



REGIONAL DISTRICT OF MOUNT WADDINGTON
REGIONAL PLANNING COMMITTEE MEETING MINUTES

August 15, 2017

RDMW Office – 2044 McNeill Road, Port McNeill, BC

PRESENT: Chair Heidi Soltau and Directors Shirley Ackland, Jan Allen, Michael Berry, Pat Corbett-Labatt, Andrew Hory, Alternate Director Cathy Denham for Phil Wainwright, John Tidbury for Hank Bood

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

PUBLIC: Kathy O'Reilly - The North Island Eagle Newspaper, Peter Stockdill, George Cambridge, Roger Hodgkinson

A. CALL TO ORDER

Chair Soltau called the meeting to order at 12:34pm

B. APPROVAL OF AGENDA

*Moved/Seconded/Carried
THAT the agenda be approved as presented.*

C. ADOPTION OF MINUTES

1. Minutes of the Regional Planning Committee meeting held June 20, 2017.

*Moved/Seconded/Carried
That the minutes of the Regional Planning Committee meeting held on June 20, 2017 be adopted.*

D. DELEGATIONS - None

E. CORRESPONDENCE - None

F. REPORTS - None

G. OLD BUSINESS

1. Development Application - Zoning Bylaw Amendment, Pacificus Biological Services Ltd. c/o Mike & Linda Buttle, West Cracroft Island / Port Harvey, Electoral Area 'A' (RDMW File: 2016-ZBA-01)

Chair Soltau called upon Jeff Long, Manager of Planning & Development Services, to present matters associated with this application. Mr. Long advised that Bylaw No. 895, which received first reading on February 16, 2016, was being brought back to the Regional Planning Committee (RPC) for its consideration given that the public hearing was undertaken on July 18th. He advised that Bylaw No. 895 is included in the RPC agenda package, along with a revised version of it that was reviewed with the RPC at its meeting on June 20, 2017, and at the public hearing on July 18, 2017. He advised that the revised version includes changes that staff is recommending be

RPC-2017-19
AUG 15, 2017
RPC AGENDA
APPROVED

RPC-2017-20
JUNE 20, 2017
RPC MINUTES
ADOPTED

RPC-2017-21
JULY 18, 2017
PUBLIC HEARING
MINUTES
ADOPTED

incorporated into Bylaw No. 895 should the RPC and Board move forward to adoption, given the fact the process and information related to it has progressed since the original Bylaw was prepared.

Mr. Long advised that the minutes associated with the July 18, 2017 public hearing have been distributed to the RPC / Board members and are available on the RDMW website. These minutes include the public hearing attendance list as well as the various submissions that were provided as part of the public hearing process.

Moved/Seconded/Carried

That the minutes of the public hearing held on July 18, 2017 with respect to Regional District of Mount Waddington Zoning Bylaw No. 21, Amendment Bylaw No. 895, 2016, be adopted.

Mr. Long advised that the Draft Restrictive Covenant (development agreement) is attached to the agenda. It was prepared by staff as an optional tool that could be used that includes possible items that the RPC / Board may want to be addressed post adoption of Bylaw No. 895. This version of the covenant includes the change that was previously requested by the RPC at its meeting on June 20, 2017, to allow the removal from, or placement in the ocean of float camps, float homes and marine structures, barges, docks and other floating structures or buildings, outside of prescribed hours of operation due to poor weather conditions and emergency circumstances that may arise.

Mr. Long advised that information pertaining to Bylaw No. 895, including the February 16, 2016 and June 20, 2017 Regional Planning Committee agenda packages which were previously provided to RPC members and are available on the RDMW website at www.rdmw.bc.ca under the heading "News & Events", and then "Meetings & Postings", and then "Planning Committee".

Mr. Long then reviewed the options available to the RPC in making a recommendation to the Board of Directors with respect to Bylaw No. 895, 2016, as follows:

- 1) That the Board denies Bylaw No. 895;
- 2) That the Board tables Bylaw No. 895 pending additional information. This would require that a new public hearing be conducted;

There was detailed discussion about this option in relation to conducting a site visit and the types of information that may be requested of the applicant before there is further consideration of Bylaw No. 895.

- 3) That the Board proceed with Bylaw No. 895 by giving 2nd and 3rd reading with the 3rd reading to include conditions that must be satisfied before the Board will adopt Bylaw No. 895. These conditions could include the requirements that:
 - a) The proponents enter into a development agreement in a form satisfactory to the RDMW, that requires the proponents to undertake various conditions or matters as part of the marine industrial development and its operation, and that the development agreement be registered on the title of the subject property in the form of a restrictive covenant; and / or,

- b) The owners apply to the Private Managed Forest Council to withdraw that portion of the property to be rezoned and used as part of the marine industrial operation, from the private managed forest land designation and that such removal is finalized.
- 4) That the Board proceeds with Bylaw No. 895 by giving 2nd and 3rd readings and then adopt Bylaw No. 895, after which, the Bylaw comes into full force and effect;

Or,

- 5) That the Board postpones consideration of a decision with respect to Bylaw No. 895, 2016 in order to give its members more time to review and consider the information and public input associated with it, and that Bylaw No. 895 be brought back to the Regional Planning Committee at its meeting on September 19, 2017 for the purpose of making a recommendation to the Board of Directors regarding Bylaw No. 895, 2016.

There was discussion about the various options including timing of additional readings, if any, defeating Bylaw No. 895 and starting over, the fact that the public hearing information is very new to those members that could not attend the public hearing, etc. There was also continued discussion about conducting a site visit and the timing for it, as well as staff's opinion that it would constitute the need for a second public hearing given that it has the potential for making available, new information to the Board. There was also discussion about bylaw enforcement issues that may arise regardless of which way the RDMW decides on Bylaw No. 895. Chair Soltau also raised concerns in relation to alleged harassment in Port Harvey and her worry that this type of behavior may deteriorate to the point somebody gets hurt.

Mr. Long then took the opportunity to reacquaint the RPC with the applicable policies associated with Regional Plan Bylaw No. 890 in the context of the subject proposal and Bylaw No. 895. He advised that when the application was received by the RDMW and Bylaw No. 895 was given first reading, Regional Plan Bylaw No. 674 applied. Since then, the Board has adopted Regional Plan Bylaw No. 890 which replaced Regional Plan Bylaw No. 674. Mr. Long confirmed that the policies of both bylaws as they relate to the subject proposal are largely the same, and took the opportunity to review section 2.0 Strategic Goals and section 10. Planning and Development and more specifically, sections 10.1c., 10.1e., 10.3a., 10.3c.i., ii., iii. and iv., 10.4c.ii., iv., v., and vi.

There was continued discussion about the various options for dealing with Bylaw No. 895 and logistics associated with them. It was generally agreed that postponing Bylaw No. 895 to give the Board of Directors adequate time to review the public hearing minutes and other information associated with Bylaw No. 895 would be beneficial. It was also agreed that a site visit would be beneficial. The RPC was also interested in having staff prepare a report that identified the types of information the RPC and Board may wish to require the applicant / proponents provide in advance of further processing of Bylaw No. 895, as per the draft Development Agreement.

Moved/Seconded/Carried

THAT the Board of Directors postpones consideration of a decision with respect to Bylaw No. 895, 2016 in order to provide more time to review and consider the

information and public input associated with it, and that staff prepares a report which outlines potential options for the provision of additional information by the applicant as per the draft restrictive covenant (development agreement), prior to further consideration of Bylaw No. 895.

Moved/Seconded/Carried

THAT the Board of Directors conducts a site visit with respect to the areas subject to Bylaw No. 895, 2016, and that the applicant / proponent fund the cost to conduct the site visit.

RPC-2017-23
SITE VISIT RE:
BYLAW NO. 895

H. NEW BUSINESS

1. Zoning / Land Use Bylaw Amendments: Amendments to RDMW planning bylaws are proposed to incorporate housekeeping changes, as well as a rezoning for four properties in Winter Harbour

Chair Soltau called upon Jeff Long to explain the purpose and intent of the proposed bylaws. Mr. Long advised that he has prepared seven bylaws as follows:

Bylaw No. 921, Amendment to Malcolm Island Zoning Bylaw No. 725, 2006

Bylaw No. 922, Amendment to Coal Harbour Zoning Bylaw No. 669, 2002

Bylaw No. 923, Amendment to Hyde Creek Zoning Bylaw No. 648, 2002

Bylaw No. 924, Amendment to Winter Harbour Community Plan Bylaw No. 371, 1991

Bylaw No. 925, Amendment to RDMW Zoning Bylaw No. 21, 1972

Bylaw No. 926, Amendment to RDMW Development Procedures and Fees Bylaw No. 916, 2017

Bylaw No. 927, Amendment to Woss Land Use Bylaw No. 556

Mr. Long explained the purpose and intent and reviewed the details of each of these bylaws, and advised that while Bylaw No. 926 could be given 1st, 2nd, and 3rd readings and then adopted at today's Board of Directors meeting, Bylaw Nos. 921, 922, 923, 924, 925 and 927 are subject to a public hearing requirement. In this regard, Mr. Long advised he is recommending that these latter bylaws be given first reading and that a public hearing be scheduled to take place at 1:45pm on Tuesday, September 19, 2017.

Moved/Seconded/Carried

THAT the Board of Directors gives 1st, 2nd and 3rd readings and adopts Bylaw No. 926

RPC-2017-24
RECOMMEND RE:
BYLAW 926

Moved/Seconded/Carried

THAT the Board of Directors gives 1st reading to Bylaw Nos. 921, 922, 923, 924, 925 and 927.

RPC-2017-25
RECOMMEND RE:
BYLAW NOS. 921,
922, 923, 924, 925
& 927

AND FURTHER the Board of Directors instructs staff to undertake preparations for advertising and conducting a public hearing with respect to Bylaw Nos. 921, 922,

923, 924, 925 and 927 at 1:45pm on September 19, 2017 at the Regional District administrative office addressed as 2044 McNeill Road, Port McNeill, BC, in accordance with the Local Government Act and the RDMW Development Procedures Bylaw.

I. NEXT MEETING DATE: September 19, 2017

J. ADJOURNMENT

RPC-2017-26
ADJOURNMENT

Moved
THAT the meeting be adjourned.

Time: 1:58 p.m.

CORRECT

APPROVED



SECRETARY: J. LONG



CHAIR: DIRECTOR SOLTAU