



City of Prince Rupert

MINUTES

For the **REGULAR MEETING** of Council held on July 25th, 2016 immediately following the Public Hearing scheduled at 7:00 pm in the Council Chambers of City Hall, 424 - 3rd Avenue West, Prince Rupert, B.C.

PRESENT: Mayor L. Brain
Councillor B. Mirau
Councillor B. Cunningham
Councillor W. Niesh
Councillor G. Randhawa
Councillor J. Thorkelson

ABSENT: Councillor N. Kinney

STAFF: C. Bomben, Chief Financial Officer / Deputy CAO
R. Mandryk, Corporate Administrator
V. Stewart, Communications Manager
Z. Krekic, City Planner

1. CALL TO ORDER

MOVED by Councillor Mirau and seconded by Councillor Niesh that the Regular Meeting be suspended and the Committee of the Whole Meeting be convened.

CARRIED

2. ADOPTION OF AGENDA

MOVED by Councillor Randhawa and seconded by Councillor Mirau that the Agenda for the Regular Council Meeting of July 25th, 2016 be adopted as presented.

CARRIED

3. MINUTES

a) MOVED by Councillor Niesh and seconded by Councillor Cunningham that the Minutes of the Special Council Meeting of June 27th, 2016 be adopted.

CARRIED

b) MOVED by Councillor Niesh and seconded by Councillor Cunningham that the Minutes of the Regular Council Meeting of June 27th, 2016 be adopted.

CARRIED

c) MOVED by Councillor Cunningham and seconded by Councillor Niesh that the Minutes of the Committee of the Whole Meeting of June 27th, 2016 be received.

CARRIED

- d) **MOVED** by Councillor Niesh and seconded by Councillor Cunningham that the Minutes of the Special Regular Council Meeting of June 29th, 2016 be adopted.

CARRIED

4. PETITIONS AND DELEGATIONS

5. UNFINISHED BUSINESS

6. REPORTS AND RECOMMENDATIONS

- a) **Report from the Chief Financial Officer – Re: June 2016 Financial Variance Report.**

The Chief Financial Officer reported to Council.

MOVED by Councillor Niesh and seconded by Councillor Cunningham that Council receives this report for information purposes.

CARRIED

- b) **Report from the City Planner – Re: Application for Development Variance Permit – 945 Ambrose Avenue.**

The City Planner presented to Council.

MOVED by Councillor Niesh and seconded by Councillor Randhawa that the Development Variance Permit Application No. DP-16-07 for 945 Ambrose Avenue proceed to the Public Notification process.

CARRIED

- c) **Report from the City Planner – Re: Application for Development Variance Permit – Lot A Block 4 Plan PRP5535 - Horizon North.**

The City Planner presented to Council.

MOVED by Councillor Mirau and seconded by Councillor Randhawa that the Development Variance Permit Application No. DP-16-13 for Lot A Block 4 Plan PRP5535 proceed to the final consideration.

CARRIED

- d) **Report from the City Planner – Re: Application for Development Variance Permit – 1812 Atlin Avenue.**

The City Planner presented to Council.

MOVED by Councillor Cunningham and seconded by Councillor Niesh that the Development Variance Permit Application No. DP-16-14 for 1812 Atlin Avenue proceeds to the Public Notification process.

CARRIED

7. CORRESPONDENCE FOR ACTION

8. RESOLUTIONS FROM CLOSED MEETINGS

9. BYLAWS

- a) **Report from the City Planner – Re: Zoning Amendment Bylaw No. 3382, 2015 - Application for Lot 3, District Lot 251, Range 5, Coast District Plan 10313 (Drake Crescent). To include 3rd and final condition on the covenant being place on the property.**

The City Planner did not present as the presentation took place during the Public Hearing.

MOVED by Councillor Niesh and seconded by Councillor Cunningham that Council gives Third Reading and Adopts the Zoning Amendment Bylaw No. 3382, 2015; and

THAT a covenant document, that includes the maximum of 80 units and the development of the park trail, be registered on the property pursuant to Section 219 of the *Land Title Act*; and

THAT city staff together with the developer, determine the necessary steps required in having the park trail developed to the satisfaction of the city.

All in favour of the amendment to the motion.

CARRIED

- b) **Report from the City Planner – Re: Zoning Amendment Bylaw No. 3398, 2016, to Regulate a Minimum 1 Kilometre Distance Between Liquor Retail Sales Establishments.**

The City Planner presented to Council.

MOVED by Councillor Cunningham and seconded by Councillor Niesh that Council give First and Second Readings to the Zoning Amendment Bylaw No. 3398, 2016; and,

THAT Council schedules a Public Hearing at 7:00 p.m. immediately prior to the August 22nd, 2016 Regular Council Meeting.

CARRIED

Councillor Mirau - OPPOSED

c) Report from the Corporate Administrator – Re: Alternative Approval Process – Park Dedication Removal and Disposal Bylaw No. 3379, 2015 (Off Graham Avenue) and Disposition of Lands to the Bryton Group.

MOVED by Councillor Niesh and seconded by Councillor Mirau that Council give First, Second and Third Readings to the proposed Park Dedication Removal and Disposal Bylaw No. 3379, 2015 (Off Graham Avenue) to allow, upon Adoption of the bylaw, for the disposition of the subject lands.

CARRIED

Having a motion made and seconded, it was then amended, with all in favour of the amendment, except Councillor Mirau, and is as follows:

MOVED by Councillor Cunningham and seconded by Councillor Thorkelson THAT Council receives for information purposes the number of Elector Responses received in regard to the proposed Park Dedication Removal and Disposal Bylaw No. 3379, 2015 (Off Graham Avenue) is 337 in total and is as certified by the City's Corporate Administrator; and

THAT Council acknowledges that the City of Prince Rupert has obtained the assent of the electors to move forward with the proposed Park Dedication Removal and Disposal Bylaw No. 3379, 2015 (Off Graham Avenue); and

THAT Council gives direction to staff to proceed with the sale of the subject lands to the Bryton Group Oceanview Condominiums Ltd. (Inc. No. BC1039709); and that the land is to be consolidated with the purchaser's adjacent lands in exchange for payment to the City, of the appraised value of the subject lands of \$21,000.00 or if a second appraisal gives a higher price that this price be utilized, to be deposited by the City into its parkland acquisition reserve fund for future acquisition of park lands; and

THAT a Covenant be registered on the consolidated property as a condition of sale having within the Covenant the provisions, that

- a) the construction of the site be completed in full by December 31, 2019; and
- b) a percentage of not less than 30 per cent of the total number of units be solely dedicated for seniors and provisioned with wheelchair accessibility; and
- c) the Development Permit be obtained by December 31, 2017; and

THAT should any of the provision within the Covenant not be met in full and within the timelines as specified, that the City of Prince Rupert shall have the right to take back the lands previously sold at a rate of the original sale price less 20 per cent for administrative costs.

CARRIED

Councillor Mirau – OPPOSED

10. ADDITIONAL ITEMS

11. REPORTS, QUESTIONS AND INQUIRIES FROM MEMBERS OF COUNCIL

12. ADJOURNMENT

MOVED by Councillor Cunningham and seconded by Councillor Niesh that the meeting be adjourned at 9:31 p.m.

CARRIED

Confirmed:

These meeting Minutes were adopted by Council. To view signed original, visit City Hall Administration or contact via phone 250-627-0934 or email Cityhall@princerupert.ca

MAYOR

Certified Correct:

CORPORATE ADMINISTRATOR