



REGIONAL DISTRICT OF MOUNT WADDINGTON
REGIONAL PLANNING COMMITTEE MEETING MINUTES

March 21, 2017

RDMW Office – 2044 McNeill Road, Port McNeill, BC

PRESENT: Chair Heidi Soltau, Vice Chair Phil Wainwright and Directors Shirley Ackland, Jan Allen, Hank Bood, Pat Corbett-Labatt, Andrew Hory, and Dave Rushton

STAFF: Greg Fletcher - Administrator; Jeff Long - Manager of Planning & Development Services, Nadine Weldon - Recording Secretary

PUBLIC: None

A. CALL TO ORDER

Jeff Long called the meeting to order at 12:04pm.

B. ELECTIONS

1. Election of Chairperson

First call for nominations. Director Hory nominated Director Soltau for the position of Chairperson. Director Soltau accepted the nomination. Second and third calls for nominations were made with no further nominations forthcoming.

Moved/Seconded/Carried

THAT Director Soltau be appointed as Chairperson of the Regional Planning Committee for 2017.

RPC-2017-01
DIR SOLTAU
ELECTED
CHAIRPERSON

2. Election of Vice Chairperson

First call for nominations. Director Rushton nominated Director Wainwright for the position of Vice Chairperson. Director Wainwright accepted the nomination. Second and third calls for nominations were made with no further nominations forthcoming.

Moved/Seconded/Carried

THAT Director Wainwright be appointed as Vice Chairperson of the Regional Planning Committee for 2017.

RPC-2017-02
DIR WAINWRIGHT
ELECTED VICE
CHAIRPERSON

C. APPROVAL OF AGENDA

Moved/Seconded/Carried

THAT the agenda be approved as presented.

RPC-2017-03
MARCH 21, 2017
RPC AGENDA
ADOPTED

D. ADOPTION OF MINUTES

1. Minutes of the Regional Planning Committee meeting held June 21, 2016.

Moved/Seconded/Carried

That the minutes of the Regional Planning Committee meeting held on June 21, 2017 be adopted.

RPC-2017-04
JUNE 21, 2016
RPC MINUTES
ADOPTED

E. DELEGATIONS – None

F. CORRESPONDENCE – None

G. REPORTS

1. Staff Report: Development Procedures and Fees Update (February 8, 2017)

RDMW Planning and Development Procedures and Fees Bylaw No. 916, 2017 (Draft)

Chair Soltau called upon Jeff Long to review his staff report and proposed Planning and Development Procedures and Fees Bylaw No. 916. Mr. Long provided the Committee with a description of the rationale behind the need to update the existing bylaws related to development procedures and application fees which were produced in 1999 and 2000. He explained that since then, there have been significant changes to the provincial legislation that guides planning and land use management. In addition, case law continues to be generated which needs to be considered as part a local government's day to day undertakings in these areas. In this regard, staff set out to prepare a bylaw that is designed update the RDMW's current development procedures bylaw to reflect the various procedural affairs associated with the modern regulatory and legal environment. A couple of items that staff is proposing be included in the new bylaw that are not in the current bylaw relate to the ability for the RDMW to require that an applicant:

- 1) Submit information with respect to development proposals including studies, plans and reports prepared by qualified professionals to address a variety of issues that may be applicable; and,
- 2) Pay for the cost of conducting an independent peer review. In such cases, the RDMW would retain a qualified professional to review the work submitted by an applicant that was prepared by another professional.

With respect to fees associated with development related applications, Mr. Long advised that in formulating updates application fees, staff:

- 1) Assessed the fees that are being charged in the context of the staff time that is spent processing the applications as well as other associated costs (e.g. newspaper advertising); and,
- 2) Reviewed other Regional Districts' fees structures.

Mr. Long explained that if adopted, RDMW Development Procedures and Fees Bylaw No. 916 would provide updated procedures in accordance with legislative changes that have occurred since the current bylaw was adopted in 1999. In this regard, a schedule is included which outlines each application process and will provide the public with detailed information about the various processes. In addition to the processes, Bylaw No. 916 also updates the fees associated with the various planning applications. These fees have not been updated since 2000 and are proposed to be increased. The increases are reasonable and are designed to reflect increased inflation and other costs over the last 17 years, and ensure that the user pays principle is being effectively applied, as opposed to having the tax payers cover the costs of private, property specific applications.

Mr. Long then undertook a cursory review of each of the schedules associated with proposed Bylaw No. 916. He advised that once the Bylaw was finalized, he would provide it to the RDMW's four partner municipalities to use as a template should they wish to update their own development procedures and fees bylaws in future.

It was asked whether there was provision in the Bylaw that would allow consideration of an application fee to be waived for a not-for-profit organization? Mr. Long advised that there was not.

Given that the subdivision fees are proposed and these would be new, it was asked how much work goes into the review of subdivision applications? Mr. Long indicated that a subdivision application undergoes an extensive review and he described the process associated with it.

A question was asked about whether the fees generated from development applications were used to offset tax requisition revenues? Mr. Long explained that as part of the budget preparation each year for the Planning & Development Services Department, he conducts an estimate of revenues that are expected from the submission of development applications based on historical trends and fee amounts and this number is included as a revenue source in the budget which means that less tax requisition is required as a result.

With respect to an application for a request for exemption to the minimum lot frontage involving multiple lots, it was asked whether each lot had to be examined independently. Mr. Long advised that while the report could address the application as a whole, the analysis that would be included would address each lot for which the request was being made.

A question was asked about the period associated with the occupation of a temporary dwelling. Mr. Long explained that zoning bylaws may specify the length of time in which a temporary dwelling may be occupied, and that this varies from bylaw to bylaw. In cases where it does not, he advised he has included in the Bylaw, a two-year time period which is coincidental with the time frame for which building and site permits are valid. There was more discussion on the details associated with the occupation of temporary dwellings and Mr. Long explained in detail how this process works.

H. NEW BUSINESS

1. Building Act and Preparation of a New RDMW Building Bylaw

Mr. Long advised that the new Building Act was passed by the Province in the spring of 2015 and that there are three main areas of change that are being brought about as a result of this Act, which is being implemented in stages:

- Local governments' authority to set technical building requirements within their jurisdictions;
- The qualification requirements of the building and plumbing officials that local governments employ; and
- Local governments' options for supporting innovation in building construction in their communities.

Mr. Long indicated that in the past, the Municipal Insurance Association of BC prepared and made available, a building bylaw template for local governments to use in preparing their own building bylaws. Given the advent of the Building Act, MIABC is preparing a new building bylaw template and MIABC staff have advised it will be available by the end of April. Mr. Long indicated he will utilize this new template to update the RDMW's Building Bylaw which was modelled on the old MIABC template. He further advised that he has forwarded information to the staff at the RDMW's municipal partners about this topic so that they are aware.

2. Board of Variance: New Bylaw and Appointments

Mr. Long advised that an update to the Board of Variance Bylaw is needed as are new appointments to the Board of Variance. More discussion will take place on this at the Regional Planning Committee meeting in April.

3. Homeowner Protection Act and Site Permits

Mr. Long advised that at the request of the Homeowner Protection Office (HPO), a division of the Province, and in the spirit of interagency cooperation, RDMW staff forward approved Site Permits to the HPO who in turn, follow up with property owners to ensure that Homeowner Protection Act (HPA) requirements are being followed. Mr. Long advised that this appears to be having an effect on the willingness of the public to submit Site Permit applications. Mr. Long advised that the HPA requires that prior to the issuance of building permits by local governments, a local government is required to ensure that satisfactory arrangements have been made with the HPO for compliance with the HPA for new or substantially renovated dwellings. Based on a legal opinion that was obtained, Mr. Long advised that a Site Permit is not considered to be a Building Permit for the purposes of the HPA. This means that the RDMW is under no obligation to notify the HPO about Site Permits it issues as there is no conflict with the HPA. This having been said, the HPO could file a request under the Freedom of Information and Protection of Privacy Act. Mr. Long indicated he would like direction from the Regional Planning Committee as to how he deals with Site Permits in future.

RPC-2017-05
SITE PERMITS

Moved/Seconded/Carried

THAT staff not forward approved Site Permits to the Homeowner Protection Office.

4. Marine Plan Partnership (MaPP) / North Vancouver Island Marine Plan
Implementation – Discussion

Mr. Long explained that he recently attended a meeting on March 1st hosted by the MaPP on the implementation of the new marine plans being prepared as part of this initiative, including the North Vancouver Island Marine Plan (NVIMP). He advised that he raised concerns about implementation in the context of the Crown Land Tenure Application related to the Buttle Services marine industrial proposal on West Cracroft Island. Mr. Long provided an update to the Committee on the status of the issuance of a tenure offer by the Province in relation to that proposal, and advised that the proponent, Mike Buttle of Buttle Services, has indicated that he is not in favour of entering into a Development Agreement with the RDMW. Mr. Long explained that the purpose of the development agreement is to ensure that should the Board of Directors grant the rezoning, that the development is undertaken in the manner in which it is proposed, including implementation of the recommendations provided by the professionals associated with the project. In this regard, the RDMW can have some assurance that its concerns are addressed. More discussion will take place at upcoming RPC meetings and Mr. Long indicated that he has been advised by Pacificus Biological Services Ltd. that a comprehensive report will be submitted to the RDMW by May 1st outlining the proposed development, addressing the RPC's and public's concerns and questions, and highlighting the positive aspects of the project.

I. NEXT MEETING DATE: April 18, 2017.

J. ADJOURNMENT

Moved

THAT the meeting be adjourned.

Time: 1:03 p.m.

CORRECT

APPROVED



SECRETARY: J. LONG



CHAIR: DIRECTOR SOLTAU

RPC-2017-06
ADJOURNMENT