

**MINUTES OF THE REGIONAL DISTRICT OF EAST KOOTENAY
PLANNING & DEVELOPMENT SERVICES COMMITTEE
MEETING HELD AT THE REGIONAL DISTRICT OFFICE IN
CRANBROOK BC ON AUGUST 1, 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 Wesly Graham	City of Cranbrook
Director Don McCormick	City of Kimberley
Director Ange Qualizza	City of Fernie
Director David Wilks	District of Sparwood
Director Karl Sterzer	Village of Canal Flats
Director Allen Miller	District of Invermere

ABSENT

Director Lee Pratt	City of Cranbrook
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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 4:10 pm.

ADOPTION OF THE AGENDA

Agenda	MOVED by Director Clovechok 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 Wilkie SECONDED by Director Gay
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THAT the Minutes of the Planning & Development Services Committee meeting held on July 4, 2019 be adopted as circulated.

CARRIED

DELEGATIONS

Hans Plechinger, on behalf of 310613 BC Ltd. (Three Bars Ranch), spoke to the application and requested support of their ALR non-adhering residential use application to place a manufactured home as a principal dwelling, and convert the existing principal dwelling to a storage building. Mr. Plechinger explained the aging cabin is no longer habitable and that the ranch operation is not sustainable by itself and requires all managing family members be onsite.

Barry Stuart, made a presentation and requested an amendment to the Elk Valley Zoning Bylaw to vary the maximum permitted height of a single family dwelling from 9.0 m to 11.6 m. Mr. Stuart explained although the dwelling will be significantly higher than surrounding buildings, the height is necessary as the slope of the property is extremely steep.

DELEGATIONS (continued)

Wendy Booth, spoke on behalf of Russell and Diane Hemsing for their application to waive the Subdivision Servicing Bylaw sewerage disposal requirements to permit a parcel consolidation. Ms. Booth explained that Mr. Hemsing and his neighbor have purchased the vacant lot between them and are consolidating their two lots and the existing septic systems are appropriate.

Doug Feely, spoke on behalf of Island Lake Lodge and their application for a permanent change to the operating hours of liquor service for a Food Primary Liquor Licence at the Bear Bistro and Tamarack Dining Room. Mr. Feely explained the wedding and event business is driving the change, and they have had many requests from guests to extend this service.

Richard Haworth, agent for Polar Peaks Properties Inc., made a presentation and requested a development variance permit to vary the Elk Valley Zoning Bylaw requirement that each different zone be treated as a separate parcel for the calculation of maximum parcel coverage and setbacks to allow the next phase of the Polar Peak development.

Director Stan Doehle declared a conflict of interest on the next delegation and corresponding agenda item noting that he is the applicant and left the meeting at 4:42 pm.

Richard Haworth, agent for Stan and Gloria Doehle, made a presentation and requested support of an ALR exclusion application for property located at 561 Chief David Road in Baynes Lake. Mr. Haworth explained that the rear half the property is a slough, and has been identified in a 2015 ALC boundary review as a property which had potential for ALR exclusion. Mr. Haworth explained the owners now seek to remove the parcel to allow a detached secondary suite to be constructed on the property.

NEW BUSINESS

48663
Doehle
ALR Exclusion

MOVED by Director Gay
SECONDED by Director Sterzer

THAT the Agricultural Land Commission be advised the RDEK supports the Doehle ALR exclusion application for property at 561 Chief David Road in Baynes Lake.

CARRIED

Director Stan Doehle returned to the meeting at 4:45 pm.

48664
310613 BC Ltd.
ALR Non-Adhering

MOVED by Director Gay
SECONDED by Director Sterzer

THAT the Agricultural Land Commission be advised the RDEK supports the 310613 BC Ltd. ALR non-adhering residential use application for property located at 9430 Wycliffe-Perry Creek Road, west of Wycliffe.

CARRIED

48665
DVP 26-19
Granted

MOVED by Director Sosnowski
SECONDED by Director Qualizza

THAT Development Variance Permit No. 26-19 be granted.

CARRIED

48666
DVP 29-19
Granted

MOVED by Director Clovechok
SECONDED by Director Qualizza

THAT Development Variance Permit No. 29-19 be granted subject to an easement being registered across Proposed Lot A to allow for future connection of Proposed Lot B to the community sewer system.

CARRIED

NEW BUSINESS (continued)

48667
Island Lake Lodge
Liquor Licence

MOVED by Director Sosnowski
SECONDED by Director Graham

THAT the application by Island Lake Lodge for a permanent change to the operating hours of liquor service in the Bear Bistro and Tamarack Dining Room at Island Lake Lodge be supported;

and further, be it resolved that, the Board recommends issuance of the amended Food Primary Liquor Licence because the use of the property is consistent with the zoning bylaw and the proposal will not significantly affect the existing use of the property.

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

- a. The Bear Bistro and Tamarack Dining Room are located in the resort core area and ongoing recreational activities with associated noises are expected. There is nearby multi-family guest accommodation that could potentially be affected by noise.
- b. The existing and proposed use of the area is not expected to conflict with the use of social, recreational and residential buildings in the Island Lake Lodge area.
- c. The views of the public were not gathered as the nearest private property owners are approximately 6.5 km away from Island Lake Lodge.
- d. The proposal is consistent with the uses permitted within the RES-4, Resort Core Zone and parking is not expected to be a concern because the venue has adequate parking area available.
- e. The proposal will result in operating in a manner consistent with that expected of a liquor service establishment within a resort location.

CARRIED

OPPOSED: Director Wilks

48668
DVP 28-19
Granted

MOVED by Director Sosnowski
SECONDED by Director Sterzer

THAT the Development Variance Permit No. 28-19 be granted.

CARRIED

UNFINISHED BUSINESS

48669
MFLNRORD
Designated Use Area

MOVED by Director Sosnowski
SECONDED by Director Gay

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development be advised the RDEK supports the Designated Use Area under Section 17 of the *Land Act*, to preserve an existing historical recreation trail between Sparwood and Elkford.

CARRIED

NEW BUSINESS (continued)

48670
DVP 25-19
Granted

MOVED by Director Gay
SECONDED by Director Sterzer

THAT Development Variance Permit No. 25-19 be granted.

CARRIED

48671
DVP 27-19
Granted

MOVED by Director Gay
SECONDED by Director Sterzer

THAT Development Variance Permit No. 27-19 be granted.

CARRIED

NEW BUSINESS (continued)

48672
Koocanusa Rec Strategy
Crown Land App.

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 Recreation Strategy Committee Crown land application

CARRIED

48673
Bombardier
Crown Land App.

MOVED by Director Gay
SECONDED by Director Sosnowski

THAT the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, be advised the RDEK supports the Bombardier Crown land application for Specific Permission for an existing private residential dock on Moyie Lake.

CARRIED

48674
Friedley & Pery
Request for Exemption

MOVED by Director Gay
SECONDED by Director Sterzer

THAT the Friedley and Pery 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 3550 Highway 95 near Brisco be approved.

CARRIED

The meeting adjourned at 4:58 pm.

CERTIFIED CORRECT

Committee Chair Clara Reinhardt

Shannon Moskal, Corporate Officer