

THE CORPORATION OF THE CITY OF ROSSLAND

Minutes of a Regular Open Meeting of Council Held Monday, October 14, 2008

Present

Mayor A.G. Smith
Councillor L. Charlton
Councillor L.D. Doell
Councillor S.E. Knox
Councillor L.G. McLellan
Councillor D.J. Spearn (arrived at 7:45 pm)

Absent

Councillor J.K. Drysdale

Staff In Attendance

CAO – R. Campbell
Deputy City Clerk – T. Butler
Manager of Planning and Development Services – M. Maturo
City Engineer – M. Thomas
Manager of Operations – D. Albo

Mayor Smith called the meeting to order at 7:32 pm

Agenda

Moved by Councillor McLellan / Seconded by Councillor Knox

THAT the agenda for the Regular Meeting of Council held October 14, 2008 be amended by adding;

(7) UNFINISHED BUSINESS

- (b) October 14, 2008 memorandum from the Manager of Planning and Development Services re: Zoning Amendment to C-1, Bylaw 2427.
- (c) Regional Sewer Service Review.

CARRIED

Minutes

Moved by Councillor Doell / Seconded by Councillor McLellan

THAT the minutes of the Regular Council Meeting held September 29, 2008 be adopted.

CARRIED

Minutes

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the minutes of the Special Council Meeting held October 2, 2008 be adopted.

CARRIED

Minutes

Moved by Councillor Doell / Seconded by Councillor Knox

THAT the minutes of the Special Council Meeting held October 9, 2008 be adopted.

CARRIED

RECEIPT OF PUBLIC HEARING RECORD

Public Hearing

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the record of the Public Hearing held October 8, 2008 be received

CARRIED

DECLASSIFICATION OF ITEMS

Declassification –
Creekside at Red

Moved by Councillor McLellan / Seconded by Councillor Doell

THAT the portion of the minutes of the closed meetings of the City of Rosland Council held July 28 and September 8, 2008 be declassified from confidential to non-confidential pertaining to the zoning of Creekside at Red.

CARRIED

GENERAL MATTERS - Delegation

Rosland
Telegraph

Mr. Adrian Barnes, Mr. David Livingsten and Mr. Andrew Zwicker, of the Rosland Telegraph Newspaper, introduced their new electronic newspaper to Council and requested Council consider advertising in the paper.

UNFINISHED BUSINESS

Columbia
Cemetery Access

October 7, 2008 memorandum from Councillor Drysdale re: Columbia Cemetery Access.

Moved by Councillor Doell / Seconded by Councillor McLellan

THAT Staff be authorized to negotiate a permanent access agreement between the Mountain View Cemetery into the Columbia Cemetery, with the City of Trail to allow for access for tourism, visitors and maintenance of the Columbia Cemetery.

CARRIED

Zoning
Amendment to C-1

October 14, 2008 memorandum from the Manager of Planning and Development Services re: Zoning Amendment to C-1

Moved by Councillor Doell / Seconded by Councillor Knox

THAT the following resolution from the September 29, 2008 Regular Meeting be rescinded:

“THAT the application for a Zoning Amendment to the C-1 zoning for the property located at 2167 Washington Street, as PID 023-310-626, Lot B, District Lot 535, Kootenay District Plan NEP 22806 by giving First and Second Reading of the Zoning Amendment Bylaw #2427 and schedule a Public Hearing on October 27th, 2008, with the following requirements:

- A. THAT a sign be posted by the owner on the site stating

the intent and purpose of the proposed rezoning, within 7 days of the first reading of Bylaw #2427 and in accordance with the City of Rossland Development Procedures Guidelines.”

CARRIED

**Bylaw #2427 – 1st
and 2nd Reading &
Public Hearing
Date**

Moved by Councillor Knox / Seconded by Councillor McLellan

THAT Zoning Amendment Bylaw No. 2427 be given first and second reading and that a Public Hearing be set for October 27, 2008.

CARRIED with Councillor Charlton voting opposed.

**Regional Sewer
Service Review**

Oral report from Councillor McLellan re: Regional Sewer Service Review. Reservations were expressed on cost apportionment being related to flows, what is considered regional vs. municipalities responsibilities and governance/voting structure.

NEW BUSINESS

Reports

**Pond Hockey
Tournament**

October 9, 2008 memorandum from the Manager of Operations re: Canadian National Pond Hockey Championships.

Moved by Councillor McLellan / Seconded by Councillor Spearn

THAT Council support the Canadian National Pond Hockey Championship and fund the tournament up to \$12,000 in equipment, labour and materials.

CARRIED

Bike Skills Park

October 9, 2008 memorandum from Public Works and Rossland Recreation re: Advanced Bike Skills Park – Centennial Lands.

September 22, 2008 letter from Matt Titheridge re: Centennial Lands Advanced Bike Skills Park.

Moved by Councillor Doell / Seconded by Councillor McLellan

THAT Council approve the expenditure up to \$1,500 for maintenance and signage to support the Centennial Lands Advanced Bike Skills Park.

CARRIED

Anti Idling Bylaw

Oral report from the Administrator re: Anti idling bylaw / policy.

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT Staff be directed to draft an anti idling bylaw for Council consideration.

CARRIED

**Rezoning
Amendment –
1961 Georgia
Street**

October 6, 2008 report from the Planning Assistant re: 1961 Georgia Street – Rezoning Amendment;

Moved by Councillor Charlton / Seconded by Councillor Spearn

THAT Zoning Amendment Bylaw, No. 2429, 2008 (9) be amended by changing section 3.A 27B.1 to read:

- “The following uses and no others shall be permitted in the CD-4A zone:
1. Ambulance Services
 2. Parking Area”

DEFEATED

Moved by Councillor Knox / Seconded by Councillor Doell

THAT Zoning Amendment Bylaw, No. 2429, 2008(9) be given first and second reading with the following conditions attached;

1. THAT the owner meet the City requirements for parking as required by Zoning Bylaw #1912,
2. THAT the owner post a sign on the site stating the intent and purpose of the proposed rezoning application within 7 days of the first reading of Zoning Amendment Bylaw, No 2429, 2008(9) and in accordance with the City of Rossland Development Procedures Guidelines to the satisfaction of the Manager of Planning;

AND FURTHER that a Public Hearing be held on November 10, 2008.

CARRIED with Councillor Charlton voting opposed.

Heritage Planning

September 30, 2008 memorandum from the Planning Assistant re: Heritage Planning.

Moved by Councillor Charlton / Seconded by Councillor Knox

THAT the memorandum of September 30, 2008 from the planning department, regarding a Community Heritage Context Planning Grant, be received.

CARRIED

**Road Closure,
Land Swap &
Purchase – Monita
Street**

October 2, 2008 report from the Planning Assistant re: road closure, land swap and purchase – Monita Street

Moved by Councillor Doell / Seconded by Councillor Knox

THAT a land swap and further purchase of road allowance for the property and adjacent road allowance legally described as Parcel E, (SEE DD V10750),

Block 10, DL 535, Kootenay District Plan 616, located at 1505 Nickleplate Road with the following conditions of sale;

1. THAT all requirements of Road Closure Policy #0621 and the *Community Charter* be adhered to during the process;
2. THAT all related survey, legal, road closure, advertising and Land Title Office (LTO) registration costs, as well as any other costs involved in the purchase, are to be split between the city of Rossland and the property owner.

be approved by Council.

CARRIED

Red Mountain Signage

October 7, 2008 report from the Planning Assistant re: Red Mountain Signage;

Moved by Councillor Spearn / Seconded by Councillor Doell

THAT the Development Permit application from Red Mountain Resort Acquisition Corp for installation of directional signage be approved by Council with the following conditions:

1. THAT the applicant agree in writing that the form and character and exterior design and finish of the signs to be constructed on the land shall be in substantial accordance with the renderings provided in the Development Permit Application;
2. THAT the applicant comply with the recommendations from the City of Rossland regarding general site development and sign location.

CARRIED

Land Swap Request – Rossland Range Properties 908 Spokane Street

October 6, 2008 report from the Manager of Planning and Development Services re: land swap request, Rossland Range Properties – 908 Spokane Street.

Moved by Councillor Charlton / Seconded by Councillor McLellan

THAT Staff proceed with the land-swap between the City and the applicant's property along Spokane Street for the property legally described as Parcel 11, TWP 9A, Kootenay District Plan X62, by Staff raising title for the identified sections of the Spokane Street Boulevard and eventually close two sections of Spokane Street (to be ceded to the applicant) in return for an equitable amount of land to be ceded from the applicant's property to the City with the following conditions;

1. THAT all requirements of the Rossland Road Closure Policy #0621 are met;
2. THAT the applicant cover all costs of the land-swap, related survey, legal, road closure advertising and registration costs as well as any other costs involved in the land swap;

be approved by Council.

CARRIED

LEGISLATIVE MATTERS

**Sustainability
Commission
Bylaw#2428**

September 12, 2008 memorandum from the CAO re: third reading of the Sustainability Commission Bylaw.

Moved by Councillor Knox / Seconded by Councillor Doell

THAT Bylaw #2428 – Sustainability Commission Bylaw, be read a third time as amended by removing article 4.2 b5;

AND THAT section 3.1 be amended to read;
“The Commission shall assist Council to implement the Visions to Actions Sustainability Plan”

AND FURTHER that section 3.3 be amended to read;
“All commission members will be required to adhere to the communications strategy adopted by the Commission as required in section 3.1 m. when dealing with discussions and draft reports.”

CARRIED with Councillor Charlton voting opposed.

**Bylaw#2426 –
Zoning
Amendment
Creekside at Red –
Public Hearing**

Set Public Hearing date for Zoning Amendment Bylaw, No. 2426, 2008(7)

Moved by Councillor Knox / Seconded by Councillor Doell

THAT the Public Hearing for Zoning Amendment Bylaw, No. 2426, 2008(7) be set for October 27, 2008.

CARRIED

**Tree Retention
Bylaw #2398**

City of Rossland Tree Retention Bylaw No. 2398 re: Third Reading;

Moved by Councillor Doell / Seconded by Councillor Knox

THAT the City of Rossland Tree Retention Bylaw No. 2398 be amended as follows and read a third time;

THAT section B 4. be amended to read;
“privately managed forest land under the Private Managed Forest Land Act if this Bylaw would have the effect of restricting, directly or indirectly, a forest management activity.”

AND THAT a new section B 5. be added to read;
“land and the trees on it, if forestry practices are governed by a tree farm license, permit or other authority or tenure under the Forest Act.”

AND FURTHER that section B 6. be amended to read;

“privately owned forest lands, which do not fall within the scope of paragraph 3. B (4) or (5) above,…”

CARRIED with Councillor Charlton voting opposed.

MAYOR AND COUNCIL REPORTS

Mayor Smith

Mayor Smith update Council on Regional Recreation dissolution.

**Closed Meeting
Resolution**

CLOSED MEETING RESOLUTION

Moved by Councillor Doell / Seconded by Councillor Knox

THAT the proceedings of the remainder of the meeting of October 14, 2008 be closed to the public pursuant to section 90 (1)(e) of the *Community Charter*.

CARRIED

Close

Mayor Smith closed the meeting at 9:25 pm

I hereby certify the preceding to be a true and correct account of the Regular Meeting of Council held on October 14, 2008.

Mayor

Corporate Officer