

THE CORPORATION OF THE CITY OF ROSSLAND

Minutes of a Regular Open Meeting of Council Held Monday, April 28, 2008

Present

Mayor A.G. Smith
Councillor L. Charlton
Councillor J.K. Drysdale
Councillor L.D. Doell
Councillor S.E. Knox
Councillor L.G. McLellan
Councillor D.J. Spearn

Staff in attendance

CAO – R.W. Campbell
Deputy City Clerk – T. Butler
Manager of Planning and Development – M. Maturo
Manager of Finance – D. Timm

Mayor Smith called the meeting to order at 7:41 pm

Agenda

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the agenda for the Regular Meeting of Council held April 28, 2008 be amended by adding under section:

(5) MATTERS REFERRED

(h) Proposed dates for the OCP review and adoption

CARRIED

Minutes

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT the minutes of the Regular meeting of Council held April 14, 2008 be adopted.

CARRIED

Minutes

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the minutes of the Design Review Panel Meeting held April 23, 2008 be received.

CARRIED

Minutes

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT the minutes of the Finance Committee meeting held April 24, 2008 be received.

CARRIED

Minutes Moved by Councillor Spearn / Seconded by Councillor Charlton
THAT the minutes of the Planning and Development Meeting held April 28, 2008 be received.

CARRIED

GENERAL MATTERS - Delegations

Tourism Rossland

Ms. Deanne Steven, Tourism Rossland, requested Council support in approaching the Regional District of Kootenay Boundary for increased service to the Red Mountain Area. Tourism Rossland is requesting the Regional District (Trail Transit) increase bus service 7 days a week 5 trips per day to and from the Red Mountain Base area for the 4 winter months of December, January, February and March.

Matter referred to the May 12, 2008 Regular Meeting of Council.

MATTERS REFERRED

Committee for Responsible Development

Matter referred from the April 14, 2008 Regular Council Meeting re: Committee for Responsible Development - need for water shed management plan. Committee requested Council consider taking 7 steps identified in their April 14, 2008 position paper.

April 21, 2008 position paper from the Committee for Responsible Development re: Why Rossland Needs a Watershed Management Plan, Part 2.

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT the April 14 and 21, 2008 position papers from the Committee for Responsible Development be referred to Staff.

CARRIED with Councillor McLellan voting opposed

Rossland Chamber of Commerce

Matter referred from the April 14, 2008 Regular Council Meeting re: Ms. Maritza Reilly, Rossland Chamber of Commerce request for additional funding for Invest Kootenay Membership.

Moved by Councillor Spearn / Seconded by Councillor McLellan

THAT Council increase the funding to the Rossland Chamber of Commerce by \$5000 per year for membership dues to InvestKootenay.com.

DEFEATED

Notice of Motion – Councillor Charlton

Matter referred from the April 14, 2008 Regular Council Meeting re: Notice of Motion from Councillor Charlton.

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Staff be directed to prepare a report explaining why the majority of parcel sizes in the Caldera Subdivision covered by the Development Permit approved by Council on February 25, 2008 are smaller than the minimum parcel size of 1200 square metres specified in the zoning bylaw.

DEFEATED with Councillor Charlton voting in favour

Conflict of Interest

Councillor Spearn excused herself at 8:18 pm declaring a conflict of interest regarding the next agenda item.

**Notice of Motion –
Councillor
Drysdale**

Matter referred from the April 14, 2008 Regular Council Meeting re: Notice of Motion from Councillor Drysdale.

Moved by Councillor Drysdale / Seconded by Councillor McLellan

THAT Council request the RSS Grad Class to clean up the bank below the Prestige in return for a \$400 donation.

CARRIED

Councillor Spearn returned to the meeting at 8:20 pm.

**1961 Georgia
Street – additional
apartment**

Matter referred from the April 23, 2008 Design Review Panel Meeting;

Moved by Councillor McLellan / Seconded by Councillor Doell

THAT the Development Permit #08-2008 for Redmont Management Inc. 1961 Georgia Street for the addition of an apartment be approved by Council.

CARRIED

**Finance
Committee
Recommendations
Bylaw #2416 –
Rossland
Financial Plan
2008-2012 Bylaw**

Matter referred from the April 24, 2008 Finance Committee Meeting re: Finance Committee recommendation to adopt the 2008-2012 Financial Plan and give first, second and third readings to the Financial Plan Bylaw #2416.

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT Bylaw #2416, Rossland Financial Plan 2008-2012 Bylaw, be read a first and second time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Knox / Seconded by Councillor Spearn

THAT Bylaw #2416, Rossland Financial Plan 2008-2012 Bylaw, be read a third time.

CARRIED with Councillor Charlton, Councillor Doell and Councillor Drysdale voting opposed.

Planning and Development Meeting recommendations

Matter referred from the April 28, 2008 Planning and Development Meeting;

Moved by Councillor Charlton / Seconded by Councillor McLellan

THAT a Planning and Development Meeting be tentatively scheduled for Monday May 5, 2008 at 5:00 pm. to discuss the draft OCP.

CARRIED

Proposed Dates for OCP review and adoption

April 28, 2008 memorandum from the CAO regarding proposed dates for the OCP review and adoption

Dates to stay flexible. CAO to redraft timeline.

UNFINISHED BUSINESS

Miners' Hall Long Range Plan

April 17, 2008 memorandum from the CAO with attached proposed terms of reference for the Miners' Hall Task Force

Moved by Councillor McLellan / Seconded by Councillor Drysdale

THAT the membership of the task force not be made up of a majority of Staff members.

CARRIED

Item referred back to the CAO for amendments.

Water Conservation Incentive Program

April 17, 2008 memorandum from the CAO re: Water Conservation Incentive Program

Moved by Councillor Knox / Seconded by Councillor Doell

THAT Council concur with option 3 as identified in the April 17, 2008 memorandum from the CAO re: Water Conservation Incentive Programs.

CARRIED

Moved by Councillor Drysdale / Seconded by Councillor Charlton

THAT the bylaws amendments be deferred concerning the Water Conservation Incentive Program.

CARRIED

Moved by Councillor Knox / Seconded by Councillor Spearn

THAT the low flush toilet incentive program be incorporated into the water conservation incentive program.

CARRIED

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Staff prepare a report on options for funding of a water meter installation program.

CARRIED

NEW BUSINESS

Reports

Red Mountain Golf Course

Memorandum from the Manager of Planning and Development Services re: Red Mountain Ventures submission - Golf Course application.

Correspondence received.

Subdivision referral – Brydon lands

April 9, 2008 report from the Planning Assistant re: Ministry of Transportation – Subdivision referral-Brydon Lands;

Moved by Councillor Drysdale / Seconded by Councillor Charlton

THAT Council recommend to Ministry of Transportation not to approve the subdivision for the property legally described as Lot Sublot 6, Township 28, Kootenay District, Plan X60 Except (1) part included in Plan 1245 (2) Part included in sketch plans 2275I and 2279I and (3) Part included in Reference Plan 9814I; and Lot 9, Section 11, Township 28, Kootenay District Plan 1245; and Lot 11, Section 11, Township 28, Kootenay District Plan 1245; and Lot 13, Section 11, Township 28, Kootenay District Plan 1245 located north of the boundary of the City of Rossland, for the following reasons:

- (a) The proposal supports extra-peripheral development just beyond Rossland's political boundaries, which is not supported by the Strategic Sustainability Plan (SSP).
- (b) The proposal, if approved, will affect Rossland through increased traffic and road wear without an obvious advantage for the City.
- (c) The proposal contravenes existing RDKB zoning.
- (d) The proposal features development on very steep areas which will affect the viewscape on the mountainside when entering Rossland from the north.
- (e) The proposal features an entrance road within the Rossland boundary along Highway 3B, though no formal consultation, agreement and approval of the road location and design has been supported by the City

of Rossland. The same proposed road entrance is also within a Rossland DP area.

- (f) The proposal represents additional piggy-backing by extra-peripheral settlements on Rossland's hard and soft infrastructure, but without any financial benefit to the City.

AND THAT if the subdivision is approved the application is subject to the following conditions:

- (a) The properties, as currently designed, will not be permitted to connect to the City of Rossland Services as per policy 11.2.5 and 11.2.10 in the Official Community Plan.
- (b) That trails in the area are enhanced and connected to the existing trails within the City of Rossland trails' network.
- (c) That the Kootenay Columbia Trails Society are involved with the trail location, planning and construction of the trail.
- (d) That the spatial layout of the proposed subdivision is altered so that the development better reflects clustering.
- (e) That (contingent to point 'd') no further development is allowed on these properties until a Fringe OCP is prepared for this area.

CARRIED with Councillor McLellan and Councillor Knox voting opposed

**OCP and Zoning
Amendment
Referral – Brydon
Lands**

April 22, 2008 report from the Planning Assistant re: Regional District of Kootenay Boundary OCP and Zoning Amendment referral – Brydon Lands

Moved by Councillor Charlton / Seconded by Councillor Drysdale

THAT Council recommend to RDKB not to approve OCP and Zoning Amendment for the property legally described as Lot Sublot 6, Township 28, Kootenay District, Plan X60 Except (1) part included in Plan 1245 (2) Part included in sketch plans 2275I and 2279I and (3) Part included in Reference Plan 9814I; and Lot 9, Section 11, Township 28, Kootenay District Plan 1245; and Lot 11, Section 11, Township 28, Kootenay District Plan 1245; and Lot 13, Section 11, Township 28, Kootenay District Plan 1245 located north of the boundary of the City of Rossland, for the following reasons:

- a) The proposal supports extra-peripheral development just beyond Rossland's political boundaries, which is not supported by the Strategic Sustainability Plan (SSP).
- b) The proposal, if approved, will affect Rossland through increased traffic and road wear without an obvious advantage for the City.
- c) The proposal features development on very steep areas which will affect the viewscape on the mountainside when entering Rossland from the north.
- d) The proposal features an entrance road within the Rossland boundary along Highway 3B, though no formal consultation, agreement and approval of the road location and design has been supported by the city of Rossland. The same proposed road entrance is also within a Rossland DP area.
- e) The proposal represents additional piggy-backing by extra-peripheral settlements on Rossland's hard and soft infrastructure, but without any financial benefit to the city.

AND THAT if the OCP and Zoning Amendments are approved the application is

subject to the following conditions:

- a) The properties, as currently designed, will not be permitted to connect to the City of Rossland Services as per policy 11.2.5 and 11.2.10 in the Official Community Plan.
- b) That trails in the area are enhanced and connected to the existing trails within the City of Rossland trails' network.
- c) That the Kootenay Columbia Trails Society are involved with the trail location, planning and construction of the trail.
- d) That the spatial layout of the proposed subdivision is altered so that the development better reflects clustering.
- e) That (contingent to point 'd') no further development is allowed on these properties until a Fringe OCP is prepared for this area.
- f) That the applicant provide the city a cost/benefit analysis quantifying in financial terms the impacts to the city.

CARRIED

Subdivision Referral – Mann Road

April 22, 2008 report from the Planning Assistant re: Subdivision Referral- Mann Road

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Council recommend to Ministry of Transportation to approve the subdivision for the property legally described as Lot 4, Township 28, Kootenay District Plan NEP 79653; and Lot 2, Township 28, Kootenay District Plan 15135, Except Plans NEP74388 and NEP79653 located on Mann Road for the following reasons:

- (a) That the easement identified as “future” on the map for the extension of the Centennial Trail through to BlackJack Cross Country Ski Area be registered at the time of this subdivision.
- (b) The properties will not be permitted to connect to the City of Rossland Services as per policy 11.2.5 and 11.2.10 in the Official Community Plan
- (c) That the blanket easement on the property for water lines remains on the subdivided properties.
- (d) That no further subdivision is permitted on either of these properties in the future.

CARRIED

Development Variance Permit 2276 Second Ave. -Fry

May 5, 2007 report from the Planning Assistant re: Development Variance Permit – 2276 Second Avenue / Fry

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT Council approve the Development Variance application to vary the front setback requirement as established in the City of Rossland Zoning Bylaw #1912, from 4.0 meters to 1.5 meters for the property legally described as Parcel A (503601-1) of Lots 5-8 and Parcel A (N25181) of Lots 7 & 8, Block 22, Sections 34 & 35, TP 9A, Kootenay District Plan 616, located at 2276 Second Avenue subject to the parcel coverage conforming with the Zoning bylaw requirements.

CARRIED

LEGISLATIVE MATTERS

**Bylaw #2410 –
Local Government
Election
Procedure Bylaw
2008**

Bylaw #2410 – Local Government Election Procedure Bylaw, 2008 re: a bylaw to establish voting procedures and requirements.

Moved by Councillor Charlton / Seconded by Councillor Doell

THAT Bylaw #2410, Local Government Election Procedure Bylaw, 2008 be adopted.

CARRIED

**Bylaw #2411 –
2008 Parcel Tax
Bylaw for Water
Service**

Bylaw #2411 – 2008 Parcel Tax Bylaw For Water Service re: a bylaw to impose a parcel tax on water service.

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT Bylaw #2411, 2008 Parcel Tax Bylaw for Water Service, be read a third time.

CARRIED

**Bylaw #2412 –
2008 Parcel Tax
Bylaw for Sewer
Service**

Bylaw #2412 – 2008 Parcel Tax Bylaw For Sewer Service re: a bylaw to impose a parcel tax on sewer service.

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT Bylaw #2412, 2008 Parcel Tax Bylaw for Sewer Service, be read a third time.

CARRIED

**Bylaw #2413 –
2008 Red
Mountain
Specified Area Tax
Rate Bylaw**

Bylaw #2413 – 2008 Red Mountain Specified Area Tax Rate Bylaw re: a bylaw to levy taxes for the Red Mountain Specified Area.

Moved by Councillor Knox / Seconded by Councillor Spearn

THAT Bylaw #2413, 2008 Red Mountain Specified Area Tax Rate Bylaw, be read a first and second time.

CARRIED

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT Bylaw #2413, 2008 Red Mountain Specified Area Tax Rate Bylaw, be read a third time.

CARRIED

**Bylaw #2414 –
2008 Municipal
Tax Rate Bylaw**

Bylaw #2414 – 2008 Municipal Tax Rate Bylaw re: a bylaw to levy taxes for municipal purposes.

Moved by Councillor Doell / Seconded by Councillor Spearn

THAT Bylaw #2414, 2008 Municipal Tax Rate Bylaw, be read a first and second time.

CARRIED with Councillor Charlton voting opposed.

Moved by Councillor Spearn / Seconded by Councillor Doell

THAT Bylaw #2414, 2008 Municipal Tax Rate Bylaw, be read a third time.

CARRIED with Councillor Charlton voting opposed.

**Bylaw #2415 –
2008 Non-
Municipal Tax
Rate Bylaw**

Bylaw #2415 – 2008 Non-Municipal Tax Rate Bylaw re: a bylaw to levy taxes for non-municipal purposes.

Moved by Councillor Knox / Seconded by Councillor Charlton

THAT Bylaw #2415, 2008 Non-Municipal Tax Rate Bylaw, be read a first and second time.

CARRIED

Moved by Councillor Knox / Seconded by Councillor Doell

THAT Bylaw #2415, 2008 Non-Municipal Tax Rate Bylaw, be read a third time.

CARRIED

MEMBER REPORTS

Mayor Smith

Mayor Smith declared a conflict of interest at 9:57 regarding the next motion of Council. Councillor McLellan assumed the Chair as Acting Mayor.

**Councillor
Charlton**

Moved by Councillor Charlton / Seconded by Councillor Knox

THAT a letter be drafted to Telus requesting they proceed with moving their

infrastructure to Fortis poles.

Carried

Mayor Smith

Mayor Smith returned to the meeting as assumed the Chair at 10:02 pm

**Councillor Knox –
Notice of Motion**

Notice of Motion by Councillor Knox re: Animal Control Bylaw

Meeting Extension

Moved by Councillor Charlton / Seconded by Councillor Knox

THAT the April 28, 2008 Regular Meeting of Council be extended past 10:00 pm.

CARRIED

Councillor Spearn

Requested letters of thank you be sent to MacLean School and Rossland Secondary School re: Pitch – in and that a congratulations letter be sent to Tracey Saxby and Greenerfootprints, for her award from Columbia Basin Trust Environmental Initiatives Program.

Close

Mayor Smith closed the meeting at 10:14 pm

CARRIED

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on April 28, 2008.

Mayor

Corporate Officer