

PUBLIC HEARING– MINUTES

Minutes for the Public Hearing scheduled for
Thursday, July 29, 2021 at 6:00 p.m. in Council Chambers at Village Hall, 2697
Sunnyside Road, Anmore, BC



ELECTED OFFICIALS PRESENT

Mayor John McEwen
Councillor Polly Krier
Councillor Tim Laidler
Councillor Kim Trowbridge
Councillor Paul Weverink

ABSENT

OTHERS PRESENT

Juli Halliwell, CAO
Chris Boit, Manager of Development Services

1. Call to Order

The public hearing was called to order at 6:10 p.m.

2. Opening Statement by Chair – Mayor John McEwen

Mayor John McEwen read the public hearing statement which is included as Attachment 1 and forms part of these minutes.

The Chief Administrative Officer confirmed that legislative requirements for notice of the public hearing was met and that all written submissions have been provided to Council and are available for public viewing.

3. Presentation of Zoning Bylaw Amendment Bylaw No. 650-2021 (CD6 – Bella Terra)

Mr. Chris Boit, Manager of Development Services, provided an overview of the bylaw amendment including an explanation between zoning which is under Council's purview and subdivision, which is under the purview of the Village Approving Officer. It was noted that this property is currently zoned as a comprehensive development zone (CD6) and that this proposed amendment is to address inconsistencies and clerical errors within the existing zone as well as include allowance for secondary suites.

Mayor McEwen called for speakers:

Trevor Mueckel – 275 Alpine Drive, spoke in opposition to the proposed zoning amendment and his belief that the rezoning is to address road realignment and was

triggered by his family's concerns regarding moving the creek crossing to the south and to change the subdivision plan. Mr. Mueckel expressed his view that there is lack of consideration for neighbouring properties and his concerns regarding compliance with the original legal requirements when this zone was originally approved. Mr. Mueckel voiced his opposition to consideration of the addition of secondary suites to this zone without public and committee input. Mr. Mueckel requested that Council reject this rezoning and ensure that the comprehensive development plan remain as shown in the current zoning bylaw.

Trudy Schneider – 2318 Sunnyside Road, spoke regarding her desire to have something short and concise from the Village explaining why these changes should be supported. Ms. Schneider noted that she has a trust issue after sitting through the public hearings several years ago for the approval of this zone and her belief that an agreement is being backed out on without telling people why it is a good. She noted that with Cordovado and Anmore South development the public is to believe what they are told but that it might change down the road.

Tanya Cameron – 265 Alpine Drive, spoke in support of her brother, Trevor Mueckel's comments. Ms. Cameron noted her belief that any changes to the comprehensive development zone that requires complete removal of the plan does not fall under rectifying clerical errors and that those changes must be quite substantial to require complete removal of a plan that underwent an extensive approval process. Ms. Mueckel noted that the current plan shows a creek crossing over an environmentally sensitive deep gorge that included consultation with neighbouring properties unlike the new plan that is being proposed which she does realize is part of subdivision but feels that the lines have been blurred between rezoning and subdivision. Some changes to the bylaw that she opposes are removal of the plan and reference to residential hillside and her belief that the intent of the proposed zoning amendment is to allow the approving officer to sign off on a new alternate road layout inconsistent with the OCP. Ms. Mueckel stated that approval of this bylaw amendment would have substantial negative impacts on her property and in Bella Terra's best interest. Ms. Mueckel requested that Council reject the bylaw amendment and direct staff to work with adjacent property owners to come to a solution.

Jubine Jalili – 1501 Crystal Creek Drive, spoke in opposition of the proposed amendment and does not see any benefits to the community for this bylaw amendment and does not see any benefits to anyone except the developer. Mr. Jalili does not want this to set a precedent for future developers to come back to the Village for bylaw amendments.

Heather Anderson – 2982 Eaglecrest Drive, has lived in this neighbourhood her entire life and is shocked at the disregard for neighbours. Ms. Anderson noted her belief that during the CD process there was any thought that this development would be going through existing neighbourhoods and traffic concerns. The CD process was an extensive 1-2 year process and noted that when she was on Council owners at Crystal Creek development wanted to revisit the lot size and the entire zone would have to be

opened up for consideration. Ms. Anderson noted that everyone needs to work together to come up with best solutions that are not detrimental to one person over the other and that she is opposed to this rezoning.

Mario Piamonte – 1020 Sugar Mountain Way, noted he was chair of APC that worked on this CD zone and questioned whether other CD zones can now be back tracked. Mr. Piamonte was personally against the original application but a consensus of the APC agreed. Mr. Piamonte noted his belief that there is no benefit to this amendment to the Village and only benefits the developer. He questioned out of the 26-27 lots how many were sold and how many trees have been cut down? He further noted that these changes are detrimental to the Mueckels and that Herb Mueckel was on the APC committee and was concerned regarding property being locked out.

Doug Richardson – 2305 East Road, noted that he understands the separation of rezoning and subdivision and appreciates that effort. Mr. Richardson noted his belief that it was strange to have an in camera session to redo the road alignment which was agreed to in public hearing. He does not see the rational of reducing creek crossings as he sees them doubling, at least.

Will Crocker – 2485 Leggett Drive, spoke regarding changes after all of the input and thought that was provided on the original CD zone and his belief that it is a bad precedent to set to come back for changes after the fact. Mr. Crocker noted his opposition to the proposed amendment and that it draws questions to future initiatives that Council brings forward and if things are awarded and then discussed in camera it creates mistrust. Mr. Crocker believes that the development should be complete the way it was awarded originally.

Nancy Maloney – 1724 East Road, would like to see as an overriding principle as Anmore develops that consideration is given to the impact of any development to existing residents which she believes historically has not been the case.

Chris Sedergreen – 2318 Sunnyside Road, in 1990s noted that it was said by the premier said the government can do anything and his belief that not one member of council will be in that seat 15 months from now. He noted that a new government can reverse anything that is decided.

Simon Wells – Bella Terra Legal Counsel, spoke regarding a letter that he submitted to Council today on behalf of Bella Terra and asserted that Bella Terra is not the proponent of this bylaw.

At 6:40 the speaker was interrupted by a member of the public and the Chair requested that he allow the speaker to finish is submission or he would be asked to leave. As the disruption continued, the Chair requested that the individual disrupting the public hearing leave before continuing. The chair invited the current speaker to continue.

Simon Wells – Bella Terra Legal Counsel, continued noting that as the landowner of phase 2 and lots in phase 1 Bella Terra is the party most affected by this bylaw, Mr. Wells noted that Bella Terra previously went through an extensive planning process with the Village which former Village Approving Officer for the preliminary layout in 2018. Mr. Wells noted that Council considers zoning including density and setbacks and permitted uses while the approving officer decides lot lines and layout of subdivision. Mr. Wells asserted that the development plan included in the current bylaw is something that would not be approved by council; rather by the approving officer. Bella Terra has applied for an amendment to the approving officer and any interested parties could make submissions to the approving officer.

Mayor McEwen called for speakers for the second time:

Trevor Mueckel – 275 Alpine Drive, spoke regarding public safety near the Bella Terra development and the rezoning bylaw and his concern regarding fire truck access and public evacuation in the event of an interface forest fire.

Doug Richardson – 2305 East Road, agrees with Simon Wells but believes it is odd that if plans are approved with Land Titles that a road can be constructed through a park and believes people should have a say if park is considered to be used as road.

Simon Wells – Bella Terra Legal Counsel, noted that the last two submissions address the subdivision but this process is related to the zoning bylaw. Mr. Wells noted that this bylaw amendment was initiated by Village staff and Bella Terra does not oppose the correction to the number of lots, Bella Terra supports the correction to the number of the lots as previously approved but while they do not oppose any of the other changes, they were initiated by staff and not Bella Terra. Bella Terra does question the previous plan attached to the bylaw which doesn't match what was actually approved by the approving officer.

Tanya Cameron – 265 Alpine Drive, spoke that it is her view that the intention of the proposed amendment is to move the creek crossing. She does not believe that her families concerns were addressed or relayed to Council. Ms. Cameron requested that Council not approve the bylaw amendment. She noted that it does state in the current bylaw that the comprehensive development plan is an integral part of the bylaw and believes that should be abided by.

Mario Piamonte – 1020 Sugar Mountain Way, questioned the rationale for the inclusion of secondary suites in the proposed bylaw amendment, and expressed concern for parking.

Heather Anderson – 2982 Eaglecrest Drive, expressed concerned about comments from Bella Terra's Counsel regarding change of comprehensive development plan. Ms. Anderson questioned what else would change and why secondary suites are being considered.

Jubine Jalili – 1501 Crystal Creek Drive, commented regarding Trevor Mueckel’s submission related to life safety issues and urges Council to consider these comments.

Mayor McEwen called for speakers for the third time:

Trevor Mueckel – 275 Alpine Drive, spoke regarding the Bella Terra PLR which has been expired for 3 years as discovered through a Freedom of Information request. Mr. Mueckel noted that he has sent multiple emails to the approving officer with no reply and requested the communication be improved from the approving officer.

Simon Wells – Bella Terra Legal Counsel, noted that Bella Terra’s only issue with the amendment is the document described as development plan which does not show the current plans of Bella Terra. Bella Terra is requesting that either there is no development plan or if Council supports the realignment proposal that is what is attached to the bylaw. In response to the Mueckel’s submission Mr. Wells noted that Bella Terra was willing to bring the causeway along the northern boundary but it was not their idea but it was from the Village of Anmore. He asserted that the Mueckel’s desire was to have a third access to their property which was agreed to by Bella Terra with latecomer fees which was not conveyed to the Mueckels by the Village; rather they were told by the Village there would be no cost for the extra access.

Doug Richardson – 2305 East Road, spoke regarding latecomer fees and his belief that late comer fees do not apply unless road is put on someone’s property. Mr. Richardson noted that he has been at public hearings over the past years and noted the public participation at this one.

Susan Mueckel – 275 Alpine Drive, spoke regarding access off Alpine drive and noted that it is three private driveways and she believes that with Village rules there is no way to build public road to get access to the part of the land that is going to get land locked if the crossing is moved. Ms. Mueckel noted her belief that an additional creek crossing over sensitive environment would need to be constructed for future access from Leggett.

Tanya Cameron – 265 Alpine Drive, spoke regarding her believe that the access from Alpine is not feasible. She believes that by approving the bylaw Council would be essentially giving the approving officer the authority to make the layout change.

4. Close of Public Hearing

Mayor McEwen declared the public hearing closed at 7:05 p.m.

“Karen Elrick”

Karen Elrick
Corporate Officer

“John McEwen”

John McEwen
Chair