

REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm held in the Council Chambers of City Hall 500 – 2 Avenue NE and by electronic means, at 1:30 p.m. and reconvened at 2:30 p.m. on **Monday, August 8, 2022.**

PRESENT:

Mayor A. Harrison
Councillor C. Eliason (participated remotely)
Councillor K. Flynn
Councillor T. Lavery (participated remotely)
Councillor L. Wallace Richmond

Chief Administration Officer E. Jackson
Chief Financial Officer C. Van de Cappelle
Director of Engineering & Public Works R. Niewenhuizen
Director of Corporate Services S. Wood
Director of Development Services K. Pearson
Executive Assistant B. Puddifant (participated remotely)
Deputy Corporate Officer R. West (participated remotely)

ABSENT:

Councillor S. Lindgren
Councillor D. Cannon

1. CALL TO ORDER

Mayor Harrison called the meeting to order at 1:30 p.m.

2. IN-CAMERA SESSION

0354-2022

Moved: Councillor Lavery
Seconded: Councillor Wallace Richmond
THAT: Pursuant to Section 90(1) (e), the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality; and (g) litigation or potential litigation affecting the municipality; of the Community Charter, Council move In-Camera.

CARRIED UNANIMOUSLY

Council moved In-Camera at 1:30 p.m.
Council returned to Regular Session at 2:01 p.m.
Council recessed until 2:30 p.m.

3. **ACKNOWLEDGEMENT OF TRADITIONAL TERRITORY**

Mayor Harrison read the following statement: “We acknowledge that we are gathering here on the traditional territory of the Secwepemc people, with whom we share these lands and where we live and work together.”

4. **REVIEW OF AGENDA**

Addition under Item 10.1 - J. & J. Crook - letter received August 5, 2022 - ZON-1247 [11976656 BC Ltd./Matejka Property Management and Developments Inc.; 2710 30 Avenue NE; R-1 to R-8]

Addition under Item 22.1 - A. Soukup - letter dated August 5, 2022 - DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character]

Addition under Item 22.1 - A. Brydon - email dated August 7, 2022 - DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character]

Addition under Item 22.1 - D. Brydon - email dated August 7, 2022 - DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character]

Addition under Item 22.1 - G. Gowriluk - email dated August 5, 2022 - DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character]

Addition under Items 11.3/11.4 - C. Bostrom - email dated July 26, 2022 - OCP4000-51/ZON-1246 - 2371 14 Street SW

Addition under Item 12.2 - D. Gonella, Salmon Arm Folk Music Society - email dated August 8, 2022 - Letter of Support

5. **DISCLOSURE OF INTEREST**

6. **CONFIRMATION OF MINUTES**

1. **Regular Council Meeting Minutes of July 25, 2022**

0355-2022

Moved: Councillor Flynn

Seconded: Councillor Eliason

THAT: the Regular Council Meeting Minutes of July 25, 2022, be adopted as circulated.

CARRIED UNANIMOUSLY

7. **COMMITTEE REPORTS**

1. **Development and Planning Services Committee Meeting Minutes of August 2, 2022**

0356-2022

Moved: Councillor Wallace Richmond
Seconded: Councillor Lavery
THAT: the Development and Planning Services Committee Meeting Minutes of August 2, 2022 be received as information.

CARRIED UNANIMOUSLY

2. **Active Transportation Task Force Meeting Minutes of August 2, 2022**

00357-2022

Moved: Mayor Harrison
Seconded: Councillor Lavery
THAT: the Active Transportation Task Force Meeting Minutes of August 2, 2022 be received as information.

CARRIED UNANIMOUSLY

8. **COLUMBIA SHUSWAP REGIONAL DISTRICT UPDATE**

Board in Brief - July 2022 - Received for information.

9. **STAFF REPORTS**

1. **Director of Corporate Services - Staff Appointments**

0358-2022

Moved: Councillor Wallace Richmond
Seconded: Councillor Lavery
THAT: pursuant to Section 148 of the *Community Charter*, Council appoint Rhonda West as Deputy Corporate Officer for the City of Salmon Arm;

AND THAT: pursuant to Section 58(1) of the Local Government Act, Council appoint Rhonda West as the Deputy Chief Election Officer for the 2022 General Local Election.

CARRIED UNANIMOUSLY

2. **Director of Corporate Services - October 24, 2022 Council Meeting Cancellation & Suspension of Question and Answer Period**

0359-2022

Moved: Councillor Flynn
Seconded: Councillor Eliason
THAT: the October 24, 2022 Regular and In-Camera Council Meetings be cancelled;

AND THAT: Council suspend Question and Answer period effective August 22, 2022 until November 14, 2022.

CARRIED UNANIMOUSLY

9. **STAFF REPORTS - continued**

3. **Director of Engineering & Public Works - 2022/2023 BC Active Transportation Infrastructure Grant**

0360-2022

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Council authorize the submission of a grant application under the BC Active Transportation Infrastructure Grant for the Ross Street Underpass - Phase 2, in the amount of \$500,000.00.

CARRIED UNANIMOUSLY

4. **Director of Engineering & Public Works - Award of RFP for Engineering Services for Source Protection Plan**

0361-2022

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: the proposal for Engineering Services for the Source Protection Plan be awarded to WSP Canada Inc. for \$64,475.00 plus taxes, as applicable;

AND THAT: The 2022 Budget contained in the 2022 to 2026 Financial Plan be amended to reflect additional funding for the Source Protection Plan (water budget) in the amount of \$15,000.00 to be funded from the Water Meter Implementation Plan budget.

CARRIED UNANIMOUSLY

5. **Director of Development Services - Bill 26 Amendments and Additional Options to Streamline Processes - For Information**

Received for information.

10. **INTRODUCTION OF BYLAWS**

1. **City of Salmon Arm Zoning Amendment Bylaw No. 4544 [ZON-1247; 1197665 BC Ltd./Matejka Property Management and Developments Inc.; 2710 30 Avenue NE; R-1 to R-8] - First and Second Readings**

0362-2022

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4544 be read a first and second time.

CARRIED UNANIMOUSLY

10. **INTRODUCTION OF BYLAWS - continued**

2. **City of Salmon Arm Short Term Capital Borrowing Bylaw No. 4549 – First, Second and Third Readings**

0363-2022

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: the bylaw entitled City of Salmon Arm Short Term Capital Borrowing Bylaw No. 4549 be read a first, second and third time;

AND THAT: the 2022 Budget contained in the 2022 – 2026 Financial Plan Bylaw be amended to reflect the acquisition of property located at 881 30 Street NE for \$530,000.00 funded from Short Term Capital Borrowing.

CARRIED UNANIMOUSLY

11. **RECONSIDERATION OF BYLAWS**

1. **City of Salmon Arm Official Community Plan Amendment Bylaw No. 4530 [OCP4000-50; Wonderland Investments Inc.; 50 30 Street NE; MR to HR] – Second Reading**

0364-2022

Moved: Councillor Lavery

Seconded: Councillor Eliason

THAT: the Bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4530 be read a second time;

AND THAT: Pursuant to Section 475 of the *Local Government Act*, Council has considered this Official Community Plan amendment after appropriate consultation with affected organizations and authorities;

AND THAT: Pursuant to Section 476 of the *Local Government Act*, Council has considered this Official Community Plan amendment after required consultation with School District No. 83;

AND FURTHER THAT: Pursuant to Section 477(3)(a) of the *Local Government Act*, Council has considered this Official Community Plan amendment in conjunction with:

1. The Financial Plans of the City of Salmon Arm; and
2. The Liquid Waste Management Plan of the City of Salmon Arm.

CARRIED UNANIMOUSLY

2. **City of Salmon Arm Zoning Amendment Bylaw No. 4531 [ZON-1242 [Wonderland Investments Inc.; 50 30 Street NE; MR to HR] (See Item 11.1 for Staff Report) – Second Reading**

0365-2022

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: the Bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4531 be read a second time;

AND THAT: final reading of the Zoning Amendment Bylaw be withheld subject to:

11. RECONSIDERATION OF BYLAWS – continued

2. City of Salmon Arm Zoning Amendment Bylaw No. 4531 [ZON-1242 [Wonderland Investments Inc.; 50 30 Street NE; MR to HR] (See Item 11.1 for Staff Report) – Second Reading - continued

1. Ministry of Transportation and Infrastructure approval;
2. Confirmation that the building meets Zoning Bylaw and BC Building Code requirements; and
3. Adoption of associated Official Community Plan Amendment Bylaw.

CARRIED UNANIMOUSLY

3. City of Salmon Arm Official Community Plan Amendment Bylaw No. 4539 [OCP4000-51 [Kolenosky, M./Franklin Engineering Ltd.; 2371 14 Street SW; LR to MR] – Second Reading

0366-2022

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: the Bylaw entitled City of Salmon Arm Official Community Plan Amendment Bylaw No. 4539 be read a second time;

AND THAT: Pursuant to Section 475 of the *Local Government Act*, Council has considered this Official Community Plan amendment after appropriate consultation with affected organizations and authorities;

AND THAT: Pursuant to Section 476 of the *Local Government Act*, Council has considered this Official Community Plan amendment after required consultation with School District No. 83;

AND FURTHER THAT: Pursuant to Section 477(3)(a) of the *Local Government Act*, Council has considered this Official Community Plan amendment in conjunction with:

1. The Financial Plans of the City of Salmon Arm; and
2. The Liquid Waste Management Plan of the City of Salmon Arm.

CARRIED UNANIMOUSLY

4. City of Salmon Arm Zoning Amendment Bylaw No. 4540 [ZON-1246; Kolenosky, M./Franklin Engineering Ltd.; 2371 14 Street SW; R-1 to R-4] (See Item 11.3 for Staff Report) – Second Reading

0367-2022

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: the Bylaw entitled City of Salmon Arm Zoning Amendment Bylaw No. 4540 be read a second time;

AND THAT: Final reading of the Zoning Amendment Bylaw be withheld subject to adoption of the associated Official Community Plan Amendment Bylaw.

CARRIED UNANIMOUSLY

12. CORRESPONDENCE1. Informational Correspondence

9. J. Broadwell, Manager, Downtown Salmon Arm - letter dated July 28, 2022 - Pride Project: Loud and Proud Celebration - Street Closure and Noise Bylaw Extension Request

0368-2022

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Council authorize Downtown Salmon Arm to hold the Loud and Proud Celebration and permit pedestrian use only of the 100 block of Hudson Avenue NE and a portion of McLeod Street as defined in the letter and attached map, on Saturday, October 15, 2022 from 4:00 p.m. to 12:00 a.m. on October 16, 2022 and an extension of the Noise Bylaw to 12:00 a.m. on October 16, 2022.

CARRIED UNANIMOUSLY

10. D. Gonella, Executive Director, Salmon Arm Folk Music Society - letter dated August 2, 2022 - Access to Volunteer Parking Area

11. J. Broadwell, Manager, Downtown Salmon Arm - email dated August 3, 2022 - Request to reserve parking stalls on Lakeshore Drive

12. J. Broadwell, Manager, Downtown Salmon Arm - Request for one-time allowance of multiple food truck vendors

0369-2022

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Council authorize the Salmon Arm Folk Music Society to utilize the upper field adjacent to the Downtown Activity Centre for volunteer parking during the 30th Annual Roots and Blues Festival from August 15, 2022 to August 24, 2022, subject to the provision of adequate liability insurance;

AND THAT: Council authorize Downtown Salmon Arm to use two parking stalls on Lakeshore Drive NE in front of Askews Foods for the purpose of operating a shuttle service for the Roots and Blues Festival on Friday, August 19, 2022 from 11:00 a.m. to 6:00 p.m. and on Saturday, August 20, 2022 from 8:30 a.m. to 1:30 p.m., subject to the provision of adequate liability insurance;

AND THAT: Council authorize Downtown Salmon Arm to engage up to 5 food truck vendors around the Ross Street Plaza on August 18, 2022 for the Roots and Blues Kick Off Concert, in the spaces defined on the map submitted by Downtown Salmon Arm, subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

12. CORRESPONDENCE - continued

12.2.1 D. Gonella, Salmon Arm Folk Music Society - email dated August 8, 2022 - Letter of Support

0370-2022

Moved: Councillor Eliason

Seconded: Councillor Wallace Richmond

THAT: Council provide a letter of support to the Liquor and Cannabis Regulation Branch for the 30th annual Roots and Blues Festival.

CARRIED UNANIMOUSLY

12.1.5 T. Timoffee, Family Navigator and Outdoor Playgroup Facilitator, Shuswap Children's Association - letter dated August 3, 2022 - Request for Blackburn Park

0371-2022

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: Council authorize Shuswap Children's Association to use the Blackburn Park Gazebo for the purpose of supervised outdoor play activities for children on Tuesday mornings from September 6, 2022 to December 20, 2022 from 9:00 a.m. to 12:00 p.m., subject to the provision of adequate liability insurance.

CARRIED UNANIMOUSLY

13. NEW BUSINESS

14. PRESENTATIONS

15. COUNCIL STATEMENTS

16. SALMON ARM SECONDARY YOUTH COUNCIL

17. NOTICE OF MOTION

18. UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS

19. OTHER BUSINESS

1. Statement Relating to Bus Bench Advertising Contract

The following was released from the In-Camera Council Meeting of July 25, 2022:

19. OTHER BUSINESS - continued**1. Statement Relating to Bus Bench Advertising Contract - continued**

The City of Salmon Arm holds a contract with a private contractor to install, maintain and manage transit bus benches within the City. The contract requires the contractor to maintain the bus benches in a good, safe, and clean condition. In exchange, the private contractor has the exclusive right to maintain advertisements on the bus benches, provided the advertisements are in good taste and conform to the standards of the *Canadian Code of Advertising Standards*. At the end of last year, the City updated the bus benches contract to additionally require that any advertisements on the bus benches be “commercial advertising”. The City has since, however, determined not to enforce that aspect of the bus benches contract, on the advice of the City’s lawyers. The City has no involvement in the selection of advertising on the bus benches, other than the contractual right to ensure that the advertisements adhere to *Advertising Standards*. Any advertisements placed on the bus benches are managed by the private contractor and do not reflect any endorsement by or on behalf of the City of any of the businesses, groups, or viewpoints depicted in the advertisements.

20. QUESTION AND ANSWER PERIOD

Council held a Question and Answer session with the members of the public present.

The Meeting recessed at 3:52 p.m.

The Meeting reconvened at 7:00 p.m.

PRESENT:

Mayor A. Harrison
 Councillor K. Flynn
 Councillor T. Lavery (participated remotely)
 Councillor C. Eliason (participated remotely)
 Councillor L. Wallace Richmond

Chief Administration Officer E. Jackson
 Director of Corporate Services S. Wood
 Director of Engineering & Public Works R. Niewenhuizen
 Director of Development Services K. Pearson

ABSENT:

Councillor S. Lindgren
 Councillor D. Cannon

21. DISCLOSURE OF INTEREST**4. REVIEW OF AGENDA - continued**

Addition under Item 22.1 - D. Caverhill – email dated August 4, 2022 – DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character

Addition under Item 22.1 - D. & C. Ross – letter dated August 1, 2022 - DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character

22. **HEARINGS**

1. **Development Permit Application No. DP-444 [BDGA Development Company Inc.; 4400 and 4600 Canoe Beach Drive NE; Form and Character]**

0372-2022

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: Development Permit No. DP-444 be authorized for issuance for Lots 1 and 2, Section 6, Township 21, Range 9, W6M, KDYD, Plan 3538 in accordance with the Development Permit drawings attached as Appendix 6 to the Staff Report dated July 25, 2022, subject to receipt of a Landscape Plan, Landscape Estimate and Irrevocable Letter of Credit for 125% of the Landscape Estimate.

Submissions were called for at this time.

B. Wine & F. Magnusson – letter dated July 29, 2022 – Development Permit Application No. DP-444

C. & P. Harford – email received August 5, 2022 – Development Permit Application No. DP-444

A. Soukup – letter dated August 5, 2022 – Development Permit Application No. DP-444

A. Brydon – email dated August 7, 2022 – Development Permit Application No. DP-444

D. Brydon – email dated August 7, 2022 – Development Permit Application No. DP-444

G. Gowriluk – email dated August 5, 2022 – Development Permit Application No. DP-444

D. Cleays, BDGA Development Company Inc., the applicant, outlined the application and was available to answer questions from Council.

H. Chalmers spoke in favor of the development.

S. Kershaw spoke in favor of the development.

N. Watson, on behalf of T.A. Structures, addressed the construction of the units including the roof top decks and asked about the roof design.

Following three calls for submissions and questions from Council, the Hearing was closed at 7:20 p.m. and the Motion was:

CARRIED UNANIMOUSLY

2. **Development Variance Permit Application No. VP-556 [1348074 BC Ltd./Meise, R. & E./Franklin Engineering Ltd.; 2790 20 Avenue NE; Servicing requirements]**

0373-2022

Moved: Councillor Wallace Richmond

Seconded: Councillor Eliason

THAT: Development Variance Permit No. VP-556 be authorized for issuance for Lots 1 and 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP121728 to

22. HEARINGS – continued

2. Development Variance Permit Application No. VP-556 [1348074 BC Ltd./Meise, R. & E./Franklin Engineering Ltd.; 2790 20 Avenue NE; Servicing requirements] - continued

reduce the RD-3 Collector Street upgrade requirements along the 20 Avenue NE frontage as follows:

1. waive the requirement to widen and construct a bike lane;
2. waive the requirement to replace the existing BC Hydro Lease Light; and
3. reduce the number of Davit lights to be installed from three (3) to one (1).

Submissions were called for at this time.

J. Wickner, Franklin Engineering Ltd., the agent, outlined the application and was available to answer questions from Council.

Following three calls for submissions and questions from Council, the Hearing was closed at 7:48 p.m. and the Motion was:

DEFEATED UNANIMOUSLY

0374-2022

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Development Variance Permit No. VP-556 be authorized for issuance for Lots 1 and 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP121728 to reduce the RD-3 Collector Street upgrade requirements along the 20 Avenue NE frontage as follows:

1. waive the requirement to widen the frontage and construct a bike lane; and
2. reduce the number of davit lights to be installed from three (3) to two (2) – one fronting the subject property and one on the north side of 20 Avenue NE.

The motion was split:

0375-2022

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Development Variance Permit No. VP-556 be authorized for issuance for Lots 1 and 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP121728 to reduce the RD-3 Collector Street upgrade requirements along the 20 Avenue NE frontage as follows:

1. waive the requirement to widen the frontage and construct a bike lane.

CARRIED

Councillor Lavery opposed

22. **HEARINGS – continued**

2. **Development Variance Permit Application No. VP-556 [1348074 BC Ltd./Meise, R. & E./Franklin Engineering Ltd.; 2790 20 Avenue NE; Servicing requirements] - continued**

0376-2022

Moved: Councillor Eliason

Seconded: Councillor Flynn

THAT: Development Variance Permit No. VP-556 be authorized for issuance for Lots 1 and 2, Section 24, Township 20, Range 10, W6M, KDYD, Plan EPP121728 to reduce the RD-3 Collector Street upgrade requirements along the 20 Avenue NE frontage as follows:

1. reduce the number of davit lights to be installed from three (3) to two (2) – one fronting the subject property and one on the north side of 20 Avenue NE.

CARRIED UNANIMOUSLY

3. **Development Variance Permit Application No. VP-550 [NTL Developments Ltd./Franklin Engineering Ltd.; 1681 10 Street SE; Servicing requirements]**

0377-2022

Moved: Councillor Flynn

Seconded: Councillor Wallace Richmond

THAT: Development Variance Permit No. VP-550 be authorized for issuance for Lot A, Section 11, Township 20, Range 10, W6M, KDYD, Plan 11982 which will vary the following provisions of Subdivision and Development Servicing Bylaw No. 4163:

1. Section 4.11.4 – extend the maximum permitted cul-de-sac length from 160 metres in length in Urban Development Areas to 330 metres for the future 9 Avenue SE.

Submissions were called for at this time.

J. Wickner, Franklin Engineering Ltd., the agent, outlined the application and was available to answer questions from Council.

Following three calls for submissions and questions from Council, the Hearing was closed at 8:30 p.m. and the Motion was:

DEFEATED UNANIMOUSLY

23. **STATUTORY PUBLIC HEARINGS**

24. **RECONSIDERATION OF BYLAWS**

25. **QUESTION AND ANSWER PERIOD**

Council held a Question and Answer session with the members of the public present.

26. ADJOURNMENT

0378-2022

Moved: Councillor Lavery

Seconded: Councillor Wallace Richmond

THAT: the Regular Council Meeting of August 8, 2022 be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 8:34 p.m.

CERTIFIED CORRECT:

"S. WOOD"

CORPORATE OFFICER

Adopted by Council the 22nd day of August, 2022.

"E. JACKSON"

MAYOR