

**MINUTES OF THE REGIONAL DISTRICT OF EAST KOOTENAY  
PLANNING & DEVELOPMENT SERVICES COMMITTEE  
MEETING HELD AT THE REGIONAL DISTRICT OFFICE IN  
CRANBROOK BC ON MARCH 7, 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
Alternate Director Ron Popoff	City of Cranbrook
Alternate Director Norma Blissett	City of Cranbrook
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**

Director Lee Pratt	City of Cranbrook
Director Wesly Graham	City of Cranbrook
Director Don McCormick	City of Kimberley

**OTHERS PRESENT**

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

Committee Chair Clara Reinhardt called the meeting to order at 10:00 am.

**ADOPTION OF THE AGENDA**

Agenda	MOVED by Director Gay SECONDED by Director Wilkie
--------	--

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

CARRIED

Alternate Director Norma Blissett arrived to the meeting at 10:01 am.

**ADOPTION OF THE MINUTES**

Minutes	MOVED by Director Clovechok SECONDED by Alternate Director Popoff
---------	--

THAT the Minutes of the Planning & Development Services Committee meeting held on February 7, 2019 be adopted as circulated.

CARRIED

**DELEGATIONS**

**Jean Horton**, agent for 814415 Alberta Ltd., made a presentation and spoke to a request to amend the Lake Windermere Official Community Plan Bylaw and Upper Columbia Valley Zoning Bylaw zoning designations to accommodate an existing community garbage bin and solid waste collection site at 4767 Deer Ridge Road in the Windermere North area. Ms. Horton explained the site provides the community of Antler Ridge with its own garbage facility and is proposed to be subdivided from the residence. Ms. Horton also presented a development variance application for the proposed Lot A of the two-lot subdivision to waive the proof of servicing, as a residential solid waste facility it is not anticipated to require any services.

## DELEGATIONS (continued)

**Karen Bergman**, spoke to her application to waive the requirement for proof of potable water and adequate sewage disposal for a vacant lot in a proposed boundary adjustment subdivision. Ms. Bergman explained that the neighbor's infrastructure encroaches on her property and they are seeking a boundary adjustment to fix this issue, and no new lots are being created which will require servicing.

**Tracy Van de Wiel**, spoke to her application to vary the Cranbrook Rural Zoning Bylaw to permit an access route to be registered as a common lot in a fee simple subdivision. Ms. Van de Wiel explained the common lot acts as a shared driveway / private road which is assigned its own title, and will be accessed and maintained by owners in the proposed subdivision.

Director Karl Sterzer arrived to the meeting at 10:17 am.

**David and Valerie Langridge**, spoke to their application to vary the Upper Columbia Valley Zoning Bylaw to permit two accessory structures on a lot without a dwelling. Mr. Langridge explained they would like to subdivide and sell the proposed 4 ha parcel which currently contains a barn and shop, and keep the 1.88 ha lot with their existing dwelling.

**Iona Boburczak**, spoke to her application to vary the Upper Columbia Zoning Bylaw minimum front yard setback requirement from 7.5 m to 4.5 m for construction of a detached garage. Ms. Boburczak explained due to steep slopes in the area, limited placement areas exist for the proposed garage.

**Ken Gauthier and Doug McGovern**, made a presentation and spoke on behalf of the Kootenay Rockies ATV Club Crown Land Application for Construction of a trail between Perry Creek Road and Booth Creek. Mr. Gauthier explained the proposed 2.9 km trail would provide legal access between two forest service roads, and eliminate an existing section that currently transects a wetland area. Mr. Gauthier explained the proposed trail is intended for all user groups and the general public.

**Jean Terpsma**, agent for Jeannette and George Lautrup, made a presentation and requested an exemption from providing a professional report in support of a proposed ALR non-farm use application for a property located at 5550 Highway 95 in Edgewater. Mrs. Terpsma explained the topography plays a major role in limiting agricultural capability of the land, and the area was previously approved for non-farm use.

Director Mike Sosnowski declared a conflict of interest on the next delegation and corresponding agenda item noting that his son's business accesses the gravel pit owned by the applicant and left the meeting at 10:44 am.

**Jack Mindek**, spoke to Elko Hilltop Services Ltd. Crown Land Licence of Occupation which will expand the boundary of the existing gravel pit. Mr. Mindek explained expanding the boundary will extend the life of the gravel pit.

## NEW BUSINESS

48341  
Elko Hilltop Services Ltd.  
Licence of Occupation

MOVED by Director Doehle  
SECONDED by Director Qualizza

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK supports the Elko Hilltop Services Ltd. application for an amendment to increase the operating area and term for their existing Licence of Occupation for an aggregate extraction operation in Elko.

CARRIED

Director Mike Sosnowski returned to the meeting at 10:48 am.

**NEW BUSINESS** (continued)

48342  
Bylaw No. 2905  
Introduction

MOVED by Director Clovechok  
SECONDED by Director Sterzer

THAT Bylaw No. 2905 cited as “Regional District of East Kootenay – Lake Windermere Official Community Plan Bylaw No. 2061, 2008 – Amendment Bylaw No. 26, 2019 (Windermere North / 814415 Alb Ltd)” be introduced; and further, that the Board is satisfied that the OCP consultation identified in the staff report is appropriate.

CARRIED

48343  
Bylaw No. 2901  
Introduction

MOVED by Director Miller  
SECONDED by Director Sterzer

THAT Bylaw No. 2901 cited as “Regional District of East Kootenay – Upper Columbia Valley Zoning Bylaw 900, 1992 – Amendment Bylaw No. 347, 2018 (Windermere North / 814415 Alb Ltd)” be introduced; and further, that a development agreement containing the items identified in the March 4, 2019 staff report be registered on title prior to bylaw adoption.

CARRIED

48344  
DVP 10-19  
Granted

MOVED by Director Clovechok  
SECONDED by Director Sterzer

THAT Development Variance Permit No. 10-19 be granted subject to registration of a restrictive covenant prohibiting any serviced buildings until proof of servicing is provided.

CARRIED

48345  
DVP 2-19  
Granted

MOVED by Director Doehle  
SECONDED by Director Qualizza

THAT Development Variance Permit No. 2-19 be granted subject to registration of a restrictive covenant prohibiting construction or placement of any serviced buildings until proof of servicing in accordance with the Subdivision Servicing Bylaw has been received by the RDEK.

CARRIED

48346  
DVP 5-19  
Granted

MOVED by Director Gay  
SECONDED by Director Walter

THAT Development Variance Permit No. 5-19 be granted.

CARRIED

48347  
DVP 8-19  
Granted

MOVED by Director Clovechok  
SECONDED by Director Miller

THAT Development Variance Permit No. 8-19 be granted.

CARRIED

48348  
DVP No. 9-19  
Granted

MOVED by Director Wilkie  
SECONDED by Director Miller

THAT Development Variance Permit No. 9-19 be granted.

CARRIED

**NEW BUSINESS (continued)**

Kootenay Rockies ATV  
Crown Land App.

MOVED by Director Gay  
SECONDED by Director Qualizza

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, be advised the RDEK supports the Kootenay Rockies ATV Club Crown Land Application to establish and maintain a BC Recreation Trail between a portion of Perry Creek Road and Booth Creek Forest Service Road in the vicinity of Wycliffe.

CARRIED

*Note: On March 8, 2019, the Board adopted Resolution No. 48349 to include that the Ministry be requested to require the Kootenay Rockies ATV Club to meet with area residents to provide information on their application.*

48350  
Lautrup  
Request for Exemption

MOVED by Director Wilkie  
SECONDED by Director Clovehok

THAT the Lautrup request for exemption from providing a report from a qualified professional in support of a proposed ALR non-farm use application for property located at 5550 Highway 95 in the Edgewater area be approved.

CARRIED

48351  
DVP No. 4-19  
Granted

MOVED by Director Sosnowski  
SECONDED by Director Wilks

THAT Development Variance Permit No. 4-19 be granted.

CARRIED

48352  
Friends of Fort Steele  
Liquor Licence

MOVED by Alternate Director Popoff  
SECONDED by Director Gay

THAT the application by Friends of Fort Steele Society for a Liquor Primary Structural Change to add a licenced patio to the historic bar located in the Windsor Hotel located on Main Street in Fort Steele Heritage Town be supported;

and further, be it resolved that, the Board recommends issuance of the Liquor Primary Structural Change because the use of the property is consistent with the zoning bylaw and the proposed use is anticipated to benefit the heritage property.

The Board's comments on the prescribed considerations are as follows:

- a. The Windsor Hotel is located within Fort Steele Heritage Town which is a heritage park with ongoing recreational and educational activities for visitors. Adding outdoor seating and increasing capacity may encourage more visitors to stay longer and is expected to provide an additional income for the educational heritage park.
- b. The nearest addressed privately-owned properties are approximately 350 m away and noises associated with ongoing recreational and educational activities are not expected to be an issue.
- c. Expanding the Windsor Hotel bar is expected to compliment the experiential learning for visitors to the Heritage Site.
- d. The proposal is consistent with the permitted accessory uses in the Heritage site's P-2 zone designation.
- e. Notices of Intent were mailed to property owners within 700 metres of the subject properties on January 28, 2019. Two letters were returned as undeliverable and no responses were received.

CARRIED

**NEW BUSINESS** (continued)

48353  
Freedom Mobile  
Letter of Concurrence

MOVED by Director Gay  
SECONDED by Director Sosnowski

THAT the Freedom Mobile request for a Letter of Concurrence be referred to the Electoral Area Advisory Planning Commission for comment.

**CARRIED**

Adjourn to Closed

MOVED by Director Sterzer  
SECONDED by Director Clovechok

THAT the meeting adjourn to 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.

**CARRIED**

The meeting adjourned at 11:07 am.

**CERTIFIED CORRECT**

---

**Committee Chair Clara Reinhardt**

---

**Shannon Moskal, Corporate Officer**