

DISTRICT OF WELLS SPECIAL COUNCIL MEETING  
Thursday, October 26, 2017  
Council Chambers, 4243 Sanders Avenue, Wells, BC V0K 2R0

AGENDA

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1. CALL TO ORDER	
1.1. Agenda for Special Council Meeting October 26, 2017	
<b>Recommendation/s:</b> That Council: Approves the Agenda for the Special Council Meeting of October 26, 2017.	
2. ADOPTION OF MINUTES	
2.1. Minutes of the October 24, 2017 Public Hearing.	3 - 5
<b>Recommendation/s:</b> That Council: Approves the minutes of the October 24, 2017 Public Hearing as circulated.	
<a href="#">Public Hearing - 24 Oct 2017 - Minutes</a>	
3. DELEGATIONS AND PETITIONS	
4. BUSINESS ARISING FROM THE MINUTES/UNFINISHED BUSINESS	
4.1. 2018 Permissive Tax Exempting Bylaw No. 155, 2017	7 - 8
<b>Recommendation/s:</b> That Council: Considers final reading and adoption of "2018 Permissive Tax Exempting Bylaw No. 155, 2017" as amended.	
<a href="#">2018 Bylaw No. 155-2017 - 2018 Permissive Tax Exempting Bylaw</a>	
4.2. "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017"	9 - 11
<b>Recommendation/s:</b> That Council: Considers giving Third reading to "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017".	
<a href="#">OCP Bylaw amendment - Bylaw 154 - 2017 - proposed TUP policy</a>	
5. COMMITTEE OF THE WHOLE	
6. NEW BUSINESS	
7. CORRESPONDENCE	
8. REPORTS	
9. BYLAWS AND RESOLUTIONS	

10. COMMITTEE REPORTS
11. CONSENT CALENDAR
12. INFORMATION AND ANNOUNCEMENTS
  - 12.1. Council Members:
  - 12.2. Staff:
  - 12.3. Public Gallery:
13. ADJOURNMENT

A Public Hearing of the  
District of Wells Council held October 24, 2017 at  
7:00 P.M. in Council Chambers, 4243 Sanders Avenue, Wells, BC V0K 2R0

MINUTES

PRESENT: Robin Sharpe, Lorraine Kozar, Mandy Kilsby, Lindsay Kay, and Birch Kuch

STAFF PRESENT: Andrew Young, CAO; John Aitken, Public Works Superintendent; Donna Forseille, District Clerk; and Wylie Bystedt, Marketing Coordinator & Grant Writer

PUBLIC GALLERY: 10 People

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A. **CALL TO ORDER AT 7:05 PM**

1. Agenda for the Public Hearing on Tuesday October 24, 2017.

**MOVED** Mandy Kilsby, Seconded Lorraine Kozar **THAT** the Agenda for the Public Hearing of Tuesday October 24, 2017 be approved as presented.

Carried Unanimously

B. **PUBLIC HEARING PROCEDURES AND GUIDELINES**

1. At 7:07 pm Mayor Sharpe Read aloud the Procedure and Guidelines for the Public Hearing concerning the District of "Wells Official Community Plan Designation Bylaw No. 106, 2010, Amending Bylaw No. 154, 2017".

C. **PRESENTATION FROM STAFF**

1. Description of proposed bylaw amendments contained within the District of "Wells Official Community Plan Bylaw No. 106, 2010 Amending Bylaw No. 154, 2017" (Temporary Use Permit Policy).

Chief Administrative Officer (CAO) briefly described the purpose of the proposed bylaw and read aloud the written correspondence received by the District of Wells including individual comments regarding the District of "Wells Official Community Plan Bylaw No. 106, 2010 Amending Bylaw No. 154, 2017".

D. **CORRESPONDENCE**

E. **COMMENTS AND STATEMENTS FROM THE PUBLIC**

**[FOR THE RECORD, EACH PERSON TO STATE THEIR NAME, ADDRESS, COMPANY**

**REPRESENTED (IF APPLICABLE) AND THEN THEIR COMMENTS]**

1. GALLERY COMMENTS:

Dave Jorgensen, Barkerville Highway, Wells, BC asked if a Temporary Use Permit Policy is common in other smaller municipalities. Mr. Jorgensen also feels that the letter from Gary Champagne in reference to the proposed policy is right in that we have already defined how the community is to be developed and the purpose of this policy permits one to utilize their property temporarily outside of the current Official Community Plan and Zoning Bylaw, all while not having to go through the process of actually re-zoning one's property. Mr. Jorgensen feels that perhaps more ones would be placed on property owners if they actually had to re-zone their property and make a lasting commitment to their decision to change the permitted use for their property.

Mayor Sharpe responded that not all small municipalities have a Temporary Use Permit Policy in place; however, the Cariboo Regional District (CRD) does have such a policy

The CAO responded that if a Temporary Use Permit Policy exists then Council can consider temporary use permit applications. Public input would be sought for such applications.

Sharon Brown, Blair Avenue, Wells, BC asked if this Policy was being considered because of the request from Barkerville Gold Mines (BGM) for a Temporary Fueling Station.

Councillor Kuch asked what the differences were between re-zoning versus the proposed Temporary Use Permit Policy. Also how would property taxation on the temporary use be based?

The Mayor responded that the proposed policy is only a tool which Council could use to consider requests such as BGM's. Council may also impose restrictions in the temporary use permits. If the proposed policy is adopted then anyone in town could apply for a temporary use on their property, not just BGM.

Mayor Sharpe also noted that public input would be sought concerning Temporary Use Permit applications. Re-Zoning of one's property is similar in process; however, the change if approved is permanent. So if after a couple years and individual would like their property to revert back to its previous use they would have to go through the entire process again whereas, implementing the proposed Temporary Use Permit Policy would allow one to

apply for a permit for a temporary use and decide if the use works for them. The proposed policy also allows the Community to decide if they like the temporary changes or not. It also allows Council and the Community to establish guidelines for the permitted temporary use/s such as landscaping, fencing, cleanup requirements, environmental considerations, etc.

The CAO responded that the property taxation is based on the use of the property, so if one changes the use, even if temporarily, they are taxed accordingly.

Councillor Kay wished to clarify Ms. Brown's question regarding BGM being the reason Council and the District are considering the Temporary Use Permit Policy. She feels that yes, BGM is the reason for such a proposed Policy being brought up.

Mayor Sharpe stated that discussions concerning the proposed Policy are completely different discussions from BGM's proposal for a Temporary Use for a fueling station.

John Massier, Cottonwood, BC (CRD Director Area C) stated that the CRD uses Temporary Use Permits. It allows individuals to test the market with ideas for new businesses, and ensure their viability prior to making any permanent changes to zoning. A Temporary Use Permit Policy also allows makes one come back to renew. An application for renewal gives the Community a chance to speak again to the property's use.

Capri Aspe, Jones Avenue, Wells, BC, stated that she feels the proposed policy would be a valuable tool for Council and the Community.

F. **ADJOURNMENT**

1. Adjournment

**At 7:45 pm it was MOVED** Mandy Kilsby, Seconded Lorraine Kozar **THAT** the Public Hearing of Tuesday October 24, 2017 be adjourned.

Carried Unanimously

\_\_\_\_\_  
Andrew Young, CAO

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Robin Sharpe, Mayor



**THE DISTRICT OF WELLS  
BYLAW NO. 155, 2017  
2018 PERMISSIVE TAX EXEMPTING BYLAW**

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**WHEREAS** the Council of the District of Wells is empowered to grant exemption from taxation to certain lands and improvements for the succeeding year;

**AND WHEREAS**, pursuant to Section 224 (2) of the Community Charter, the District of Wells is empowered to grant exemptions for taxation for the 2018 year to certain lands and improvements owned/leased by qualifying organizations;

**AND WHEREAS**, pursuant to Section 224 (2) of the Community Charter, the District of Wells is empowered to grant exemption from taxation for the 2018 year to certain lands and improvements operated either as a school or as a necessary addition to an exempted church, an exempted hospital or an exempted senior citizen's home;

**NOW THEREFORE** the Council of the District of Wells in open meeting assembled and by an affirmative vote of at least two-thirds of its members, enacts as follows:

1. The following lands and improvements thereon, all within the Cariboo District, are hereby exempted by the District of Wells from payment of general (municipal) property taxes, other property taxes, and local services taxes (frontage area, and water, sewer and garbage collection taxes) for the assessment and collection year of 2018 as per the ratio indicated for each lot, pursuant to Section 224 of the Community Charter:
  - (a) 100 per cent for lands and improvements owned by the Wells Historical Society and legally described as:
    - Block B, District Lot 12985 (subject to right-of-ways PGP39583 and PGP39584), listed as "Wells Museum" – Roll #391.09351.002;
    - Lot 1, portions of District Lots 5899 and 10518, Plan 32374, listed as "old bunkhouse" – Roll #391.05541.991;
  - (b) 100 per cent for lands and improvements owned by the Island Mountain Arts Society and legally described as:
    - Lot 4, Block 4, District Lot 289, Plan 18500, listed as "Art Gallery" – Roll #391.01650.000;
    - Block 17, Plan 26883, District Lot 289, listed as vacant lot – Roll #391.01771.010;

(c) 100 per cent for lands and improvements owned by the Wells Recreation Society legally described as Lot A, District Lot 391, Plan 31977, listed as “Wells Curling Rink” – Roll #391.01480.002;

(d) 100 per cent for lands and improvements owned by the Royal Canadian Legion Branch 128 and legally described as Lot 1, District Lot 391, Plan 38869, listed as “Royal Canadian Legion Branch 128” – Roll #391.01433.001.

2. The following lands and improvements thereon, all within the Cariboo District, are hereby exempted by the District of Wells from general (municipal) property taxes only, for the assessment and collection year of 2018:

(a) 100 per cent for lands and improvements owned by the Island Mountain Arts Society and legally described as Parcel 1, Plan PGP38433, District Lot 289, listed as “the Nest” – Roll #391.01682.002

3. This Bylaw may be cited for all purposes as “2018 Permissive Tax Exempting Bylaw No. 155, 2017”.

READ A FIRST TIME this	20 <sup>th</sup> day of September, 2017
PRESENTED FOR PUBLIC COMMENT	24 <sup>th</sup> day of October, 2017
READ A SECOND TIME this	24 <sup>th</sup> day of October, 2017
READ A THIRD TIME this	24 <sup>th</sup> day of October, 2017
FINALLY READ AND ADOPTED this	___ day of _____, 2017

\_\_\_\_\_  
Robin Sharpe, Mayor

\_\_\_\_\_  
Andrew Young, CAO

4. Certified that this is a true and correct copy of District of Wells “2018 Permissive Tax Exempting Bylaw No. 155, 2017” as adopted by Council Resolution # \_\_\_ dated the \_\_\_ day of \_\_\_\_\_, 2017.



**DISTRICT OF WELLS  
BYLAW NO. 154, 2017**

**A BYLAW TO AMEND THE  
DISTRICT OF “WELLS OFFICIAL COMMUNITY PLAN DESIGNATION BYLAW No. 106, 2010”**

The Council of the District of Wells, in open meeting assembled, enacts as follows:

1. THAT DISTRICT OF “WELLS OFFICIAL COMMUNITY PLAN DESIGNATION BYLAW No. 106, 2010” be amended by:

a. Adding the following text to Section 3:

*“3.14 Temporary Use Permit Policies*

- a. Objective: To provide support for temporary uses in the District of Wells on appropriate properties and sites.*
- b. Authority to Issue Temporary Use Permits: In accordance with the provisions of the Local Government Act, an Official Community Plan may: designate areas where temporary uses may be allowed; and, specify general conditions regarding the issue of temporary use permits in those areas.*
- c. Subject Area: The entire town site of the District of Wells – as demarcated by the Town Centre Boundary shown on Schedule B of the District of Wells Official Community Plan – is designated as an area where a Temporary Use Permit may be considered. The temporary use designation is intended to apply only to commercial and/or industrial operations that are temporary in nature (i.e. 3 years or less in duration, subject to a one-time renewal). This designation; however, does not in itself permit specific uses on individual properties or sites within the Wells town site.*
- d. Conditions: The following conditions apply to Temporary Use Permits:*
  - i. A Temporary Use Permit may specify the conditions under which the temporary use may be carried on. District Council may require*



*that specific conditions are addressed before a temporary use permit is issued by the District of Wells;*

- ii. *All Temporary Use Permits should address other objectives and policy directions in the Official Community Plan where applicable, for example:
  - i. *Preservation and restoration of the distinctive architectural style of Wells and the development of a 1930's mining town theme and to ensure that new development is compatible with the heritage environment (Objective 3.2a);*
  - ii. *Promote [Commercial] development within the existing infrastructure framework of the District of Wells (Objective 3.3 a (1));*
  - iii. *Facilitate development of industrial activities in appropriate locations in Wells (Objective 3.4 a);*
  - iv. *Preserve and protect the environmental and aesthetic qualities of the Wells area (Objective 3.10 a); and*
  - v. *Minimize Green House Gas Emissions and prepare the community of Wells for Climate Change (Objective 3.12 a);**
- iii. *All properties / sites for which a Temporary Use Permit is issued must be generally able to service the requested temporary use/s within existing servicing capacity, and not require significant servicing upgrades.*
- iv. *The owner of, or the applicant for, the properties / sites for which a Temporary Use Permit is issued may be required to do one of more of the following:
  - i. *remove buildings;*
  - ii. *restore the property to a specific condition when the temporary use ends; and/or*
  - iii. *provide security as a condition of issuing the permit to guarantee the performance of the terms of the permit.**
- v. *Upon expiration of a Temporary Use Permit, the permitted use/s revert to those outlined in the District of Wells Zoning and Tree Protection Bylaw No. 26, 2000, as amended."*

- 2. If any section, subsection, sentence, clause, or phrase of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, the invalid portion shall be severed and the decision shall not affect the validity of the remainder.

3. This bylaw may be cited for all purposes as “Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017”.

READ A FIRST TIME this 8<sup>th</sup> day of August 2017

READ A SECOND TIME this 8<sup>th</sup> day of August 2017

PUBLIC HEARING HELD on the 24<sup>th</sup> day of October 2017

READ A THIRD TIME this \_\_\_\_th day of \_\_\_\_ 2017

FINALLY READ AND ADOPTED this \_\_\_\_th day of \_\_\_\_ 2017

\_\_\_\_\_  
Robin Sharpe, Mayor

\_\_\_\_\_  
Andrew Young, CAO

Certified that this is a true and correct copy of District of “Wells Official Community Plan Designation Bylaw No. 106, 2010, Amendment Bylaw No. 154, 2017” as adopted by Council Resolution # \_\_\_\_ dated the \_\_\_\_ day of \_\_\_\_\_, 2017.