



MINUTES

PUBLIC HEARING MEETING OF CITY COUNCIL

Monday, August 29, 2022, 6:00 p.m.

Council Chamber, City Hall

PRESENT: His Worship, Mayor C. Clark, in the Chair
Councillor R. Donauer
Councillor B. Dubois, via teleconference
Councillor S. Gersher
Councillor H. Gough
Councillor D. Hill
Councillor D. Kirton
Councillor M. Loewen

ABSENT: Councillor C. Block
Councillor T. Davies
Councillor Z. Jeffries

ALSO PRESENT: City Manager J. Jorgenson
City Solicitor C. Yelland
General Manager, Community Services L. Lacroix
General Manager, Transportation & Construction T. Schmidt
City Clerk A. Tittlemore
Deputy City Clerk S. Bryant

1. CALL TO ORDER

The Chair called the Public Hearing Meeting to order on Treaty 6 Territory and the Traditional Homeland of the Métis People and confirmed roll call.

2. CONFIRMATION OF AGENDA

Moved By: Councillor Gersher

Seconded By: Councillor Dubois

1. That the letter from Tanner Michalenko, Ideas Inc., dated August 29, 2022 be added to item 6.2.2; and
2. That the agenda be approved as amended.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

3. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of conflict of interest.

4. ADOPTION OF MINUTES

Moved By: Councillor Donauer

Seconded By: Councillor Gersher

That the minutes of the Public Hearing meeting of City Council held on July 25, 2022 be approved.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

5. PUBLIC ACKNOWLEDGEMENTS

6. PUBLIC HEARINGS

6.1 Land Use, etc.

**6.1.1 Discretionary Use Application – Residential Care Home Type II
– 926 Bentley Manor [CK 4355-022-003]**

The following documents were provided:

- Report of the General Manager, Community Services, dated July 26, 2022; and,
- Letter from the Municipal Planning Commission, dated July 29, 2022.

The City Planner advised that notification posters had been sent to all adjacent landowners within 150 metres of the site.

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

Brent McAdam, Senior Planner, Community Services Division, reviewed the Discretionary Use Application and expressed the Division's support and replied to questions from Council.

There was no representation from the Municipal Planning Commission. Mayor Clark noted that there was a letter of support submitted.

The Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter and there were no letters requesting to speak.

Moved By: Councillor Hill

Seconded By: Councillor Gersher

That the submitted correspondence and report be received.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Loewen

That the hearing be closed.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Kirton

That the Discretionary Use Application submitted by Vikarun Koly and Sharker Mohamad Ahsan, requesting approval to develop a Residential Care Home Type II for up to 15 residents at any one time, at 926 Bentley Manor, be approved, subject to the following conditions:

1. The final plans submitted be substantially in accordance with the plans submitted in support of this Discretionary Use Application, and conform with development standards as described under Bylaw No. 8770, Zoning Bylaw, 2009; and
2. The applicant obtains a Development Permit and all other relevant permits and licences, including a Building Permit.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

6.1.2 Rezoning – Brighton Neighbourhood (Phase 8) – From FUD District to R1A, R1B and R2 & FUD(H) District to R1A, R1B and R2 [CK 4351-022-009]

The following documents were provided:

- Proposed Bylaw No. 9839;

- Report of the General Manager, Community Services, dated July 26, 2022;
- Letter from the Municipal Planning Commission, dated July 29, 2022; and
- Notice that appeared in the local press on August 13 and 15, 2022.

Mayor Clark introduced the matter and a motion to consider first reading of Bylaw No. 9839 was passed.

Brent McAdam, Senior Planner, Community Services Division, reviewed the proposed rezoning and expressed the Division's support.

There was no representation from the Municipal Planning Commission. Mayor Clark noted that there was a letter of support submitted.

The Mayor ascertained that there was no one present in the gallery who wished to address Council on this matter and there were no letters requesting to speak.

Moved By: Councillor Gersher

Seconded By: Councillor Donauer

That permission be granted to introduce Bylaw No. 9839 and give same its FIRST reading.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Dubois

That the submitted report and correspondence be received.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Loewen

That the hearing be closed.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Dubois

That Bylaw No. 9839 now be read a SECOND time.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Gough

That permission be granted to have Bylaw No. 9839 read a third time at this meeting.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Kirton

That Bylaw No. 9839 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: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

6.2 Public Notice Matters

6.2.1 Proposed Closure of Right-of-Way – Portion of McOrmond Drive – Brighton Neighbourhood [CK 6295-022-003]

A report of the General Manager, Transportation and Construction, dated August 29, 2022 was provided, along with *Bylaw No. 9838* and the notice that appeared in the local press on August 13 and 15, 2022.

Mayor Clark introduced the matter. A motion putting forward the recommendation was made and a motion to consider first reading of Bylaw No. 9838 was passed.

General Manager, Transportation and Utilities Schmidt reviewed the report.

Mayor Clark ascertained that there was nobody present in the gallery who wished to address Council on this matter and there were no submissions requesting to speak.

Moved By: Councillor Gersher

Seconded By: Councillor Hill

That permission be granted to introduce Bylaw No. 9838 - *The Street Closing Bylaw, 2022, (No. 3)*, and give same its FIRST reading.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gough

Seconded By: Councillor Loewen

That the submitted report and correspondence be received.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Dubois

That the hearing be closed.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Kirton

That Bylaw No. 9838 now be read a SECOND time.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Loewen

That permission be granted to have Bylaw No. 9838 read a third time at this meeting.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Donauer

That Bylaw No. 9838 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: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Gersher

Seconded By: Councillor Hill

1. That after closure, the former right-of-way be transferred to Bomac Industries Ltd.; and
2. That all costs associated with closure be paid by the applicant, including Solicitor's fees and disbursements.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

6.2.2 Lease to Manage the Farmers' Market Building [CK. 4129-22, x600-3]

The following documents were provided:

- Report of the Standing Policy Committee on Planning, Development and Community Services;
- Report of the General Manager, Community Services dated August 15, 2022;
- Notice that appeared in the local press on August 20 and 22, 2022; and
- Letter from Tanner Michalenko, Ideas Inc. on August 29, 2022 to respond to questions.

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

General Manager, Community Services Lacroix introduced the report and noted that Tanner Michalenko, Ideas Inc. was present for questions.

Mayor Clark ascertained that there was nobody present in the gallery who wished to address Council on this matter and there were no submissions requesting to speak.

Moved By: Councillor Hill

Seconded By: Councillor Gough

That the submitted correspondence and report be received.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Hill

Seconded By: Councillor Gersher

That the hearing be closed.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

Moved By: Councillor Donauer

Seconded By: Councillor Gersher

1. That the City enter into a lease agreement with Ideas Inc. to operate the public market within the Farmers' Market Building, located at 414 Avenue B South in River Landing,

based on the terms outlined in the August 15, 2022 report of the General Manager, Community Services;

2. That a five-year tax exemption, estimated at \$53,162, based on the increasing scale outlined in Appendix 2, be approved;
3. That the City Solicitor be requested to prepare the appropriate agreements and that His Worship the Mayor and the City Clerk be authorized to execute the agreements under the Corporate Seal; and
4. The post budget request for a 2022 capital project at a cost of \$150,000, be approved for the purchase of furnishings for the common areas, funded 50% from the Reserve for Capital Expenditures and 50% by Ideas Inc. as a private contribution.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

7. PROCLAMATIONS AND FLAG RAISINGS [CK 435-48]

A list of flag raising and proclamation requests received for the month of July 2022 was provided.

Moved By: Councillor Gersher

Seconded By: Councillor Gough

That the information be received.

In Favour: (8): Mayor C. Clark, Councillor Donauer, Councillor Dubois, Councillor Gersher, Councillor Gough, Councillor Hill, Councillor Kirton, and Councillor Loewen

Absent: (3): Councillor Block, Councillor Davies, and Councillor Jeffries

CARRIED UNANIMOUSLY (8 to 0)

8. URGENT BUSINESS

9. ADJOURNMENT

The public hearing meeting adjourned at 6:21 pm on August 29, 2022.

Mayor

City Clerk