MINUTES
FOR THE REGULAR MEETING OF COUNCIL
HELD Monday, June 13, 2016 AT 6:30 P.M.
IN COUNCIL CHAMBER
91-1ST STREET NW, NAKUSP

Present were:

Mayor
Karen Hamling

Councillors
Ulli Mueller
Len Heppner (via telephone)
Tom Zeleznik
Bill Tobey

Staff
Laurie Taylor, Chief Administrative Officer
Warren Leigh, Director of Operations
Terry Welsh, Director of Recreation and Parks
Terry Warren, Fire Chief

Gallery
Press (2)
Public (5)

CALL TO ORDER- Mayor Hamling called the meeting to order at 6:30 pm.

INTRODUCTION OF LATE ITEMS

NIL

A. AGENDA APPROVAL

<table>
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<tr>
<th>R117/16</th>
<th>Moved by Councillor Mueller, Seconded by Councillor Zeleznik</th>
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<tr>
<td></td>
<td>THAT the agenda be amended by removing Item C 2. Nakusp Rotary – Walkway Lighting Project from the Delegations;</td>
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<td>AND THAT the agenda for the June 13, 2016 Council meeting be approved as amended.</td>
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B. MINUTES

1. Minutes of May 24, 2016 Regular Meeting of Council

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<tr>
<th>R118/16</th>
<th>Moved by Councillor Mueller, Seconded by Councillor Heppner</th>
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<tr>
<td></td>
<td>THAT the Minutes of May 24, 2016 Regular Council Meeting be adopted as submitted.</td>
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C. DELEGATIONS, PETITIONS, PRESENTATIONS

1. Nakusp Public Library – 2015 Report
   Representatives from the Library reported that 2015 had been a successful year. One of the projects planned for 2016 is painting the front of the building and they have allocated $16000 in the budget for the project.

D. BUSINESS ARISING FROM THE MINUTES


   Moved by Councillor Tobey, Seconded by Councillor Heppner

   THAT the staff report dated June 13, 2016 from the CAO entitled Planning Project (2014)-R5/C4 be received for information;
   AND THAT the report be referred to the July 11, 2016 Council meeting for further consideration.

   CARRIED

2. Trail Agreement with Ministry of Transportation and Infrastructure

   Moved by Councillor Mueller, Seconded by Councillor Tobey

   THAT the staff report dated June 13, 2016 from the CAO entitled Trail Agreement with Ministry of Transportation and Infrastructure be received for information;
   AND THAT Council authorize the execution of the License of Occupation agreement with the Minister of Transportation and Infrastructure for a 2.545 km portion of the unused road allowance along Highway 6 for a 10 year term ending May 31, 2026.

   CARRIED

E. UNFINISHED BUSINESS

1. Outstanding Actions from Council Resolutions

   Moved by Councillor Heppner, Seconded by Councillor Zeleznik

   That the Outstanding Action on Resolutions report be received for information.

   CARRIED
F. REPORTS FROM COUNCIL COMMITTEES

1. Mayor - written report was circulated to Council
2. Councillor Heppner – nothing to report
3. Councillor Mueller – nothing to report
5. Councillor Zeleznik - nothing to report

R122/16 Moved by Councillor Heppner, Seconded by Councillor Zeleznik
THAT the Council Committee reports be received for information. CARRIED

REPORT FROM ADMINISTRATION

1. Fire Chief- Terry Warren

R123/16 Moved by Councillor Heppner, Seconded by Councillor Tobey
THAT report dated May 19, 2016 from the Fire Chief be received for information. CARRIED

G. BYLAW APPROVAL

1. Parks Regulation Bylaw 660, 2016

R124/16 Moved by Councillor Mueller, Seconded by Councillor Heppner
THAT the “Parks Regulation Bylaw No. 660, 2016” be reconsidered and finally adopted. CARRIED


R125/16 Moved by Councillor Mueller, Seconded by Councillor Heppner
THAT the “Municipal Ticket Information Utilization Amending Bylaw 517-13, 2016” be reconsidered and finally adopted. CARRIED
3. OCP Amendment Bylaw 612-4, 2016 - Temporary Use Permit Area

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<th>Moved by Councillor Mueller, Seconded by Councillor Heppner</th>
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<tr>
<td>R126/16</td>
<td>THAT the report dated June 13, 2016 from the CAO entitled Bylaw 612-04, 2016 Amendment to Designate a Temporary Use Permit Area be received for information. AND THAT Official Community Plan Text Amendment Bylaw No. 612-04, 2016 be considered by Council; AND THAT Official Community Plan Text Amendment Bylaw No. 612-04, 2016 be forwarded to a Public Hearing for further consideration.</td>
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<tr>
<td>R127/16</td>
<td>THAT the Official Community Plan Text Amendment Bylaw No. 612-04, 2016 be read a first time.</td>
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4. Zoning Text Amendment Bylaw No. 614-14, 2016 - Parking Requirements

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<tr>
<td>R128/16</td>
<td>THAT the report dated June 13, 2016 from the CAO entitled Zoning Bylaw Off-Street Parking Regulations be received for information; AND THAT Zoning Bylaw No. 614-14, 2016 – Off-Street Parking Regulations Text Amendment be considered by Council; AND THAT Zoning Bylaw No. 614-4, 2016 – Off-Street Parking Regulations Text Amendment be forwarded to a Public Hearing for further consideration.</td>
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<tr>
<td>R129/16</td>
<td>THAT the Zoning Text Amendment Bylaw No. 614-14, 2016 be read a first time.</td>
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5. Zoning Amendment Bylaw 614-15, 2016- Medical Marihuana

Moved by Councillor Heppner, Seconded by Councillor Zeleznik

THAT the report dated June 13, 2016 from the CAO entitled Zoning Bylaw Text Amendment 614-15, 2016 Medical Marihuana be received for information; AND THAT Zoning Bylaw No. 614-15, 2016- Medical Marihuana Text Amendment be considered by Council; AND THAT Zoning Bylaw No. 614-15, 2016 - Medical Marihuana Text Amendment be forwarded to a Public Hearing for further consideration.

CARRIED

R131/16

Moved by Councillor Tobey, Seconded by Councillor Heppner

THAT the Zoning Text Amendment Bylaw No. 614-15, 2016 be read a first time.

CARRIED

H. NEW BUSINESS

1. Arrowtarian Senior Citizens Society- Development Variance Permit

Request for Zoning Bylaw variances for parking, lot coverage and side yard setbacks for construction of Phase 5 of the Arrowtarian Villa.

Councillors Mueller and Tobey declared conflicts and left the meeting at 7:10 p.m.

Mayor Hamling invited anyone in the public gallery who deemed themselves affected by the requested variance to come forward.
There was no response from the gallery.
CAO reported there had been no correspondence received regarding the application.

R132/16

Moved by Councillor Heppner, Seconded by Councillor Zeleznik

THAT the report dated June 13, 2016 from the CAO entitled Arrowtarian Senior Citizens Association- Development Variance Permit application be received for information; AND THAT Council approve the Development Variance Permit for the Arrowtarian Senior Citizens Society for the property legally described as Lot 16 Block 24 Plan NEP494 DL 397 KLD located at 216-7th Avenue NW for the following variances to the Zoning Bylaw 614:

- Section 4.13.1 - A decrease from 14 parking spaces to 4 parking spaces (three (3) regular parking spaces and one (1) handicap parking space);
- Section 6.20.4 - An increase to the allowable lot coverage from 40% to 43% for the construction of the building;
- Section 6.20.6(c) - A reduction in the North side yard setback from 10 feet to 5 feet to allow for five (5) foot wide balconies and patios for fire rescue; and
- Section 6.20.6(c) - A reduction in the South side yard setback from 10 feet to 5 feet to allow for the construction of the building.

CARRIED

Councillors Mueller and Tobey returned to the meeting at 7:11 p.m.
2. **Arrow Lakes Medical Housing** - Development Variance Permit
   
   Request for Zoning Bylaw variance to permit the operation of a secondary suite without the property owner residing in the premises
   
   Mayor Hamling invited anyone in the public gallery who deemed themselves affected by the requested variance to come forward.
   There was no response from the gallery.
   CAO reported there had been no correspondence received regarding the application.

   R133/16

   **Moved by Councillor Tobey, Seconded by Councillor Mueller**

   THAT the report dated June 13, 2016 from the CAO entitled Arrow Lakes Medical Housing Ltd. - Development Variance Permit application be received for information;
   AND THAT Council approve the Development Variance application for the Nakusp Medical Housing Ltd. for the property legally described as Lot 8 Block 38 Plan 494 DL 397 KLD located at 419 3rd Street NW for the following variance to the Zoning Bylaw No. 614:
   - Section 4.11(b) to allow the operation of a secondary suite without the owner residing in the building as long as it is owned by Arrow Lakes Medical Housing Ltd, Inc. No. BC0941214.

   CARRIED

3. **Jason and Stacy Tourand** - Development Variance Permit

   Request for Zoning Bylaw variance to permit reduce front yard setback from 20 feet to 15 feet to permit construction of a deck

   Mayor Hamling invited anyone in the public gallery who deemed themselves affected by the requested variance to come forward.
   There was no response from the gallery.
   CAO reported there had been no correspondence received regarding the application.

   R134/16

   **Moved by Councillor Mueller, Seconded by Councillor Zeleznik**

   THAT the report dated June 13, 2016 from the CAO entitled Jason & Stacy Tourand-Development Variance Permit application be received for information;
   AND THAT Council approve the Development Variance application for Jason & Stacy Tourand for the property legally described as Lot 1 Plan NEP4114 DL 397 KLD located at 316 2nd Ave NW for the following variance to the Zoning Bylaw No. 614:
   - Section 6.17(a): to reduce the front yard setback from 20 feet to 15 feet to permit the construction of a deck.

   CARRIED
4. RDCK Amendment Bylaw 2429- Community Sustainability Living Service Establishment Bylaw

Moved by Councillor Mueller, Seconded by Councillor Zeleznik

R135/16

THAT the report dated June 13, 2016 from the Chief Administrative Officer entitled Regional District of Central Kootenay (RDCK) Bylaw 2135 community Sustainable Living amendment be received for information;
AND THAT pursuant to section 346 of the Local Government Act, we, the Council of the Village of Nakusp, do hereby consent to the adoption of the Regional District of Central Kootenay’s Community Sustainable Living Service Establishment Amendment Bylaw No. 2429, 2014, a bylaw which amends Bylaw No. 2135 by removing participants from the service.

CARRIED

5. Nakusp Rotary Club- “Light Up the Waterfront Project” Approval Request

Councillor Tobey declared a conflict and left the meeting at 7:16 p.m.

Moved by Councillor Mueller, Seconded by Councillor Zeleznik

R136/16

THAT the report dated April 21, 2016 from the Director of Recreation and Parks entitled Nakusp Rotary Club-“Light Up the Waterfront Project” Approval Request be received for information;
AND THAT Council approve the request from the Nakusp Rotary Club to permit preliminary wiring work to proceed on the Light Up the Waterfront Project.

CARRIED

Councillor Tobey returned to the meeting at 7:17 p.m.

6. Canadian Pacific Railway- Asset Donation Agreement

Moved by Councillor Mueller, Seconded by Councillor Tobey

R137/16

THAT the report dated June 9, 2016 from the Director of Recreation and Parks entitled Canadian Pacific Railway- Asset Donation Agreement;
AND THAT Council authorize the Asset Donation Agreement between Canadian Pacific Railway and the Village of Nakusp and instruct Administration to duly execute said agreement.

CARRIED
I. INFORMATION

Information Items I1 to I6
1. Dinner Invitation
2. Letter from Minister Fassbender- UBCM meeting appointments
3. Letter from Premier Christy Clark- UBCM meeting appointments
4. Nakusp Chamber of Commerce- Letter
5. Support Request Prostate Cancer Canada UBCM 2016 Resolution
6. Leah Main- Thank you

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CARRIED

I1 Dinner Invitation – Jan & Pat Dion
- September 22, 2016 with group of Chinese people on cultural tour of the Rockies
- Mayor advised she will be attending and that there will be an exchange of gifts; she will be giving out Hot Springs passes on behalf of the Village

I2 UBCM meeting appointments
- To be determined whether or not meetings have to be requested at UBCM

I4 Chamber of Commerce – infrastructure north of Kuskanax Creek
- staff requested to prepare report on the estimated costs, and whether water and wastewater systems have the capacity to support an expansion.

I5 Prostate Cancer Canada – UBCM 2016 Resolution

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CARRIED

J. INQUIRIES BY COUNCIL OF ADMINISTRATION

Nil

K. NOTICE OF MOTION

Nil
L. **QUESTIONS FROM THE PRESS OR PUBLIC**

Nil

M. **NOTICE OF IN-CAMERA**

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<th>R140/16</th>
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<td>THAT in accordance with Section 90(1)(c) labour relations or other employee relations; 90(1)(e) the acquisition, disposition or expropriation of land or improvements; and 90(1)(g) litigation or potential litigation affecting the municipality of the Community Charter that a closed meeting of Council be convened and that persons other than Council members and municipal officers be excluded from the meeting</td>
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N. **ITEMS BROUGHT FORWARD FROM IN-CAMERA**

Nil

O. **ADJOURNMENT**

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<td>THAT the June 13, 2016 Council meeting be adjourned at 8:40 p.m.</td>
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Mayor

Chief Administrative Officer