



Council Connection

An initiative designed to share important information about Council decisions and initiatives

REGULAR MEETING OF SEPTEMBER 9, 2013 HIGHLIGHTS

A copy of the agenda package is available on the City website at:

<https://fernie.civicweb.net/Documents/DocumentList.aspx?ID=14665>

1 DEVELOPMENT VARIANCE PERMITS

1.1 Development Variance Permit No. DVP-338 legalized the siting of the two storey existing building located at 641-2nd Avenue by varying the rear-yard setback from 3.5m to 1.77m as well as varied the maximum sundeck projection into the rear yard setback for a 2.27m x 7.93m sundeck from 1.3m to 3.73m. *Permit was issued following the Hearing, where no public submissions were received.* [2013-09-05 RTC](#)

1.2 Development Variance Permit No. DVP-341 proposes to legalize the existing single detached dwelling located at 221 2nd Avenue by varying the maximum parcel coverage for the living area only from 25% to 28.13% and to vary the maximum parcel coverage of all structures including the detached carport, breezeway and storage addition from 35% to 42.56%. *Council will consider issuance of the permit following an Informal Hearing to be held on September 23, 2013.* [2013-09-06 RTC](#)

1.3 Development Variance Permits No.'s DVP - 251, 254, 255, 256, 257 (Riverside Mountain Village) were issued. The permits legalized Strata Lots 1, 2, 3, 4, 5 by varying:

- the minimum parcel areas from 250.8m² to 202m² for Strata Lot 1, to 207m² for Strata Lots 2 and 3, to 208m² for Strata Lots 4 and 5;
- the minimum front parcel lines from 9.14m to 8.139m for Strata Lot 1, to 7.62 for Strata Lots 2 to 5;

- the minimum side yard setbacks along the north property line from 1.5m to 1.13m for Strata Lot 1, to 1.12m for Strata Lots 2 and 3, to 1.1m for Strata Lot 4, and to 1.09m for Strata Lot 5;
- the minimum side yard setbacks along the south property line from 1.5m to 0.21m for Strata Lot 1, to 0.24m for Strata Lots 2 and 3, to 0.25m for Strata Lot 4, and to 0.23m for Strata Lot 5;
- the maximum open porch projection into the side yard setback from 0.75m to 1.2m for Strata Lots 1 and 4, to 1.19m for Strata Lot 3, and to 1.17 for Strata Lot 5. [2013-09-06 RTC](#)

2 BYLAWS

2.1 Bylaw No. 2225, cited as Zoning Bylaw No. 1750, Amendment Bylaw No. 152, 2013 was adopted. The Bylaw rezoned the property located at 1121 2nd Avenue from C2 – Neighbourhood Commercial to R1SL – Single Family Residential Small Lot. This change allows the landowner to remove an existing modular home and replace it with a new, more accessible modular home. [2013-09-06 RTC](#)

2.2 Bylaw No. 2209, cited as Zoning Bylaw No. 1750, Amendment Bylaw No. 144, 2013 was adopted. The Bylaw rezoned the property located at 1201 6th Avenue from C1 – Retail Commercial to R1SL – Single Family Residential Small Lot. This change will allow the property to be subdivided into 3 lots. [2013-09-04 RTC](#)

2.3 Bylaw No. 2227, cited as Zoning Bylaw No. 1750, Amendment Bylaw No. 153, 2013 received first and second readings. The Bylaw proposes to rezone a 7.26.34m² portion of the subject property located at 2 Alpine Trail Place from R2 – Duplex Residential to R1B



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– Single Detached Plus Residential and a 314.53m² portion of the property from R2- Duplex Residential to R1SL – Single Family Residential Small Lot. Council will give the Bylaw further consideration following the Public Hearing on October 15, 2013. [2013-09-05 RTC](#)

2.4 Regional District of East Kootenay (RDEK) Bylaw No. 2451 - Elk Valley Zoning Bylaw No. 829, 1990, Amendment Bylaw No. 65, 2013 was reviewed, Council's response was that approval not be recommended at this time as the bylaw in its current state would create an uneven playing for businesses and that there needs to be an obligation by the RDEK to monitor businesses within the zone. The proposed Bylaw introduced the major home based business category as a permitted use for the portion of Electoral A, south of and including the community of Hosmer excluding Fernie Alpine Resort and Island Lake. In accordance with Section 131 of the *Community Charter*, Mayor Giuliano has required that Council reconsider and vote again on the matter at the September 23, 2013 Regular Meeting. [2013-09-05 RTC](#)

3 OTHER COUNCIL BUSINESS ITEMS & REQUESTS

3.1 Property Tax Penalty – Late Payment Penalties. Council received written requests for the reversal of the penalty applied to the property tax account associated with three properties as the result of the late payment of their 2013 property taxes:

- Roll No. 209 01300.300 – Council denied the request to reverse the \$104.50 late payment penalty. [2013-09-09 RTC](#) | [Request](#)
- Roll No. 209 03966.565 – Council directed staff to forward the request to the Ministry indicating that Council is in favour of reversing the penalty of \$208.85. [2013-09-09 RTC](#) | [Request](#)

- Roll No. 209 04167.000 – Council directed staff to forward the request to the Ministry indicating that Council is in favour of reversing the penalty of \$359.43. [2013-09-09 RTC](#) | [Request](#)

3.2 Multi-Material British Columbia (MMBC) - Council instructed to staff to notify MMBC in writing that the City of Fernie declines and opts out of the MMBC System until such time that the City has a full understanding of the financial risks that the City could be exposed to by entering into an Agreement with MMBC in relation to curbside recycling collection. [2013-09-04 RTC](#)

4 UPCOMING EVENTS & ANNOUNCEMENTS

4.1 Union of British Columbia Municipalities Conference (UBCM) September 15 – 20, 2013 in Vancouver, BC. Council will be in full attendance at the conference.

4.2 Committee of the Whole CANCELLED – September 23rd @ 10am

4.3 Regular Meeting – September 23rd @ 7:00 pm

4.4 Congratulations to the Elk Valley Girls for achieving the Bronze Award at the Duke of Edinburgh's Awards Ceremony. Local recipients included Hannah Thompson, Jodi Thompson, Emma Roberts, Olivia Roberts, Kyra von Matt from Sparwood and Group Leaders Lea and Neil Thompson.

4.5 Mine Rescue Competition. Congratulations event organizers and volunteers on a well organized event and to the Surface Competition Winners: Teck Coal Mountain Operations & Underground Competition Winners: Diavik Diamond Mines- Yellowknife, NT.