

CITY OF MERRITT

MINUTES OF THE REGULAR MEETING OF THE CITY OF MERRITT COUNCIL, TUESDAY, MARCH 23RD, 1993, CIVIC CENTRE CITY HALL, COUNCIL CHAMBERS, 2185 VOGHT STREET, MERRITT, B.C.

1. PRESENT:

COUNCIL:

Mayor - C. Norgaard
Councillors - R. Brown, R. Typusiak, D. Laird,
J. Hilton, G. Henderson, T. Fox

ADMINISTRATION:

Administrator - T. Day
Clerk - Y. Porada
Treasurer - S. Gill
Planner - F. Sinclair

MEDIA: Shaw Cable, Radio CJNL, Merritt Herald and Merritt News

Twenty-one members of the general public.

2. CALL TO ORDER:

Mayor Norgaard called the meeting to order at 7:30 p.m.

3. ADOPTION OF THE AGENDA:

a) Regular Meeting, Tues., March 23/93.

343/93 Moved by Councillor Henderson, seconded by Councillor Laird that Council ADOPT the Agenda of the Regular Meeting, Tues., March 23/93, including Extra Agenda, Tues., March 23/93, referring Item 9. a) 6) to an In-Camera meeting following the Regular Meeting and referring Item 8. c) to the next Committee of the Whole Meeting. CARRIED

4. PUBLIC HEARING:

a) Official Community Plan Amendment Bylaw No. 1385, 1993.

b) Zoning Amendment Bylaw No. 1388, 1993.
- Notice of Public Hearing;
- Correspondence from Glenn & Emma Heyes, March 15/93.

Mayor Norgaard called the Public Hearing to order at 7:31 p.m.

The City Planner explained the amendments in Bylaws No. 1385 and 1388, provided the public with a plot plan and site breakdown of the proposed development, and read out the correspondence from Glenn & Emma Heyes, March 15/93, Don & Shirley Schneider, March 22/93 and Bruce & Ruby Grant, March 22/93.

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4. PUBLIC HEARING: a) and b) Cont'd.

Peter McVey, 2201 McGoran Place

- presented a petition with 52 residents opposing the rezoning; and
- concerned with down zoning, maintaining property values and the potential of a mobile home park being developed.

Tom McDonagh, 2250 Voght Street

- in favour of the rezoning;
- explained the development consists of a seniors-oriented, modular home park, provided details on the development, such as parks, security, lighting, etc., and identified the benefits; and
- noted the owner has offered to place a covenant on the property restrictin development to modular homes only.

Don Schneider, 2153 Merritt Avenue

- enquired what is the process with a covenant if ownership changes; and
- noted Council could be setting a precedent, whereby owners of land adjacent to the applicant's, could also apply to Council for the R6 zone, which allows mobile home park developments.

Wanda Damron, 2225 McGoran Place

- enquired if the covenant is placed on the owner or the land; and
- noted that by approving this zoning, future Council's could agree to remove a covenant, therefore this is not an acceptable offer.

Laurent Bouchard, D.L. 124, Plan 873

- opposed to the rezoning; and
- noted current owners could sell the property to owners who wish to initiate a mobile home park development, under the new zone.

Glenn Heyes,

- was not opposed to the proposal, just the rezoning from R1 to R6;
- concerned with the possibility that a mobile home park could be developed under the R6 zone; and
- noted covenants can be removed, if all parties agree.

Vince Smoluk,

- concerned with maintaining property values;
- believed high standards of neighbourhood could be jeopardized with the potential of allowing mobile home park development; and
- opposed to the rezoning.

Council noted the following:

- not being a strata title development, concerned with homes being occupied on a rental basis;
- modular homes were recognized as single family dwellings;
- noted the property, under the current R1 zone, would require a subdivision to accomplish such a development;
- stated a covenant is placed on land and remains as such, regardless if ownership changes;
- identified that the general public's main concern was the potential of a mobile home park development

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4. PUBLIC HEARING: a) & b) Cont'd.

Mayor Norgaard enquired three times if there were further submissions either for or against the proposed bylaws, noted that no additional submissions were received from the public and therefore declared the Public Hearing closed at 8:35 p.m. Approximately 16 members of the general public left the meeting.

344/93 Moved by Councillor Typusiak, seconded by Councillor Hilton that Council RECESS the Regular Meeting of March 23/93 for five minutes at 8:36 p.m. CARRIED

Mayor Norgaard called the Regular Meeting to order at 8:41 p.m.

5. ADOPTION OF THE MINUTES:

a) Regular Meeting, Tues., March 9/93.

345/93 Moved by Councillor Brown, seconded by Councillor Henderson that Council ADOPT the Minutes of the Regular Meeting, Tues., March 9/93. CARRIED

6. BUSINESS ARISING FROM THE MINUTES:

7. UNFINISHED BUSINESS:

8. REPORTS:

a) Mayor's Reports:

Mayor Norgaard presented her report, as follows:

- attended the Merritt Mountain Music Festival, March 22/93 and noted 2,000 passes have already been sold; and
- noted more eurasian milfoil has been discovered in Nicola Lake, a survey will be taken in 1993, but no funds have been allocated for its control.

346/93 Moved by Councillor Brown, seconded by Councillor Typusiak that Council RECEIVE Mayor Norgaard's Report, March 23/93. CARRIED

b) Liaisons' and Commissions'/Committees' Reports:

Protective Services - Councillor Henderson

- meeting scheduled with Staff Sergeant Stewart, March 24/93 to discuss overtime and court costs; and
- Emergency Measures meeting, March 31/93 to discuss Merritt Mountain Music Festival security.

Airport Commission - Councillor Fox

- meeting scheduled with A.T.A.P., March 25/93 with a possible Airport Commission meeting the following week.

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8. REPORTS: b) Cont'd.

- b) **Local Access Awareness Committee** - Councillor Typusiak
- an accessibility survey will be undertaken on the local businesses under a Section 25, EYC Federal Grant, employing two U.I.C. recipients; and
- Local Access Awareness Week, May 31-June 6/93.

347/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council SEND a letter to J. Whittaker, MP, Okanagan-Similkameen-Merritt, requesting him to initiate a waiver on the eligibility requirements under the EYC Federal Grants, which would allow local disabled persons to qualify for undertaking an accessibility survey in Merritt. CARRIED

Community Futures - Councillor Typusiak
- Reception to introduce additional sculptures in Merritt from the John Weaver Collection, April 1/93.

348/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council CO-SPONSOR the Civic Centre rental fee for the John Weaver Reception, April 1/93. CARRIED

Healthy Communities - Councillor Brown
- meeting held March 10/93 consisted of discussions mainly on discrimination problems in Merritt.

c) **Administration Reports:**

1) Fire Chief's Report - Feb./93.

349/93 Moved by Councillor Henderson, seconded by Councillor Typusiak that Council RECEIVE Fire Chief's Report, Feb./93. CARRIED

2) Financial Statements for 1992.

350/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECEIVE Financial Statements for 1992. CARRIED

The Treasurer highlighted a numbers of budget figures, particularly surpluses in the General, Water and Sewer Funds, as well as General, Aquatic Centre and Capital Works reserves.

3) Treasurer's Memo - Merritt Info. Centre Budget.

351/93 Moved by Councillor Henderson, seconded by Councillor Fox that Council RECEIVE Treasurer's Memo - Merritt Info. Centre Budget. CARRIED

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8. REPORTS: c) 3) Cont'd.

- 352/93 Moved by Councillor Henderson, seconded by Councillor Fox that Council APPROVE an additional \$6,000.00 1993 expenditure for the operation of the Merritt Info. Centre. AMENDED
- 353/93 Moved by Councillor Hilton, seconded by Councillor Brown that Council AMEND Motion 352/93 - Merritt Info. Centre expenditure, by adding "and that the City's 1993 General Operating Surplus be reduced by \$6,000.00". CARRIED
- 354/93 Moved by Councillor Henderson, seconded by Councillor Fox that Council APPROVE an additional \$6,000.00 1993 expenditure for the operation of the Merritt Info. Centre and that the City's 1993 General Operating Surplus be reduced by \$6,000.00, as amended. CARRIED
- c) 4) Planner's Memo - Development Variance Permit No. 1993-01.
- 355/93 Moved by Councillor Typusiak, seconded by Councillor Henderson that Council RECEIVE DVP Permit No. 1993-01 and Planner's Memo, March 23/93, and AUTHORIZE that Development Variance Permit No. DVP1993-01 be approved. CARRIED
- 5) Victims Service Co-Ordinator's Report - Feb./93.
- 356/93 Moved by Councillor Henderson, seconded by Councillor Laird that Council RECEIVE Victims Service Co-Ordinator's Report - Feb./93. CARRIED

9. BYLAWS:

- a) Memo from Planner, March 16/93;
- Official Community Plan Amendment Bylaw No. 1385, 1993, submitted for Third Reading;
- Zoning Amendment Bylaw No. 1388, 1993, submitted for Third Reading.
- 357/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RECEIVE Memo from Planner, March 16/93, Official Community Plan Amendment Bylaw No. 1385, 1993 and Zoning Amendment Bylaw NO. 1388, 1993. CARRIED
- 358/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RESOLVE into Committee of the Whole with the Mayor in the Chair at 9:23 p.m. CARRIED

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9. BYLAWS: a) Cont'd.

- a) Council identified the following:
- concerned with down zoning from R1 to R6;
 - noted adjacent property owners opposition to a potential mobile home park development;
 - felt a covenant placed on the property restricting development to modular homes only, was not sufficient; and
 - wanted to encourage the applicant's to develop.

359/93 Moved by Councillor Brown, seconded by Councillor Fox that Council RISE from the Committee of the Whole Meeting at 9:47 p.m. and REPORT to the Regular Meeting. CARRIED

360/93 Moved by Councillor Brown, seconded by Councillor Laird that Council DENY Official Community Plan Amendment/Rezoning Amendment RZ1992-12 - King - Proposed Mobile Home Park, Lot 1, Plan 1910, K.D.Y.D. DEFERRED

Typing error - 18.
361/93 Moved by Councillor Henderson, seconded by Councillor Hilton that Council DEFER Motion No. ~~360~~/93 - Denying RZ1992-12 - King, until the next Regular Meeting, noting the possibility that another Public Hearing may be required. CARRIED

- b) Unnamed Road Stopping Up and Closure Bylaw No. 1389, 1993 - submitted for Reconsideration & Adoption.

362/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECONSIDER and ADOPT "CITY OF MERRITT UNNAMED ROAD STOPPING UP AND CLOSURE BYLAW NO. 1389, 1993". CARRIED

- c) Memo from Treasurer, March 8/93
- Sanitary Sewer Frontage Tax and Rates Bylaw No. 1390, 1993 - submitted for First, Second and Third Readings;
 - Water Frontage Tax and Rates Bylaw No. 1391, 1993 - submitted for First, Second and Third Readings.

363/93 Moved by Councillor Typusiak, seconded by Councillor Laird that Council DEFER City of Merritt Sanitary Sewer Frontage Taxes and Rates Bylaw No. 1390, 1993 and Water Frontage Taxes and Rates Bylaw No. 1391, 1993 until the next Committee of the Whole meeting. CARRIED

10. CORRESPONDENCE:

- a) Potential Council Responses:

1) John H. Philp, March 7/93 - Taxation of Churches.

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10. CORRESPONDENCE: a) 1) Cont'd.

- 364/93 Moved by Councillor Brown, seconded by Councillor Henderson that Council RECEIVE letter from John H. Philp, March 7/93 - Taxation of Churches and that all correspondence opposing Council's resolution be sent to the O.M.M.A. Resolutions Committee. CARRIED/RESCINDED
- 365/93 Moved by Councillor Hilton, seconded by Councillor Laird that Council RESCIND Motion No. 1220/92 transferring in the Municipal Act, mandatory "Exemption from Taxation" to Permissive Exemption. CARRIED
- 366/93 Moved by Councillor Brown, seconded by Councillor Laird that Council RESCIND Motion No. 363/93 receiving letter from John H. Philp, March 7/93 - Taxation of Churches and sending correspondence to O.M.M.A. CARRIED
- 2) B.C. Gas, March 1/93 - Cogeneration Conference.
- 367/93 Moved by Councillor Fox, seconded by Councillor Laird that Council RECEIVE letter from B.C. Gas, March 1/93 - Cogeneration Conference. CARRIED
- 3) U.B.C.M., Jan. 20/93 - Sawmill Wood Residue.
- 368/93 Moved by Councillor Laird, seconded by Councillor Fox that Council RECEIVE letter from U.B.C.M., Jan. 20/93 - Sawmill Wood Residue. CARRIED
- 369/93 Moved by Councillor Brown, seconded by Councillor Fox that Council SEND a letter to the Ministry of Environment, Lands & Parks, SUPPORTING B.C. Environment's "Wood Residue Minimization and Disposal Policy" and request that all Ministries and Crown Corporations co-operate, as it appears these parties are contradicting each others policies, particularly energy policies. CARRIED
- 4) Yellowhead Highway Assoc., Feb. 27/93 - Membership Fees and Newsletter.
- 370/93 Moved by Councillor Brown, seconded by Councillor Fox that Council DEFER Yellowhead Highway Assoc., Feb. 27/93 - Membership Fees and Newsletter to the Economic Development/Tourism Promotion Commission for comments. CARRIED
- 5) Gary Gustafson, Undated - Refuse Pick-Up Policy.
- 371/93 Moved by Councillor Brown, seconded by Councillor Fox that Council RECEIVE letter from Gary Gustafson - Refuse Pick-Up Policy and DEFER it to the next Committee of the Whole meeting. CARRIED

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10. CORRESPONDENCE: a) Cont'd.

- a) 6) Lloyd McLure, March 10/93 - Drainage Ditch In Easement.
Referred to In-Camera Meeting, March 23/93.
- b) Receive:
- Ministry of Environment, March 5/93.
- New Direction for a Healthy B.C., March 10/93.
- Logan Lake Search and Rescue, undated.
- Village of Gold River, undated.
- O.M.M.A., undated.
- U.B.C.M., March 5/93.
- Minister of Municipal Affairs, Recreation & Culture, March 5/93.

372/93 Moved by Councillor Typusiak, seconded by Councillor Brown that Council RECEIVE letters from Ministry of Environment, March 5/93, New Direction for a Healthy B.C., March 10/93, Logan Lake Search and Rescue, Village of Gold River, O.M.M.A., U.B.C.M., March 5/93 and Minister of Municipal Affairs, Recreation & Culture, March 5/93. CARRIED

373/93 Moved by Councillor Hilton, seconded by Councillor Brown that Council AUTHORIZE expenses to send Councillor Hilton to the B.C. Gas, Cogeneration Conference, April 22 & 23/93. CARRIED

- c) Bruce & Ruby Grant, March 22/93 - Rezoning - Lot 1, Plan 1910. Dealt with under Item 4. Public Hearing, a) & b).
- d) Don & Shirley Schneider, March 22/93 - Rezoning - Lot 1, Plan 1910. Dealt with under Item 4. Public Hearing, a) & b).
- e) Memo, March 19/93 - Towing Bids.

374/93 Moved by Councillor Hilton, seconded by Councillor Laird that Council RECEIVE Memo, March 19/93 - Towing Bids and AWARD a three-year towing Contract to Trig's Motors, as per the bid submitted. DEFERRED

375/93 Moved by Councillor Fox, seconded by Councillor Brown that Council DEFER Memo, March 19/93 - Towing Bids until the next Regular Meeting, and REQUEST the Bylaw Enforcement Officer to investigate if the bidders meet the City business license, liability and vehicle storage requirements. CARRIED

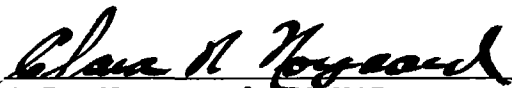
- f) Memo, March 23/93 - DVP1993-01 - Sital & Bhajan Panghli. Dealt with under Item 8. c) 4).

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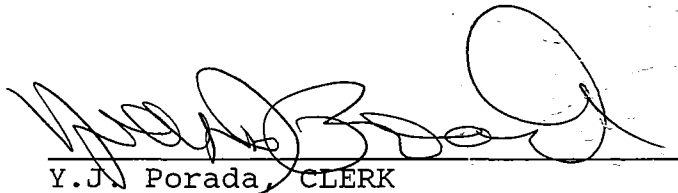
11. NEW BUSINESS:

12. ADJOURNMENT: Moved by Councillor Typusiak, seconded by Councillor Brown that the meeting ADJOURN at 10:13 p.m., with an In-Camera meeting to follow.

CERTIFIED CORRECT:



C.R. Norgaard, MAYOR



Y.J. Porada, CLERK