

**VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL COUNCIL MEETING
AND PUBLIC HEARING FOR OCP AMENDMENT BYLAW NO. 920**

DATE: June 24, 2009
TIME: 6:00 p.m.
PLACE: Council Chambers

IN ATTENDANCE: Mayor Ken Becotte
Councillor Dave Harris
Councillor Bob Perry
Councillor Allan Jackson
Councillor Dave Kenyon

Dale Courtice, Director of Finance

ABSENT:
Recording Secretary, D. Key

(1) Call to Order

CALL TO ORDER

Mayor Becotte called the meeting to order at 6:02 p.m.

(2)

PROCEDURE FOR PUBLIC HEARING

Mayor Becotte read the opening statement and procedure for conducting this public hearing convened pursuant to Sec 890 and 892 of the *Local Government Act*.

Chief Administrative Officer Larry Burk read out the proposed amendment to the Official Community Plan Amendment Bylaw No. 920, 2009 for Council's consideration.

The Mayor reported that one written submission and several verbal inquiries were received.

Mayor Becotte provided the applicant an opportunity to make a brief presentation.

Village of Harrison Hot Springs

CAO confirmed that the intent of this amendment is to provide an alternate opportunity for a temporary commercial use on lands that are designated as commercial and the temporary use does not necessarily meet all current zoning requirements.

This alternative may also allow an applicant to continue to use land that is non-conforming until appropriate rezoning, etc. is applied for and approved.

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL COUNCIL MEETING AND PUBLIC HEARING
FOR OCP AMENDMENT BYLAW NO. 920, 2009

June 24, 2009

There are businesses that have operated in the Village contrary to the zoning regulations. In order to obtain a business licence, they would have an opportunity to apply for a Temporary Use Permit which is limited to a two year period to provide time to make appropriate changes and legalize the ongoing g or new non-conforming proposed use subject to Council approval.

(3)

PUBLIC INPUT

Mayor Becotte invited the public an opportunity to speak and provide comments. In order that all have an opportunity to be heard. Each speaker will have 7 minutes for comment. Please stand and give your name and address.

John Allen, 398 Hot Springs Road

Object to Bylaw 920. It is improper for Village to be the applicant in this case. CAO has failed to tell us about O'Shea property and other property in Block 4 to be converted into a parking lot. This affects private property. Proper process is for three property owners to make applications. This should be zoning, OCP and DP amendment applications. Parking is not an allowed permitted use under current zoning bylaw. The public should see the whole package. No where are you allowed to charge for parking in the Village. Business licences have to provide off street parking as part of conditions of a Development Permit. Parking issues are illegal. Should add an amendment to bylaw for parking.

Biggest problem with Bylaw 920 is absolutely contrary to the OCP. Mr. Allen read out portion of the OCP. Councillors are required to conform to the OCP. In low priorities, boat launch and mooring are a low priority to address parking congestion problem. You are ignoring the high priorities listed in the OCP.

CAO stated that the intent here is to not change any zone, but to add a clause in the OCP to allow for the application of a temporary permit. Legislation says if Local Government passes a resolution it must give notice. We are not applying to do temporary commercial development or use. Allowing a clause in the OCP that would allow a temporary permit. Addresses adding a clause because it does not exist now. No one is applying for a permit.

Mr. Allen read out more of the OCP. This issue has not gone to the APC for comment. Village Centre area discourages temporary and seasonal investment structures. Passed out photographs of areas that have illegal temporary structures in the Village. The Village is facilitating degradation. The Mayor asked if the photographs were being submitted as part of his submission. Mr. Allen offered the photographs to the Village to keep.

I have been interrupted by Council and object that I have been interrupted.

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June 24, 2009

Phoebe McDonald, #304 – 410 Esplanade Avenue

Does this apply strictly to Village property or private property?

Asked what are the coloured outlined boxes on the map? The Mayor stated the boxes outlined are leases or Crown water lots.

Janne Perrin, 327 Miami River Drive

Asked about lots on waterfront and what would happen to the trees? Although not pertinent to the topic, the CAO stated if anyone applies for a temporary commercial permit, they would have to go through the proper process. It is intended that cedar trees be retained, if possible, certainly the large ones, and any large cottonwood trees would be retained if safe to do so. Blackberries would be removed. CAO stated they would be looking at using the two lots for temporary parking lots to alleviate parking problems. They would not be paved, but would be dust free.

Leo Facio, 352 Walnut Avenue

Appreciate that the hearing is to allow temporary permit applications to come forward. Who would be paying for the clearing of lots of the proponent if they made application? Although not pertinent to the topic, the CAO advised that the Village would pay for clearing on the O'Shea and Azipur lots and recoup costs from the owners.

Leo Facio asked if this would be O'Shea's property. The CAO advised there are two other properties. Leo Facio says zoning does state that off street parking requires pavement. CAO states temporary permit would allow for temporary interim basis and gives options to deal with a situation for the moment. Leo Facio asked if there would there be an amendment to the Financial Statement? Would there be problems with highways? CAO advised he received quotes for \$5,800, \$12,000 and \$14,000 to clear the properties and is not aware of MoT problems.

John Allen, 398 Hot Springs Road

Not comforted by the explanation. OCP allows some sort of comfort. Objecting to introducing temporary uses. If passed, this would allow any and all applications to go ahead. See no prospect for the Village to recover parking fees from that property unless you bring in expensive parking fees. This will not work from a business perspective. Pay parking is doomed for failure. This is a foolish business venture.

OCP says that Council intends to review parking study and now you are not following the OCP.

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL COUNCIL MEETING AND PUBLIC HEARING
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June 24, 2009

I am an investor in the Village and the health affects me and every other property owner. You have degraded my property. Bylaw 920 applies to the whole of the Village of Harrison. Temporary use permits are not temporary. Backdoor that undermines the process. Opposed to the use of chainlink fencing. Design guidelines say fences should include stone or wood, not chainlink fencing.

If you permit temporary use permits, all people will be coming in to put up ugly buildings, etc. and ignore OCP and design guidelines. Opening up the door to a lot of abuse. It is up to Council to enforce these guidelines.

Liz Scotson, 323 Miami River Drive

On the strength of the applications I am worried about the general look for the Village – can you ensure that there will be a standard that meets the OCP? CAO says it would only allow them to apply. Doesn't mean we have abandoned the OCP. It does allow latitude to deal with something in the interim.

The CAO says we can alleviate some of the issues such as parking problems. Again, not pertinent to the topic, the proposed lots are the only parking lots we may want to establish. This hearing is not to approve anything other than to make a text amendment to permit an alternative temporary use for an interim period to allow existing non-conforming issues to continue if approved. The point here is that we have the ability to receive an application and can then go through a Public Hearing process.

Leo Facio, 352 Walnut Avenue

Has the proposed Lakehill Villas business been stopped from operating? CAO says yes they have been advised by Bylaw Officer to stop operating.

John Allen, 398 Hot Springs Road

Kara's campground was operating as campground prior to zoning amendment the property. CAO stated the property is not zoned as campground.

Lynn Prindle, #15 - 595 Lillooet Avenue

What is the scope of the area that it covers? Once this is approved, would the magnitude increase? The area seems quite broad.

The Mayor says it provides some universal ability to apply if they need to.

CAO says this can only apply to current commercial areas. People aren't lining up for a permit.

VILLAGE OF HARRISON HOT SPRINGS
MINUTES OF THE SPECIAL COUNCIL MEETING AND PUBLIC HEARING
FOR OCP AMENDMENT BYLAW NO. 920, 2009
June 24, 2009

The Mayor called for a second time for further submissions to Council.

The Mayor called for a third and final time for further submissions to Council regarding Bylaw No. 920, 2009 Official Community Plan Bylaw Amendment Bylaw.

Moved by Councillor Harris
Seconded by Councillor Jackson

THAT the Public Hearing be concluded at 6:45 p.m.

CARRIED

(8) ITEMS FOR DISCUSSION

Moved by Councillor Kenyon
Seconded by Councillor Jackson

THAT the Annual Report for 2008 be adopted.

CARRIED

(9) REPORTS FROM STAFF

Approval of Street Closure – Festival of the Arts – June 19, 2009

Moved by Councillor Jackson
Seconded by Councillor Harris

Report of Chief Administrative Officer – June 19, 2009

Re: Approval of street closure – Maple Avenue – between Esplanade and Lillooet for Festival of the Arts – July 15th only

THAT Council approves the closure of Maple Avenue between Esplanade Avenue and Lillooet Avenue on July 15th from 8:00 a.m. to 10:00 p.m. for Festival of the Arts set up and special events.

CARRIED

Council Meeting Schedule for July, August and September 2009 – June 23, 2009

Report of Executive Assistant – June 23, 2009

Re: Council Meeting Schedule for July, August and September, 2009

Council provided clarification to reschedule meetings to meet requirements of Council Procedure Bylaw No. 801 for July 13, August 10 and September 14, 2009.

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FOR OCP AMENDMENT BYLAW NO. 920, 2009
June 24, 2009

(10) **BYLAWS**

Outdoor Campfire
Regulation Bylaw No. 916

Moved by Councillor Jackson
Seconded by Councillor Perry

THAT Outdoor Campfire Regulation Bylaw No. 916, 2009 be given third reading.

CARRIED

Tree Protection Bylaw
No. 917

Moved by Councillor Kenyon
Seconded by Councillor Perry

THAT Tree Protection Bylaw No. 917, 2009 be given third reading.

CARRIED

(11) **ADJOURNMENT**

Moved by Councillor Harris
Seconded by Councillor Perry

THAT the meeting be adjourned at 7:30 p.m.

CARRIED

Certified a true and correct copy of the minutes of the OCP Amendment Public Hearing and Special Council Meeting held June 24, 2009 in the Council Chambers, Village of Harrison Hot Springs, BC

Ken Becotte
Mayor

Larry Burk
Chief Administrative Officer