Lee Pratt | City of Cranbrook |
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STAFF

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| 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 10:19 am.

ADOPTION OF THE AGENDA

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| Agenda | MOVED by Director Doehle SECONDED by Director Sterzer |
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THAT the agenda for the Planning & Development Services Committee meeting be adopted.

CARRIED

ADOPTION OF THE MINUTES

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| Minutes | MOVED by Director Wilkie SECONDED by Director Walter |
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THAT the Minutes of the Planning & Development Services Committee meeting held on January 10, 2018 be adopted as circulated.

CARRIED

DELEGATIONS

Paula Bohan, spoke to her request to amend the Cranbrook Rural Zoning Bylaw to permit two dwellings on property located at 5663 Hidden Valley Road.

Jenna Jensen, agent for Kevin Musil, made a presentation and spoke to an ALR application to subdivide property to create two parcels located at 5909 Highway 43 between Sparwood and Elkford. Ms. Jensen explained the subdivision occurs along a natural land break of trees and will not impact any productive fields or pasture areas. Ms. Jensen explained that this proposal is to ensure the agricultural land is passed down through generations.

DELEGATIONS (continued)

Patricia Derbyshire, made a presentation and spoke in opposition to DVP 40-18 to vary the fence height regulations to accommodate a high perimeter fence around properties at 988 Highway 95 in Spillimacheen. Ms. Derbyshire explained that in order to address the unsightly property violations of RDEK bylaws, the derelict vehicles should be removed and the property cleaned up and not fenced in.

Richard Haworth, agent for Real Storage GP Inc., made a presentation and spoke to an application to vary the Upper Columbia Valley Zoning Bylaw to reduce the side yard setback in order to build a second storage unit on the property. Mr. Haworth explained the building will be esthetically pleasing with a solid wall backing onto North Street.

Richard Haworth, agent for Fairmont Hot Springs Resort Ltd., made a presentation 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.

Director Allen Miller declared a conflict of interest on the next delegation and corresponding agenda item noting that his company drafted the building plans for the applicant and left the meeting at 11:03 am.

William Feissel, spoke on behalf of Mervin and Carolyn Nemetchek, and requested to vary the Upper Columbia Valley Zoning Bylaw front yard setback requirement for an accessory building from 7.5 m to 2.5 m. Mr. Feissel explained the building will be used as a workshop for ski tuning and for storage.

NEW BUSINESS

48276
DVP 38-18
Refused

MOVED by Director Gay
SECONDED by Director Qualizza

THAT Development Variance Permit No. 38-18 be refused.

CARRIED

OPPOSED: Director Sosnowski
Director Wilks
Director McCormick
Director Sterzer

Director Allen Miller returned to the meeting at 11:11 am.

48277
Bylaw No. 2899
Postponed

MOVED by Director Gay
SECONDED by Director Graham

THAT Bylaw No. 2899 cited as “Regional District of East Kootenay – Cranbrook Rural Zoning Bylaw No. 1402, 2001 – Amendment Bylaw No. 51, 2018 (Cranbrook South / Bohan)” be postponed until the applicants can provide confirmation from a qualified professional that the existing onsite sewage disposal system is sufficient to service both dwellings.

CARRIED

48278
Musil
ALR Subdivision

MOVED by Director Sosnowski
SECONDED by Director Walter

THAT the Agricultural Land Commission be advised the RDEK supports the Musil ALR subdivision application for property located at 5909 Highway 43 between Sparwood and Elkford.

CARRIED

NEW BUSINESS (continued)

48279
DVP 40-18
Refused

MOVED by Director Qualizza
SECONDED by Director Sterzer

THAT Development Variance Permit No. 40-18 be refused.
CARRIED

DVP 1-19
Postponed

MOVED by Director Sterzer
SECONDED by Director Qualizza

THAT Development Variance Permit No. 1-19 be postponed from further consideration for 1 month and the applicant be requested to provide a conceptual screening and landscaping plan.

DEFEATED

IN FAVOUR: Director McCormick
Director Popoff

48280
DVP 1-19
Granted

MOVED by Director McCormick
SECONDED by Alternate Director Popoff

THAT Development Variance Permit No. 1-19 be granted subject to a conceptual screening and landscaping plan being submitted by the applicant.
CARRIED

48281
DVP 3-19
Granted

MOVED by Director Doehle
SECONDED by Director Sterzer

THAT Development Variance Permit No. 3-19 be granted subject to registration of a restrictive covenant prohibiting habitable buildings until proof of servicing is provided.

CARRIED

48282
Bylaw No. 2900
Introduced

MOVED by Director Doehle
SECONDED by Director Sterzer

THAT Bylaw No. 2900 cited as “Regional District of East Kootenay – South Country Zoning and Floodplain Management Bylaw No. 2320, 2011 – Amendment Bylaw No. 17, 2018 (Grasmere / Holmes)” be introduced.

CARRIED

48283
DVP 37-18
Granted

MOVED by Director Gay
SECONDED by Director Sterzer

THAT Development Variance Permit No. 37-18 be granted.
CARRIED

48284
DVP 39-18
Granted

MOVED by Director Walter
SECONDED by Director Miller

THAT Development Variance Permit no. 39-18 be granted.
CARRIED

48285
Edgewater Legion
Liquor Licence

MOVED by Director Clovechok
SECONDED by Director Sterzer

THAT the request from the Edgewater Legion for the RDEK to opt out from providing comments to the LCRB on the Legion’s application to transition their current Liquor Primary – Club Licence to a Liquor Primary Licence be refused.

CARRIED

The meeting adjourned at 11:37 am.

CERTIFIED CORRECT

Committee Chair Clara Reinhardt

Shannon Moskal, Corporate Officer