

REGULAR COUNCIL

Minutes of a Regular Meeting of Council of the City of Salmon Arm held in the Council Chamber of the City Hall, 500 - 2 Avenue NE, Salmon Arm, British Columbia, on **Tuesday, October 11, 2016.**

PRESENT:

Mayor N. Cooper
Councillor K. Flynn
Councillor A. Harrison
Councillor K. Jamieson (entered the meeting at 3:39 p.m.)
Councillor T. Lavery
Councillor L. Wallace Richmond

Chief Administrative Officer C. Bannister
Chief Financial Officer M. Dalziel
Corporate Officer E. Jackson
Director of Engineering & Public Works R. Niewenhuizen
Director of Development Services K. Pearson
Recording Secretary C. Simmons

ABSENT:

Councillor C. Eliason

1. CALL TO ORDER

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

2. IN-CAMERA SESSION

0364-2016 Moved: Councillor Wallace Richmond
 Seconded: Councillor Lavery
 THAT: Pursuant to Section 90 (1) 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 2:08 p.m.
Council recessed until 2:30 p.m.

3. REVIEW OF AGENDA

4. DISCLOSURE OF INTEREST

5. **PRESENTATIONS / DELEGATIONS**

1. **Joyce Henderson, Shuswap Theatre**

Joyce Henderson and Bea Kirkwood-Hackett, Shuswap Theatre presented regarding the 2017 OZone (Okanagan Zone) Drama Festival and were available to answer questions from Council.

0365-2016 Moved: Councillor Harrison
 Seconded: Councillor Wallace Richmond
 THAT: Council direct staff to include \$1,500.00 in the 2017 Budget for the Shuswap Theatre 2017 OZone (Okanagan Zone) Drama Festival sponsorship.

CARRIED UNANIMOUSLY

2. **Dan MacQuarrie - Justice for Hearing Challenged**

Dan MacQuarrie, gave a presentation on Justice for the Hearing Challenged and was available to answer questions from Council.

6. **CONFIRMATION OF MINUTES**

1. **Regular Council Meeting Minutes of September 12, 2016**

0366-2016 Moved: Councillor Flynn
 Seconded: Councillor Wallace Richmond
 THAT: the Regular Council Meeting Minutes of September 12, 2016, be adopted as circulated.

CARRIED UNANIMOUSLY

2. **Special Council Meeting Minutes of September 19, 2016**

0367-2016 Moved: Councillor Lavery
 Seconded: Councillor Wallace Richmond
 THAT: the Special Council Meeting Minutes of September 19, 2016, be adopted as circulated.

CARRIED UNANIMOUSLY

7. **COMMITTEE REPORTS**

1. **Development and Planning Services Committee Meeting Minutes of October 3, 2016**

0368-2016 Moved: Councillor Harrison
 Seconded: Councillor Lavery
 THAT: the Development and Planning Services Committee Meeting Minutes of October 3, 2016, be received as information.

CARRIED UNANIMOUSLY

7. **COMMITTEE REPORTS** - continued

2. **Environmental Advisory Committee Meeting Minutes of June 2, 2016**

0369-2016

Moved: Councillor Lavery
Seconded: Councillor Wallace Richmond
THAT: the Environmental Advisory Committee Meeting Minutes of June 2, 2016, be received as information.

CARRIED UNANIMOUSLY

3. **Environmental Advisory Committee Meeting Minutes of September 8, 2016**

0370-2016

Moved: Councillor Lavery
Seconded: Councillor Wallace Richmond
THAT: the Environmental Advisory Committee Meeting Minutes of September 8, 2016, be received as information.

CARRIED UNANIMOUSLY

4. **Greenways Liaison Committee Meeting Minutes of September 15, 2016**

0371-2016

Moved: Councillor Lavery
Seconded: Councillor Wallace Richmond
THAT: the Greenways Liaison Committee Meeting Minutes of September 15, 2016, be received as information.

CARRIED UNANIMOUSLY

5. **Downtown Parking Commission Meeting Minutes of June 21, 2016**

0372-2016

Moved: Councillor Harrison
Seconded: Councillor Flynn
THAT: the Downtown Parking Commission Meeting Minutes of June 21, 2016, be received as information.

CARRIED UNANIMOUSLY

6. **Downtown Parking Commission Meeting Minutes of September 20, 2016**

0373-2016

Moved: Councillor Harrison
Seconded: Councillor Lavery
THAT: the Downtown Parking Commission Meeting Minutes of September 20, 2016, be received as information.

CARRIED UNANIMOUSLY

8. **INTRODUCTION OF BYLAWS**

1. **Zoning Amendment Bylaw No. 4169 [ZON-1070; Saini, A.; 1761 & 1771 – 9 Avenue NE; R-1 to R-8] – First and Second Readings**

0374-2016

Moved: Councillor Lavery
Seconded: Councillor Harrison
THAT: Bylaw No. 4169 cited as “City of Salmon Arm Zoning Amendment Bylaw No. 4169” be read a first and second time.

AND THAT: final reading of the Bylaw be withheld subject to approval by the Ministry of Transportation and Infrastructure.

CARRIED UNANIMOUSLY

2. **Zoning Amendment Bylaw No. 4170 [ZON-1072; Hamilton, I. & T.; 3110 – 20 Street NE; R7 to R8] – First and Second Readings**

0375-2016

Moved: Councillor Flynn
Seconded: Councillor Lavery
THAT: Bylaw No. 4170 cited as “City of Salmon Arm Zoning Amendment Bylaw No. 4170” be read a first and second time.

CARRIED UNANIMOUSLY

3. **Zoning Amendment Bylaw No. 4171 [ZON-1073; Scales, S.; 2080 – 5 Avenue SE; R-1 to R-8] – First and Second Readings**

0376-2016

Moved: Councillor Harrison
Seconded: Councillor Wallace Richmond
THAT: Bylaw No. 4171 cited as “City of Salmon Arm Zoning Amendment Bylaw No. 4171” be read a first and second time.

AND THAT: final reading of the zoning amendment bylaw be withheld subject to confirmation that the proposed suite meets Zoning Bylaw and BC Building Code requirements.

CARRIED UNANIMOUSLY

4. **City of Salmon Arm 2016 to 2020 Financial Plan Amendment Bylaw No. 4167 – First, Second and Third Readings**

0377-2016

Moved: Councillor Harrison
Seconded: Councillor Flynn
THAT: Bylaw No. 4167 cited as “City of Salmon Arm 2016 to 2020 Financial Plan Amendment Bylaw No. 4167” be read a first, second and third time.

CARRIED UNANIMOUSLY

0378-2016

Moved: Councillor Harrison
Seconded: Councillor Wallace Richmond
THAT: Council direct staff to move \$30,000.00 to the West Bay Connector Trail Reserve from Transfer Reserve Transit Expansion.

Councillor Jamieson entered the meeting at 3:39 p.m.

CARRIED UNANIMOUSLY

8. **INTRODUCTION OF BYLAWS** – Continued

5. **City of Salmon Arm Tax Exemption Bylaw No. 4168 – First, Second and Third Readings**

0379-2016

Moved: Councillor Flynn

Seconded: Councillor Harrison

THAT: Bylaw No. 4168 cited as “City of Salmon Arm Tax Exemption Bylaw No. 4168,” be read a first, second and third time.

Councillor Harrison left the meeting at 3:58 p.m. and returned at 4:00 p.m.

Amendment:

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: That the following properties be added to Bylaw No. 4168 cited as "City of Salmon Arm Permissive Tax Exemption Bylaw No. 4168";

Lot 13, Block C, Plan 1523, Section 14, Township 20, Range 10 (350 Fraser Avenue NW),

Lot 14, Block C, Plan 1523, Section 14, Township 20, Range 10 (360 Fraser Avenue NW),

Lot 15, Block C, Plan 1523, Section 14, Township 20, Range 10 (380 Fraser Avenue NW), and

Lot 16, Block C, Plan 1523, Section 14, Township 20, Range 10 (390 Fraser Avenue NW).

CARRIED UNANIMOUSLY

Motion as Amended:

CARRIED UNANIMOUSLY

9. **RECONSIDERATION OF BYLAWS**

1. **Subdivision and Development Servicing Bylaw No. 4163 – Final Reading**

0380-2016

Moved: Councillor Jamieson

Seconded: Councillor Flynn

THAT: the bylaw entitled Subdivision and Development Servicing Bylaw No. 4163 be read a final time.

CARRIED UNANIMOUSLY

10. **CORRESPONDENCE**

1. **Informational Correspondence**

For information.

Councillor Wallace Richmond left the meeting at 4:09 p.m. and returned at 4:11 p.m.

10. CORRESPONDENCE – Continued**1. Informational Correspondence – Continued****19. C. Niemi, Coordinator - Early Childhood Development - letter dated October 4, 2016 - Canada 150 Project - Playbox**

0381-2016

Moved: Councillor Wallace Richmond

Seconded: Councillor Flynn

THAT: Council send a letter in support of Early Childhood Development's grant application for a Playbox under the Shuswap Community Foundation Canada 150 Project.

CARRIED UNANIMOUSLY

15. D. Mills, Shuswap Cycling Club - letter dated September 28, 2016 - Approval for Food Vendor - 4th Annual Shuswap Cross Cyclocross Race - November 13, 2016

0382-2016

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: Council authorize Shuswap Cycling Club to locate a mobile vending business at Khalani Park on November 13, 2016, subject to:

- Payment of a City of Salmon Arm Business License;
- Approval from the Interior Health Authority;
- Location subject to approval by the City of Salmon Arm;
- The vendor being responsible for the cleanup of the site each day of operation; and
- The provision of adequate liability insurance;

AND THAT: failure to comply with above requirements may result in the revocation of the Business License.

CARRIED UNANIMOUSLY

17. J. Crawford, Executive Director - Shuswap Association for Community Living - email received September 27, 2016 - October is Community Living Month

0383-2016

Moved: Councillor Lavery

Seconded: Councillor Jamieson

THAT: Staff be directed to prepare a report regarding municipal proclamations policies and how they are dealt with in other jurisdictions.

CARRIED UNANIMOUSLY

11. **STAFF REPORTS**

1. **Director of Engineering and Public Works – Shuswap Regional Airport - Phase 2 Environmental Assessment Award**

0384-2016

Moved: Councillor Lavery

Seconded: Councillor Jamieson

THAT: Council award the Phase 2 Environmental Assessment for the Shuswap Regional (Salmon Arm) Airport to SLR Consulting (Canada) Ltd. in accordance with the quoted price of \$75,000.00 plus applicable tax;

AND THAT: the 2016 Budget contained in the 2016 to 2020 Financial Plan be amended to reflect the grant from FCM Green Municipal Fund in the amount of \$45,400.00.

CARRIED UNANIMOUSLY

10. **CORRESPONDENCE** – Continued

1. **Informational Correspondence** – Continued

26. **D. Kalawsky, BC CIB Chair & C. Kennedy, Executive Director - Communities in Bloom - City of Salmon Arm 2016 Provincial Finalist**

A presentation of the Communities in Bloom City of Salmon Arm 2016 Finalist Banner was held.

11. **STAFF REPORTS** – Continued

2. **Director of Engineering and Public Works – 2016 Gravel Crushing Program – Tender Award**

0385-2016

Moved: Councillor Harrison

Seconded: Councillor Flynn

THAT: Council accept the tender submission from Okanagan Aggregates Ltd. (OAL), in accordance with the unit price tendered as specified in the OAL's proposal, for an estimated contractual amount of \$146,900.00 plus applicable taxes;

AND THAT: Council authorize the payment to OAL for the estimated contractual amount of \$146,900.00 plus applicable taxes and that same be recorded in the City's Gravel Crushing Inventory.

CARRIED UNANIMOUSLY

3. **Director of Engineering and Public Works - Downtown Parking Commission – DIA Appointment**

0386-2016

Moved: Councillor Lavery

Seconded: Councillor Flynn

THAT: Council appoint Heather Finn to serve on the Downtown Parking Commission as a Downtown Salmon Arm representative for the duration of the current term which is scheduled to end on February 18, 2018.

CARRIED UNANIMOUSLY

11. **STAFF REPORTS** – Continued

4. **Corporate Officer – Social Issues Committee – Terms of Reference**

0387-2016

Moved: Councillor Wallace Richmond

Seconded: Councillor Lavery

THAT: Council approve the name change from Social Issues Committee to Social Impact Advisory Committee;

AND THAT: the Social Impact Advisory Committee Terms of Reference, attached as APPENDIX A to the staff report dated September 25, 2016, be adopted.

CARRIED UNANIMOUSLY

5. **Chief Administrative Officer – Federation of Canadian Municipalities (FCM) – 2017 Conference – June 1 – 3, 2017 – Ottawa, Ontario**

0388-2016

Moved: Councillor Harrison

Seconded: Councillor Jamieson

THAT: Council approve Councillor Flynn, Councillor Eliason and Councillor Lavery to attend the Federation of Canadian Municipalities Convention from June 1 - 3, 2017 in Ottawa, Ontario to be funded from Council Expenses.

CARRIED UNANIMOUSLY

12. **NEW BUSINESS**

13. **COUNCIL STATEMENTS**

1. **Committees of Council/Agency Representatives**

Members of Council reported on the Committees and Agencies they represent.

14. **NOTICE OF MOTION**

15. **UNFINISHED BUSINESS AND DEFERRED / TABLED ITEMS**

16. **OTHER BUSINESS**

1. **Property Maintenance Bylaw No. 3137 – Infraction – C. & J. Preston – 90 – 20 Street SE**

0389-2016

Moved: Councillor Flynn

Seconded: Councillor Lavery

WHEREAS Carvel James Preston and Jeannette Kristine Preston, of 90 – 20 Street SE, in the City of Salmon Arm (the “City”), in the Province of British Columbia, are the registered owners (the “Owners”) of the lands and premises located within the City, and more particularly know as: Lot 3, Section 13, Township 20, Range 10, West of the 6th Meridian, Kamloops Division, Yale District, Plan 17802 PID: 008-348-898 (the “Property”)

16. OTHER BUSINESS - continued**1. Property Maintenance Bylaw No. 3137 - Infraction - C. & J. Preston - 90 - 20 Street SE - continued**

AND WHEREAS the Owners have caused or permitted filth, discarded materials, spoiled foodstuffs, rubbish or noxious or unwholesome matter to collect or accumulate upon that portion of the Property surround the single-family dwelling located upon the Property in a manner contrary to City of Salmon Arm Bylaw No. 3137, "A Bylaw to Promote Property Maintenance and Prevent Unsightly Conditions on Real Property" (the "Bylaw");

AND WHEREAS the Owners have stored upon that portion of the Property surrounding the single-family dwelling located upon the Property more than two (2) unenclosed, unlicensed vehicles contrary to the Bylaw;

AND WHEREAS the Owners have permitted a growth of grass and noxious weeds upon the property surrounding the single-family dwelling located upon the property in a manner contrary to the Bylaw;

AND WHEREAS the Owners have failed to comply with directions of the City to remedy the condition of the Property and remedy the number of unenclosed, unlicensed vehicles on the Property;

AND WHEREAS remediation of the condition of the Property and the unenclosed, unlicensed vehicles thereupon would bring the Property into compliance with the Bylaw;

NOW THEREFORE, the Mayor and Council of the City of Salmon Arm, in open meeting assembled, resolve as follows:

1. Pursuant to Section 74 of the *Community Charter* SBC 2001, Chapter 26, as amended, the condition of the Property surrounding the single-family dwelling located upon the Property, including the unenclosed, unlicensed vehicles on the Property, is unclean and polluted so as to be an annoyance and offensive to the community and is declared to be nuisance;
2. A remedial action requirement is imposed upon the Owners whereby that within thirty (30) days from the time that Notice of this Resolution is served upon the Owners, all items of rubbish and debris including, but not limited to, boxes, bags, cardboard, packaging materials, paper, containers, furniture, appliances, hand tools, power tools, household garbage and spoiled foodstuffs (collectively referred to as the "Discarded Materials and Rubbish") must be either:
 - a) Removed from the Property
 - b) Removed to the interior of the single-family dwelling located upon the Property; or
 - c) Neatly stacked or stored on the Property if the material or equipment is of a suitable nature (landscape blocks, lumber, rolls of wire, functioning outdoor power equipment, etc., to the satisfaction of the Director of Development Services for the City (collectively referred to as the "Remedial Options").

3. For greater certainty as to the terms of the remedial requirement imposed upon the Owners as described in paragraph 2 above, the Owners have the option of pursuing one or more of the three Remedial Options described in sub-paragraphs 2(a) through (c), to the satisfaction of the Director of Development Services for the City.
4. A further remedial Action requirement is imposed upon the Owners whereby that within thirty (30) days from the time that Notice of this Resolution is served upon the Owners, the number of unenclosed, unlicensed vehicles on the Property will be reduced to not more than two (2) vehicles.
5. For greater certainty as to the terms of the remedial requirement imposed upon the Owners as described in paragraph 4 above, an enclosed vehicle is a vehicle located completely within the confines of a garage or other accessory building.
6. A further remedial Action requirement is imposed upon the Owners whereby that within thirty (30) days from the time that Notice of this Resolution is served upon the Owners, the long grass and weeds will be trimmed to a maximum height of 20.32 centimeters (8 inches) over the entire property to the satisfaction of the Director of Development Services for the City.
7. If the:
 - a) Remedial Options are not completed to the satisfaction of the Director of Development Services for the City within the period of time specified in paragraph 2 hereof,
 - b) Number of unenclosed, unlicensed vehicles are not reduced to not more than two (2) in number within the period of time specified in paragraph 4 hereof, and
 - c) Grass and weeds are not trimmed to the satisfaction of the Director of Development Services for the City within the period of time specified in paragraph 6 hereof the Director of Development Services for the City, together with workers employed by the City, or their agents, are hereby authorized to enter upon the Property to:
 - i) remove the Discarded Materials and Rubbish from the Property and dispose of the Discarded Materials and Rubbish at the City landfill,
 - ii) remove unenclosed, unlicensed vehicles from the Property until not more than two (2) such vehicles remain on the Property, and
 - iii) trim the long grass and weeds, and such removal of the Discarded Materials and Rubbish, the removal of vehicles and the trimming of the long grass and weeds shall be done at the expense of the Owners, and if the Owners refuse to pay for the expense of the removal of the Discarded Materials and Rubbish, the removal of vehicles and the trimming of the long grass and weeds, the City will recover the expenses of such removal of the Discarded Materials and Rubbish, the removal of vehicles and the trimming of the long grass and weeds, together with interest and costs, from the property owners in accordance with Section 17, 80 or 258 of the *Community Charter*.

16. **OTHER BUSINESS** – continued

1. **Property Maintenance Bylaw No. 3137 – Infraction – C. & J. Preston – 90 – 20 Street SE** – continued

8. Thirty (30) days notice of the action contemplated by the City must be given to the Owners by serving Notice in the content set out in Appendix "A" of this Resolution

Maurice Roy, Manager of Permit and Licensing, outlined the bylaw infraction and was available to answer questions from Council.

CARRIED UNANIMOUSLY

17. **QUESTION AND ANSWER PERIOD**

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

The Meeting recessed at 5:17 p.m.

The Meeting reconvened at 7:00 p.m.

PRESENT:

Mayor N. Cooper
Councillor K. Flynn
Councillor A. Harrison
Councillor K. Jamieson
Councillor T. Lavery
Councillor L. Wallace Richmond

Chief Administrative Officer C. Bannister
Corporate Officer E. Jackson
Director of Engineering & Public Works R. Niewenhuizen
Director of Development Services K. Pearson
Recording Secretary C. Simmons

ABSENT:

Councillor C. Eliason

18. **DISCLOSURE OF INTEREST**

19. **HEARINGS**

20. **PUBLIC HEARINGS**

21. STATUTORY PUBLIC HEARINGS**1. Zoning Amendment Bylaw No. 4165 [ZON-1069; Dewick, T. & L.; 1351 – 15 Avenue SE; R-7 to R-8]**

The Director of Development Services explained the proposed Zoning Amendment.

Submissions were called for at this time.

T. Dewick, the applicant, spoke regarding the application and was available to answer questions from Council.

L. Mason, 1521 – 13 Street SE, asked questions surrounding the rezoning and subdivision process. The Director of Development Services was available to answer questions.

B. Geiger, 1301 – 15 Avenue SE, spoke in opposition of the application and the change to smaller lots in general.

Councillor Flynn left the meeting at 7:21 p.m. and returned at 7:22 p.m.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4165 was declared closed at 7:23 p.m. and consideration of the next item ensued.

2. Zoning Amendment Bylaw No. 4166 [ZON-1064; Pukas, S.; 2781 – 25 Avenue NE; R-1 to R-8]

The Director of Development Services explained the proposed Zoning Amendment.

S. Pukas, the applicant, was available to answer questions from Council.

Submissions were called for at this time.

Following three calls for submissions and questions from Council, the Public Hearing for Bylaw No. 4166 was declared closed at 7:26 p.m.

22. RECONSIDERATION OF BYLAWS**1. Zoning Amendment Bylaw No. 4165 [ZON-1069; Dewick, T. & L.; 1351 – 15 Avenue SE; R-7 to R-8] – Third and Final Readings**

0390-2016

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4165 be read a third and final time.

Amendment:

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: a section 219 Land Title Act Covenant be registered on the westerly portion of the subject property to prohibit a secondary suite.

CARRIED

Mayor Cooper and Councillor Lavery Opposed

22. RECONSIDERATION OF BYLAWS – continued

- 1. Zoning Amendment Bylaw No. 4165 [ZON-1069; Dewick, T. & L.; 1351 – 15 Avenue SE; R-7 to R-8] – Third and Final Readings – continued**

Amendment:

Moved: Councillor Flynn

Seconded: Councillor Lavery

THAT: final reading of the bylaw entitled Zoning Amendment Bylaw No. 4165 be withheld subject to registration of the restrictive covenant.

CARRIED UNANIMOUSLY

Motion as Amended:

CARRIED UNANIMOUSLY

- 2. Zoning Amendment Bylaw No. 4166 [ZON-1064; Pukas, S.; 2781 – 25 Avenue NE; R-1 to R-8]**

0391-2016

Moved: Councillor Wallace Richmond

Seconded: Councillor Jamieson

THAT: the bylaw entitled Zoning Amendment Bylaw No. 4166 be read a third time.

CARRIED UNANIMOUSLY

23. QUESTION AND ANSWER PERIOD

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

24. ADJOURNMENT

0392-2016

Moved: Councillor Harrison

Seconded: Councillor Wallace Richmond

THAT: the Regular Council Meeting of October 11, 2016, be adjourned.

CARRIED UNANIMOUSLY

The meeting adjourned at 7:48 p.m.

CERTIFIED CORRECT:

“E. JACKSON”
CORPORATE OFFICER

“N. COOPER”
MAYOR

Adopted by Council the 24th day of October , 2016.