



MINUTES

PUBLIC HEARING MEETING OF CITY COUNCIL

Monday, January 27, 2020, 6:00 p.m.

Council Chamber, City Hall

PRESENT:

His Worship, Mayor C. Clark, in the Chair
Councillor C. Block
Councillor T. Davies
Councillor R. Donauer
Councillor S. Gersher
Councillor H. Gough
Councillor D. Hill
Councillor Z. Jeffries
Councillor M. Loewen

ABSENT:

Councillor B. Dubois
Councillor A. Iwanchuk

ALSO PRESENT:

City Manager J. Jorgenson
City Solicitor C. Yelland
A/Chief Financial Officer, Corporate Financial Services K. Smith
General Manager, Community Services L. Lacroix
General Manager, Transportation & Construction T. Schmidt
A/General Manager, Utilities & Environment R. Munro
City Clerk J. Sproule
Deputy City Clerk S. Bryant

1. CALL TO ORDER

Mayor Clark called the meeting to order on Treaty 6 Territory and the Traditional Homeland of the Métis People.

2. CONFIRMATION OF AGENDA

Moved By Councillor Gersher

Seconded By Councillor Davies

1. That the letter submitting comments from Gerald Lemcke and Shilo Wilson be added to item 6.1.1;
2. That the following letters be added to item 6.2.1:
 1. Requesting to Speak - Bruce Stone, dated January 26, 2020;
 2. Submitting Comments:
 1. Harry VanEyck, dated January 21, 2020;
 2. Shaun Murphy, dated January 25, 2020;
 3. Kearney Healy, dated January 25, 2020;
 4. Lucinda Presse, dated January 26, 2020;
 5. Paul Buffel, dated January 26, 2020;
 6. Laura Joa, dated January 27, 2020;
 7. Alexis Olfert, January 27, 2020;
3. That the agenda be approved as amended.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

3. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. ADOPTION OF MINUTES

Moved By Councillor Davies

Seconded By Councillor Loewen

That the minutes of the Public Hearing meeting of City Council held on December 16, 2019 be approved.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

5. PUBLIC ACKNOWLEDGEMENTS

6. PUBLIC HEARINGS

6.1 Land Use, etc.

6.1.1 Discretionary Use Application – 438 Bolstad Link – Child Care Centre [File No. CK 4355-019-013 and PL 4355-D28/19]

The following documents were provided:

- Report of the General Manager, Community Services, dated December 17, 2019;
- Letter from the Municipal Planning Commission, dated January 7, 2020; and
- Letter submitting comments from Gerald Lemcke and Shilo Wilson, dated January 27, 2020.

The City Planner advised that notification posters were sent to all adjacent landowners within 75 metres of the site.

Mayor Clark introduced the matter and a motion to consider the recommendation was put forward.

Darryl Dawson, Development Review Section Manager, Community Services Department, reviewed the Discretionary Use Application and expressed the Department's support. He noted that a letter of objection was received and indicated could discuss the matters outlined in the letter with the applicant.

Diane Bentley, Chair, Municipal Planning Commission, expressed the Commission's support of the Discretionary Use.

Roberta Delos, applicant, spoke regarding her application and addressed the concerns in the letter of opposition.

Shilo Wilson and Gerald Lemcke, neighbouring property owners, expressed concerns with respect to parking, noise from car doors and idling, noise from activity in the yard, and lighting indicating the business is disruptive and could have a negative effect on their property value.

Roberta Delos responded to the concerns of the neighbour and indicated she would be interested in entering into a "good neighbour agreement" with respect to parking.

Discussion was held regarding "good neighbor agreements".

Moved By Councillor Davies

Seconded By Councillor Jeffries

That the submitted report and correspondence be received.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Gough

That the hearing be closed.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Hill

That the hearing be deferred to the February Public Hearing.

No seconder was received and therefore the motion was not considered or voted on.

Moved By Councillor Davies

Seconded By Councillor Donauer

That the Discretionary Use Application submitted by Roberta Delos Reyes requesting approval to operate a child care centre at 438 Bolstad Link, be approved, subject to the following conditions:

1. The applicant obtain a Development Permit and all other relevant permits and licences (including a Building Permit); and

In Favour: (8): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Jeffries, and Councillor Loewen

Against: (1): Councillor Hill

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED (8 to 1)

Moved By Councillor Davies

Seconded By Councillor Donauer

That the Discretionary Use Application submitted by Roberta Delos Reyes requesting approval to operate a child care centre at 438 Bolstad Link, be approved, subject to the following conditions:

2. The final plans submitted be substantially in accordance with the plans submitted in the support of this Discretionary Use Application.

In Favour: (8): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Jeffries, and Councillor Loewen

Against: (1): Councillor Hill

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED (8 to 1)

Moved By Councillor Loewen

Seconded By Councillor Jeffries

That the Administration facilitate a discussion about a good neighbour agreement with the applicant and neighbouring property owner.

In Favour: (8): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Jeffries, and Councillor Loewen

Against: (1): Councillor Hill

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED (8 to 1)

Moved By Councillor Hill

Seconded By Councillor Jeffries

That the Administration report back to the appropriate committee on the use of the good neighbour agreements.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

6.1.2 Discretionary Use Application – Proposed Child Care Centre – 207 Witney Avenue [File No. CK 4355-019-014 and PL 4355-D26/19]

The following documents were provided:

- Report of the General Manager, Community Services, dated December 17, 2019; and
- Letter from the Municipal Planning Commission, dated January 7, 2020.

The City Planner advised that notification posters were sent to all adjacent landowners within 75 metres of the site.

Mayor Clark introduced the matter and a motion to consider the recommendation was put forward.

Darryl Dawson, Development Review Section Manager, Community Services Department, reviewed the Discretionary Use Application and expressed the Department's support.

Diane Bentley, Chair, Municipal Planning Commission, expressed the Commission's support of the Discretionary Use.

Mayor Clark ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved By Councillor Hill

Seconded By Councillor Loewen

That the submitted report and correspondence be received.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Donauer

That the hearing be closed.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Donauer

That the Discretionary Use Application submitted by Nenita Famini requesting permission for a child care centre to provide care for up to 12 children at any one time at 207 Witney Avenue, be approved, subject to the following conditions:

1. The applicant obtain a development permit and all other relevant permits and licences (including a building permit); and
2. The final plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use Application.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

6.2 Public Notice Matters

6.2.1 Proposed Street Closure – Portion of 100 Block 9th Street East – Nutana Neighbourhood [File No. CK 6295-020-001, x6320-1 and TS 6295-1]

A report of the General Manager, Transportation & Construction Department, dated January 27, 2020 was provided along with Bylaw No. 9673 and the notice that appeared in the local press on January 11 and 13, 2020.

The following letters were provided:

1. Request to Speak:
 1. Darren Inglis-McQuay, dated January 21, 2020
 2. Bruce Stone, dated January 26, 2020;
2. Submitting Comments:
 1. John and Sheila Patterson, January 14, 2020; and
 2. Lynn and Bob LeMesurier, dated January 19, 2020.
 3. Harry VanEyck, dated January 21, 2020;
 4. Shaun Murphy, dated January 25, 2020;
 5. Kearney Healy, dated January 25, 2020;
 6. Lucinda Presse, dated January 26, 2020;
 7. Paul Buffel, dated January 26, 2020;
 8. Laura Joa, dated January 27, 2020;
 9. Alexis Olfert, January 27, 2020

Mayor Clark introduced the matter. A motion putting forward the recommendation was made and a motion to consider first reading of Bylaw No. 9673 was passed.

General Manager, Transportation and Construction Schmidt reviewed the report.

City Council heard from the following speakers that were present in the gallery:

Darren Inglis-McQuay, resident on 9th Street East, spoke in support of the directional closure.

Bruce Stone spoke in support of the directional closure.

David Newton spoke against the closure expressing concerns with respect to not having an exist off of 9th Street. He provided pictures of tracks in the snow from people making U-turns.

John Patterson, resident on the 100 block of 9th Street spoke in favour of the directional closure indicating that U-turns are not a concern.

Robert Clipperton, resident on the 400 block of 9th Street, spoke in support of the directional closure.

Peter Lidster, owner of property adjacent to the closure, spoke against the closure indicating his property was most affected.

Moved By Councillor Davies

Seconded By Councillor Gough

That permission be granted to introduce Bylaw No. 9673, The Street Closing Bylaw, 2020 and give same its FIRST reading.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Hill

Seconded By Councillor Donauer

That the submitted report and correspondence be received.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Jeffries

That the hearing be closed.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Block

That Bylaw No. 9673 now be read a SECOND time.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Donauer

That permission be granted to have Bylaw No. 9673 read a third time at this meeting.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Gough

That Bylaw No. 9673 now be read a THIRD time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Gough

That after closure, this portion of 9th Street East remain road allowance but be closed to vehicular traffic.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

6.2.2 Intent to Borrow [File No. CK 1750-1 and CF 1702-1, x1750-1]

A report of the Chief Financial Officer, Corporate Financial Services, dated January 27, 2020 was provided along with the notice that appeared in the local press on January 18 and 20, 2020.

Mayor Clark introduced the matter and a motion putting forward the recommendations was made.

Kari Smith, A/Chief Financial Officer, Corporate Financial Services reviewed the report.

Mayor Clark ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved By Councillor Davies

Seconded By Councillor Gough

That the planned borrowing to finance the following projects approved, in principle, through capital budgets and capital plans be approved:

- a. up to \$67,545,000 for the New Central Library Construction (Capital Project 1761);
- b. up to \$2,250,000 for the Wastewater Facility Upgrade N40WW (Capital Project 2581);
- c. up to \$810,000 for the Wastewater Digester Cleaning Facility (Capital Project 2580);

- d. up to \$370,000 for the Urban Planning and Development Program Enhancements (Capital Project 2169) from an internal loan amortized over a 5-year term;
- e. up to \$5,220,000 for the North East Sector Reservoir (Capital Project 2219);
- f. up to \$7,650,000 for the Bioreactor Expansion (Capital Project 2585); and
- g. an allowable 10% variance on the borrowing requirements for each project identified. Any variance greater than 10% of the borrowing amount identified must be reported to City Council.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED (9 to 0)

6.2.3 The Procedures and Committees Amendment Bylaw, 2020 [File No. CK 255-2]

The following documents were provided:

- Report of the City Solicitor, dated January 27, 2020 along with Bylaw No. 9681; and
- Noticed that appeared in the local press on January 18 and 20, 2020

Mayor Clark introduced the matter and a motion to consider first reading of Bylaw No. 9681 was passed.

Cindy Yelland, City Solicitor, reviewed the report.

Mayor Clark ascertained that there was no one present in the gallery who wished to address Council on this matter.

Moved By Councillor Davies

Seconded By Councillor Donauer

That permission be granted to introduce Bylaw No. 9681, *The Procedures and Committees Amendment Bylaw, 2020* and give same its FIRST reading.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Gough

That Bylaw No. 9681 now be read a SECOND time.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Block

That permission be granted to have Bylaw No. 9681 read a third time at this meeting.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

Moved By Councillor Davies

Seconded By Councillor Jeffries

That Bylaw No. 9681 now be read a THIRD time, that the bylaw be passed and the Mayor and the City Clerk be authorized to sign same and attach the corporate seal thereto.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

7. PROCLAMATIONS AND FLAG RAISINGS

A list of flag raising and proclamation requests received for the month of December 2019 is provided.

Moved By Councillor Donauer

Seconded By Councillor Davies

That the information be received.

In Favour: (9): Mayor C. Clark, Councillor Block, Councillor Davies, Councillor Donauer, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Jeffries, and Councillor Loewen

Absent: (2): Councillor Dubois, and Councillor Iwanchuk

CARRIED UNANIMOUSLY (9 to 0)

8. URGENT BUSINESS

9. ADJOURNMENT

The Public Hearing Meeting adjourned at 8:03 p.m.

Mayor

City Clerk