

**TOWN OF CRESTON**  
**REGULAR COUNCIL MEETING MINUTES – September 19, 2017**

Minutes of a Regular Meeting of Council held on Tuesday, September 19, 2017 at 4:00 p.m. in the Town of Creston Council Chambers, 238 – 10<sup>th</sup> Avenue, North.

**PRESENT:** Mayor Toyota  
Councillors Boehmer, Casemore, Comer, Elford, Unruh, Wilson  
Lou Varela, Town Manager  
Steffan Klassen, Director of Finance & Corporate Services  
Ross Beddoes, Director of Municipal Services/Chief Building Official  
Colin Farynowski, Manager of Engineering  
Stacey Hadley, Corporate Officer

**MEDIA:** There was no Media present.

**GALLERY:** Carole Materi, Resident  
Dennis Materi, Resident  
Dan Schiffke, Resident  
Jen Schiffke, Resident  
Sam Parsons, Resident  
Wade Romano, Resident  
Allan Clement, Resident

**CALL TO ORDER:** The Mayor called the Regular Meeting to order at 4:00 p.m.

281-17  
**AGENDA** Moved by Councillor Boehmer, seconded by Councillor Wilson  
THAT the Agenda for the Regular Meeting of September 19, 2017 be  
adopted. CARRIED

282-17  
**MINUTES**  
►REGULAR THAT the Minutes of the Regular Council Meeting held September 5,  
SEPT 5/17 2017, be adopted as read on this day and that such Minutes as read set  
out all the business before Council that day and fully and properly record  
all of the resolutions and bylaws passed and adopted by Council at that  
meeting. CARRIED

283-17  
►COMMITTEE Moved by Councillor Wilson, seconded by Councillor Casemore  
SEPT 12/17 THAT the Minutes of the Committee of the Whole Meeting held September  
12, 2017, be received. CARRIED

**COUNCIL**  
**COMMITTEE** Moved by Councillor Unruh, seconded by Councillor Elford  
284-17 THAT Council Committee Recommendations No. 1 to 4, from the  
September 12, 2017 Regular Committee of the Whole Meeting, be  
adopted as follows:

**RECOMMENDATIONS** **RECOMMENDATION NO. 1:**  
► RCMP 1<sup>ST</sup> THAT Ltr #516 from the Creston RCMP Detachment regarding the 1<sup>st</sup>  
QUARTER Report on the activities of the RCMP, Creston  
REPORT Detachment, be received. CARRIED

►CITY OF **RECOMMENDATION NO. 2:**  
ABBOTSFORD – THAT Ltr #505 from the City of Abbotsford, requesting support for the  
UBCM RESOLUTION 2017 UBCM Resolution regarding the Case for Prevention of the Opioid  
SUPPORT Crisis, be received. CARRIED

►KBRH **RECOMMENDATION NO. 3:**  
HEALTH THAT Ltr #513 from the Kootenay Boundary Regional Health Foundation,  
FOUNDATION requesting support for the Endoscopy Campaign, be received. CARRIED

►CV CHAMBER **RECOMMENDATION NO. 4:**  
OF COMMERCE THAT the verbal report by the Executive Assistant regarding membership  
MEMBERSHIP with the Creston Valley Chamber of Commerce, be received, AND  
FURTHER, that Staff write the Regional District of Central Kootenay,  
Creston Valley Services Committee, recommending that Service 108  
(Economic Development) purchase a membership for 2018 with the  
Creston Valley Chamber of Commerce, which would provide a joint  
membership for the Regional District of Central Kootenay and the Town of  
Creston. CARRIED

- 285-17  
► REVITALIZATION  
TAX EXEMPTION  
APPLICATION
- Moved by Councillor Comer, seconded by Councillor Boehmer  
THAT Ltr #424A from Vigna Holdings Ltd., being an application under the Revitalization Tax Exemption Program, be received; THAT subject to the fulfillment of the conditions and requirements for issuance set out in the Revitalization Tax Exemption Agreement, part of Revitalization Tax Exemption Bylaw No. 1821, that staff is authorized to issue a Revitalization Tax Exemption Certificate to Vigna Holdings Ltd. for the property legally described as Lot 1, District Lot 891, Kootenay District, Plan EPP51642, PID: 029-575-931; AND FURTHER, THAT subject to the fulfillment of the conditions and requirements for issuance set out in the Revitalization Tax Exemption Agreement and in the Revitalization Tax Exemption Bylaw No. 1821, that staff is authorized to provide the Exemption Certificate entitling Vigna Holdings Ltd. to a municipal property tax exemption with respect to the property legally described as Lot 1, District Lot 891, Kootenay District, Plan EPP51642, PID: 029-575-931, for the Calendar Years set out in the Revitalization Tax Exemption Agreement. CARRIED
- 286-17  
► UBCM COMMUNITY  
TO COMMUNITY  
FORUM'S
- Moved by Councillor Wilson, seconded by Councillor Boehmer  
THAT Ltr #515 from the UBCM be received; AND FURTHER, THAT staff is authorized to submit an application for funding under the Community to Communities Forum Program, Fall 2017 intake. CARRIED
- 287-17  
► BC MUNICIPAL  
CLIMATE  
LEADERSHIP  
COUNCIL
- Moved by Councillor Unruh, seconded by Councillor Boehmer  
THAT Ltr #523 from the BC Municipal Climate Leadership Council regarding the Climate Leadership Institute, be received. CARRIED
- 288-17  
► RDCK – SEPTAGE  
TREATMENT  
FACILITY
- Moved by Councillor Boehmer, seconded by Councillor Casemore  
THAT Ltr #525 from the Regional District of Central Kootenay regarding the extension of a Memorandum of Understanding for the Septage Treatment Facility, be received; AND FURTHER, THAT Council approve an extension to the Septage Treatment Facility Memorandum of Understanding between the Regional District of Central Kootenay and the Town of Creston for an additional two (2) year term from July 1, 2017 to June 30, 2019. CARRIED
- 289-17  
► GREYHOUND  
CANADA
- Moved by Councillor Wilson, seconded by Councillor Unruh  
THAT Ltr #529 from Greyhound Canada, be received; AND FURTHER, THAT staff write a letter to the British Columbia Passenger Transportation Board stating concerns regarding route reductions and the impact to the community, specifically as it relates to transportation for medical purposes and during the holiday seasons. CARRIED
- 290-17  
► AIR CADETS – 904  
KOOTENAI  
SQUADRON LEASE  
AGREEMENT
- Moved by Councillor Unruh, seconded by Councillor Comer  
THAT Ltr #534 from the Fire Chief, regarding the lease space to the Air Cadets – 904 Kootenai Squadron, be received; THAT Council authorize staff to enter into a lease agreement with the Air Cadets – 904 Kootenai Squadron for the use of space at the Creston Fire Hall, legally described as Parcel 6, Lot 4, Plan 693A, District Lot 525, Kootenay Land District, located at 220 - 10<sup>th</sup> Avenue, North, Creston for the purposes of holding classroom exercises and equipment storage; and at 138-10<sup>th</sup> Avenue N, legally described as Parcel D (See DD 14521) of Block 4, District Lot 525, Kootenay District, Plan 693A, for a two (2) year term, commencing October 1, 2017 at a rental fee of \$1.00 per year; AND FURTHER, THAT the lease agreement be renewable for a further two (2) year term, based on the same terms and conditions, subject to mutual agreement by both the Town of Creston and the Air Cadets – 904 Kootenai Squadron. CARRIED
- 291-17  
► COMMERCIAL  
VEHICLE LICENSING  
REPEAL BYLAW NO.  
1335
- Moved by Councillor Elford, seconded by Councillor Boehmer  
THAT Ltr #528 from the Director of Finance and Corporate Services regarding the Commercial Vehicle Licensing Repeal Bylaw, be received; AND FURTHER, THAT Council consider three readings to Commercial Vehicle Licensing Repeal Bylaw No. 1857, 2017 at the September 19, 2017 Regular Council Meeting. CARRIED

292-17  
► BORROWING  
BYLAW NO. 1861

Moved by Councillor Unruh, seconded by Councillor Casemore  
THAT Ltr #535 from Director of Finance and Corporate Services regarding a proposed Borrowing Bylaw for the borrowing of a new Protective Services Facility, be received; AND FURTHER, THAT Council consider three readings to Borrowing Bylaw No. 1861, 2017 at the September 19, 2017 Regular Council Meeting. CARRIED

► DVP #03/17  
416 DEVON STREET

The Director of Municipal Services presented Development Variance Permit application for DVP #03/17 for 416 Devon Street to Council and proceeded with the hearing for the Permit, as follows:

Development Variance Permit DVP-#03/17 Hearing:

- a) The Town of Creston has received an application for a Development Variance Permit from Wade Leroy Romano and Tamara Kathleen Mary Romano (the owners) to vary Zoning Bylaw. 1123, Zone HSC, Highway Service Commercial, Section 2.3. Minimum Setbacks, "*Rear lot line setback of 4.5 metres*" to "*Rear lot line setback of 3.5 metres*", subject to all legal requirements, to allow for the construction of a 3 metre sun deck on the north side (rear) of the existing structure, on the property legally described as Parcel 1 (See 116203-I), Block B, District Lot 892, Kootenay District, Plan 2307, except part included in Plan NEP22112, and located at 416 Devon Street.
- b) 13 Notices were mailed on Friday, September 8, 2017.
- c) No written or verbal submissions were received by staff at Town Hall.
- d) Are there any comments from the public?  
- There were no comments from members of the Gallery.
- e) Council has the option to either deny or approve the application.

293-17  
► DVP #03/17  
416 DEVON STREET

Moved by Councillor Wilson, seconded by Councillor Unruh  
THAT Council authorizes the issuance of Development Variance Permit DVP-#03/17 to Wade Leroy Romano and Tamara Kathleen Mary Romano (the owners) to vary Zoning Bylaw. 1123, Zone HSC, Highway Service Commercial, Section 2.3. Minimum Setbacks, "*Rear lot line setback of 4.5 metres*" to "*Rear lot line setback of 3.5 metres*", subject to all legal requirements, to allow for the construction of a 3 metre sun deck on the north side (rear) of the existing structure, on the property legally located as Parcel 1 (See 116203-I), Block B, District Lot 892, Kootenay District, Plan 2307, except part included in Plan NEP22112, and located at 416 Devon Street; AND FURTHER, that Administration is directed to process the said Permit. CARRIED  
OPPOSED: Councillors Boehmer, Elford, Casemore

► DVP #04/17  
225-25<sup>th</sup> AVENUE  
SOUTH

The Director of Municipal Services presented Development Variance Permit application for DVP #04/17 for 225 – 25<sup>th</sup> Avenue South to Council and proceeded with the hearing for the Permit, as follows:

Development Variance Permit DVP #04/17 Hearing:

- a) The Town of Creston has received an application for a Development Variance Permit from Daniel Paul Schiffke and Jennifer Christine Schiffke (the owners) to vary Zoning Bylaw No. 1123, Zone R-1, Single Family, Section 2.3.i) Minimum Setbacks, "*Principal Buildings, rear lot line setback of 6.1 metres*" to "*Principal Buildings, rear lot line setback of 0.914 metres*", subject to all legal requirements, to allow for the conversion of an existing *Accessory Building* (Garage) into an expansion of the *Principal Building* (House), on the property legally described as Lot 2, District Lot 891, Kootenay District, Plan 2755, and located at 225 – 25<sup>th</sup> Avenue South.
- b) 31 Notices were mailed on Friday, September 8, 2017.
- c) No written or verbal submissions were received by staff at Town Hall.
- d) Are there any comments from the public?  
- Members of the Gallery held discussions regarding the proposed structure, the side yard setback, concerns of noise and the purpose for the application.

- Dan Schiffke advised that the purpose is to provide their children with separate bedrooms.
- Carole and Dennis Materi of 223-25<sup>th</sup> Avenue South noted their opposition to the application.

e) Council has the option to either deny or approve the application.

294-17  
 ► DVP #04/17  
 225-25<sup>th</sup> AVENUE  
 SOUTH

Moved by Councillor Wilson, seconded by Councillor Unruh  
 THAT Council authorizes the issuance of Development Variance Permit DVP #04/17 to Daniel Paul Schiffke and Jennifer Christine Schiffke (the owners) to vary Zoning Bylaw No. 1123, Zone R-1, Single Family, Section 2.3.i) Minimum Setbacks, "*Principal Buildings, rear lot line setback of 6.1 metres*" to "*Principal Buildings, rear lot line setback of 0.914 metres*", subject to all legal requirements, to allow for the conversion of an existing *Accessory Building (Garage)* into an expansion of the *Principal Building (House)*, on the property legally described as Lot 2, District Lot 891, Kootenay District, Plan 2755, and located at 225 – 25<sup>th</sup> Avenue South, subject to the following conditions:

- 1) That the thickness of the West wall of the existing garage be increased to 8" (nominal) with the cavities between the studs filled with sound absorption insulation; and
- 2) That no windows be permitted along the West wall of the renovated space; and further,

THAT Administration is directed to process the said Permit. CARRIED

#### BYLAWS

295-17  
 ► BYLAW NO. 1860  
 (1<sup>ST</sup> & 2<sup>ND</sup> RDGS)

Moved by Councillor Boehmer, seconded by Councillor Comer  
 THAT Revitalization Tax Exemption Program Bylaw No. 1860, 2017, be read a first time by title, second time by content. CARRIED

296-17  
 ► BYLAW NO. 1860  
 (3<sup>RD</sup> RDG)

Moved by Councillor Elford, seconded by Councillor Casemore  
 THAT Revitalization Tax Exemption Program Bylaw No. 1860, 2017, be read a third time. CARRIED

297-17  
 ► BYLAW NO. 1857  
 (1<sup>ST</sup> & 2<sup>ND</sup> RDGS)

Moved by Councillor Boehmer, seconded by Councillor Comer  
 THAT Commercial Vehicle Licensing Repeal Bylaw No. 1857, 2017, be read a first time by title, second time by content. CARRIED

298-17  
 ► BYLAW NO. 1857  
 (3<sup>RD</sup> RDG)

Moved by Councillor Wilson, seconded by Councillor Unruh  
 THAT Commercial Vehicle Licensing Repeal Bylaw No. 1857, 2017, be read a third time. CARRIED

299-17  
 ► BYLAW NO. 1861  
 (1<sup>ST</sup> & 2<sup>ND</sup> RDGS)

Moved by Councillor Boehmer, seconded by Councillor Comer  
 THAT Borrowing Bylaw No. 1861, 2017, be read a first time by title, second time by content. CARRIED

300-17  
 ► BYLAW NO. 1861  
 (3<sup>RD</sup> RDG)

Moved by Councillor Boehmer, seconded by Councillor Comer  
 THAT Borrowing Bylaw No. 1861, 2017, be read a third time. CARRIED

#### NEW BUSINESS

Councillor Comer left the room at 4:40 p.m. declaring a conflict of interest with respect to the following item, as she is the Fields Forward, Coordinator.

301-17  
 ► FIELDS FORWARD  
 MOBILE PRESS

Moved by Councillor Unruh, seconded by Councillor Wilson  
 THAT Ltr #548 from Kootenay Employment Services, be received; AND FURTHER, THAT Council approves the issuance of a Licence of Occupation to Kootenay Employment Services for a request for a Press Fest event on October 7, 2017, to be located in the Cook Street parking lot, if Spirit Square is not used for the event, subject to the operational needs of Kootenay Employment Services for the event. CARRIED

Councillor Comer returned to the meeting at 4:45 p.m.

REPORTS OF REPS.  
 ► CLR BOEHMER

Councillor Boehmer reported on his attendance at the Creston Valley Fall Fair.

► CLR CASEMORE

Councillor Casemore – No Report.

- CLR COMER Councillor Comer – No Report.
- CLR ELFORD Councillor Elford reported on his attendance at the Creston Valley Fall Fair, an Airport Society meeting and the Take Back the Night event.
- CLR UNRUH Councillor Unruh reported on her attendance at the Santa Parade Winter Fest Committee meeting.
- CLR WILSON Councillor Wilson reported on her attendance at a Networking meeting.
- MAYOR TOYOTA Mayor Toyota reported on his attendance at the Regional District of Central Kootenay meetings, the Creston Valley Regional Airport Society meeting, the Municipal Finance Authority – BC Trustee meetings and the Creston Valley Fall Fair, the KES Disability Month event and the Cops for Kids breakfast event.
- GIVING OF NOTICES** COTW – Oct. 17, Nov. 21, Dec. 5, 2017  
COUNCIL – 2<sup>nd</sup> & 4<sup>th</sup> Tuesdays of each month; Sept. 19, Oct. 10, 24, Nov. 14, 28, Dec. 12, 2017  
UBCM – Sept. 25 – 29, 2017  
CBT SYMPOSIUM – Oct. 13 – 15, 2017  
SANTA CLAUSE PARADE – Dec. 2, 2017
- QUESTION PERIOD** There were no questions from members of the gallery.
- 302-17  
**MOVE TO CLOSED MEETING** Moved by Councillor Boehmer, seconded by Councillor Comer THAT by authority of the Community Charter, this meeting is closed from the public and/or news media, pursuant to Sub-Section 90(1)(c) and (e).  
CARRIED
- RECONVENE** The Regular Council Meeting reconvened at 5:27 p.m.
- RESOLUTIONS FROM CLOSED MEETING** Moved by Councillor Boehmer, seconded by Councillor Comer THAT Resolution number 113-17 from the September 19, 2017 Closed Meeting, be reported at the September 19, 2017 Regular Meeting, as follows:
- 303-17  
► TOWN'S PURCHASING POLICY Moved by Councillor Elford, seconded by Councillor Casemore THAT Ltr #357 from the Town Manager, requesting exemption from the Town's Purchasing Policy, be received; THAT Council approves an exemption from the Town of Creston Purchasing Policy, to permit the sole sourcing of a consulting team to update, revise and/or rewrite the Town of Creston Zoning Bylaw, to ensure that the Town's land use regulations accurately reflect the development directions and initiatives set out in the Official Community Plan; AND FURTHER, THAT Council awards the contract to 1<sup>st</sup> Principles Planning, at a cost not to exceed \$65,000, for the revision and rewrite of the Town's Zoning Bylaw, incorporating the development directions and initiatives set out in the Official Community Plan.  
CARRIED
- Moved by Councillor Casemore, seconded by Councillor Wilson THAT Resolution number 114-17 from the September 19, 2017 Closed Meeting, be reported at the September 19, 2017 Regular Meeting, as follows:
- 304-17  
► CRESTON VALLEY WILDLIFE MANAGEMENT Moved by Councillor Unruh, seconded by Councillor Comer THAT a representative of the Creston Valley Wildlife Management Area be requested to attend a Regular Council Meeting as a Delegation to provide an update regarding the status, both operational and financial of the Management Area, prior to budget deliberations.  
CARRIED
- ADJOURNMENT** THAT the Regular Council Meeting of September 19, 2017, be adjourned at 5:32 p.m.  
CARRIED
- CERTIFIED CORRECT:**