



# REGIONAL DISTRICT OF NORTH OKANAGAN

MINUTES of a **REGULAR** meeting of the **ELECTORAL AREA "C" ADVISORY PLANNING COMMISSION** of the **REGIONAL DISTRICT OF NORTH OKANAGAN** held in the Boardroom at the Regional District Office on Wednesday, February 26, 2014

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<b>Members:</b>	Paul Williamson Randy McDermid Cliff Day Brad Clark Ray Ivey	Chair Vice Chair
<b>Staff:</b>	Colleen Reardon	Planning Clerk (Temp.) (taking minutes)
<b>Other:</b>	Mike Macnabb Members of the Public	Director, Electoral Area "C"

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## CALL MEETING TO ORDER

Chair Williamson called the meeting to order at 7:04 p.m.

## ADOPTION OF MINUTES

### Advisory Planning Commission Electoral Area "B" – Regular Meeting of January 29, 2014

It was moved and seconded by Cliff Day and Brad Clark  
That the minutes of the January 29, 2014 regular meeting of the Advisory Planning Commission Electoral Area "C" be adopted as circulated.

**CARRIED**

## NEW BUSINESS

### Development Permit Application [Floodplain Exemption Request] Dobernigg, J. & P. [File No. 13-0451-C-DP]

Mr. Dobernigg spoke in favour of his request.

Discussion ensued regarding the following:

- Application processes Mr. Dobernigg has already completed;
- Topography and site context of the subject property;
- Nature of Bate Creek; and,
- Information contained within the Geotechnical Report.

It was moved and seconded by Randy McDermid and Cliff Day  
That the Advisory Planning Commission Electoral Area "C" support the recommendations contained in the Planning Department Report dated February 18, 2014, that an exemption to Section 1701.3.b.ii of the Regional District of North Okanagan Zoning Bylaw No. 1888, 2003 a Development Permit be issued for the property legally described as Lot A, Sec 6, Twp 5,

ODYD, Plan EPP31195 and located at 5195 Hartnell Road Electoral Area 'C'; to permit the Bate Creek floodplain setback to be reduced from 15 m to 10 m for a proposed building site as shown on the site plan attached to the Planning Department Report dated February 18, 2014 subject to registration of a Section 219 Restrictive Covenant on the title of the subject property which states that buildings must be setback a minimum of 10 m from the top of the bank of Bate Creek and which saves harmless the Regional District from any losses or damages that may be caused due to flooding.

**CARRIED**

### **Soil Removal and Deposit Bylaw No. 2620, 2014**

Discussion ensued regarding the following:

- History of the previous Soil Removal Bylaw;
- Status of Bylaw No. 2620 (First Reading);
- Lack of requirement for a Public Hearing;
- Roles of the Bylaw, Local Government, Agricultural Land Commission and Ministry of Mines in the approval process;
- Role of the Ministry of Mines and the Agricultural Land Commission and their consideration of local residents' concerns;
- Quantity of 350m<sup>3</sup> may be too little and is a concern;
- Scope and scale of soil removal in the Country Residential Zone as well as other zones;
- Members felt the density of Areas "B" and "C" and close proximity of residential properties require a stronger role of the Local Government pertaining to Soil Removal;
- Questions regarding fees and financial aspects not noted in the Bylaw - Will fees be required for the application?;
- Does the Bylaw apply to forestry and highways as per Section 3.c.v of the Bylaw?
- Protection of wetlands is a concern; and,
- Can the Bylaw be retroactive?

Questions/Comments:

- The amount of soil removed to trigger a permit should be reconsidered
- Can applicants apply for variances to remove more than bylaw proposes?; and,
- More information is required on required fees;

The Commission generally supported Soil Removal and Deposit Bylaw No. 2620, 2014.

### **Next Meeting**

The next meeting is scheduled for March 26, 2014.

### **ADJOURNMENT**

There being no further business, the meeting was adjourned at 7:50 p.m.

**Certified Correct:**



Chair



Recording Secretary