

**DISTRICT OF HUDSON'S HOPE
SPECIAL MEETING
HELD IN THE COUNCIL CHAMBERS
TUESDAY, MAY 6, 2008 AT 1:00 P.M.**

Present **Council:** Mayor Harwood; Councillors Anderson, Johansson, Johnson, Kosolowsky, Quibell and Webster.
Staff: Carolyn Bonnicks, Administrator; and Mike Ryder, Director of Works and Protective Services.
Others: Katrin Saxty, Urban Systems
Others:

CALL TO ORDER

PRESENTATION OF THE 2008 FINANCIAL PLAN

The Administrator provided an overview of the 2008 Financial Plan and Tax Rate Bylaws. There were no questions from those in attendance.

DRAFT ZONING BYLAW

The Administrator provided a summary of the public consultation process that had been held to date and advised that there were several outstanding issues that needed to be resolved before the first draft could proceed further.

Mobile Home Park Zone

At past meetings there have been discussion surrounding the non-compliant mobile home park on Beattie Drive. It is believed that the mobile home park has been in existence since before the first zoning bylaw was adopted.

A roundtable discussion ensued with members noting the following:

- the property is currently for sale but there does not appear to be any interest in purchasing the land unless it is zoned for mobile home park use;
- under the current zoning, a building permit cannot be issued to allow new buildings on the site;
- a mobile home park zone has been drafted but the requirements of the zone are deemed to represent an ideal situation;
- a new zone could be created to meet the lot size restrictions of the existing mobile home park and that a disclaimer be added to the zone to indicate that the District has no intent to rezone similar properties to this zone.

166/08

Moved by Councillor Johnson and Seconded by Councillor Quibell:

“That Council consider rezoning the mobile home park on Beattie Drive to a Manufactured Home Park Zone that is specific to that particular site during the zoning bylaw process.”

CARRIED

Minimum Width of Buildings on Residential Lots

As there are several lots within the townsite that are only 33 feet wide, consideration needs to be given to the new minimum building width requirements of the proposed zoning bylaw.

A roundtable discussion ensued with members noting the following:

- A minimum building width of 6.5 metres (~21 feet) would still allow property owners to utilize a 24 foot wide manufactured home and still meet the required setbacks on most lots.
- Property owners with lots having frontages of only 33 feet may have difficulty finding an appropriately sized manufactured home while still meeting the required setbacks; Ms. Saxty was requested to draft a new zone that specifically for these lots that would not contain a minimum building width and the Administrator was requested to identify these properties and forward a map to Ms. Saxty.

Residential Properties in Commercial Zones

The Administrator advised that the Official Community Plan currently designates most properties along Beattie Drive and one block on the south side of Fredette Avenue as commercial or future commercial use. Past discussions have occurred around the feasibility of rezoning the lands used as residences to residential use so that they legally conforming. It is the recommendation of the Administrator that the seven properties west of Lot 1, Block 1, Section 13, Township 81, Range 26, W6M, Peace River District, Plan 12607 except Plan H773 and the seven properties on the south side of Fredette Avenue directly west of Gregory Street be rezoned to residential use. It was further recommended that an Official Community Plan amendment be considered to designate these properties as residential at a future date.

Councillor Kosolowsky stated that the seven properties referred to above do not appear to be appropriate for commercial use as the highway is single lane and the lots are not deep and customer parking would likely be a problem.

167/08

Moved by Councillor Johansson and Seconded by Councillor Anderson:

"That Council consider rezoning the seven properties west of Lot 1, Block 1, Section 13, Township 81, Range 26, W6M, Peace River District, Plan 12607 except Plan H773 and the seven properties on the south side of Fredette Avenue directly west of Gregory Street to residential use during the zoning bylaw process."

CARRIED

Resource Extraction in the RR Zone

The Administrator advised that in the current bylaw, resource development is not currently mentioned as a permitted use, however, now that it has become a restricted use in the proposed RU2 zone, it needed to be added as a permitted use to the zones where it was already occurring and where Council had not deemed a restriction. These zones include the proposed RU1 zone and the proposed RR zone, however there was an oversight in adding resource development as a permitted use in the RR zone when the draft bylaw was created.

168/08

Moved by Councillor Johnson and Seconded by Councillor Quibell:

"That Council add resource extraction as a permitted use to the RR zone."

CARRIED

Resource Extraction on Agricultural Lands Where Subsurface Rights Have Not Been Sold

Councillor Johansson requested that Council consider rezoning the lands within parcels 08050028 and 0805027 originally considered for the June, 2008 disposition of subsurface rights to exclude resource development as a permitted use. These lands are unique and deserve consideration because of the two creeks that meet south of the proposed lands and within the tenure block. Rezoning the lands seems like the next natural step following Council's recommendation to request the deferment of the sale of subsurface rights for a period of ten years.

A roundtable discussion ensued with members noting the following:

- The dominant use on these lands is agriculture and oil and gas development could negatively impact the surface use.
- The *Agricultural Land Commission Act* supports the use of land for agricultural purposes.
- Approximately \$8000 has been expended to identify the area above the 2100 foot elevation line where resource development was to be permitted.
- The District recently undertook a process to develop a resource development policy and consulted members of the community of several occasions; no mention was made to restrict resource development in these areas.

Council requested a five minute recess and directed the Administrator to contact the Ministry of Energy, Mines and Petroleum Resources to determine whether rezoning the lands to prohibit resource development would impact their decision to defer the sale of the subsurface rights.

The Administrator advised that she was able to reach the Titles Branch and it was indicated that a change to the zoning would not likely impact their decision to defer the sale. A Zoning Bylaw is a local government bylaw and can be easily changed.

The Administrator further advised that this type of action may be viewed as obstructive by the Ministry and an effort should be made to maintain a good working relationship with all levels of government.

169/08

Moved by Councillor Webster and Seconded by Councillor Johansson:

"That Council consider changing the zoning of lands contained within parcels 08050028 and 0805027 originally considered for the June, 2008 disposition of subsurface rights to exclude resource development as a permitted use."

170/08

Moved by Councillor Kosolowsky and Seconded by Councillor Webster:

"That the motion be postponed to the May 13, 2008 Council meeting."

CARRIED

Councillor Johansson requested that representatives from the Ministry of Energy, Mines and Petroleum Resources and an industry organization such as Canadian Association of Petroleum Products be invited to make a presentation to Council.

ADJOURNMENT

The meeting of the Council was adjourned at 3:33 pm.

Certified Correct:

Clerk

Mayor