

Mayor Fromme opened the Special Meeting of Council at 19:00 hours on October 11, 2022, Midway Council Chambers, 661 Eighth Ave., Midway, BC.

We acknowledge that our gathering takes place on the unceded and traditional territory of the indigenous peoples of that region as well as the Metis people whose footprints have marked these lands.

Present: Mayor Fromme
Councillors Grouette, Metcalf

Absent: Councillor Dunsdon, Schierbeck

Staff: Penny Feist, Chief Administrative Officer

Delegation: Kettle River Museum Society Board Members: John Kolhauser, Elaine Fromme, Silas Dunham, Steve Stewart; Wendy Higashi, Museum Curator

Gallery: Nil

Introduction of Late Items – None

Adoption of Agenda

Moved/Seconded that the October 11, 2022, Special Meeting agenda be adopted as circulated.

Carried

Delegation – Kettle River Museum Curator Wendy Higashi presented a report (on file)

Charity Directorate of the CRA Client Services: Items outlined from the KRMS research respecting the bunkhouse use for accommodation. As a non-profit society, the KRMS is exempt from collecting GST if annual revenue does not exceed \$50,000. Charity Directorate of the CRA Client Services has advised the Kettle River Museum Society is permitted to use the bunkhouse for accommodation purposes during the seasonal months (May-Sept). It is not considered a related business because the use is already permitted for charitable purposes, as part of their regular fund raising. Long-term stay during off season months is a related business and is a perfect example of 'Use of Excess Capacity'. This is considered a fact. The Kettle River Museum is using the bunkhouse to continue charitable purposes when the bunkhouse cannot be used for seasonal accommodation. No matter what the museum is zoned, it will not change how the museum does business in regard to Charity or CRA.

Insurance: The Village has to change the M.I.A. Insurance to permit Long-term accommodation.

CAO advised that the Village is still waiting for a response from MIA to questions related to the service provider agreement respecting long-term accommodation.

Zoning: The Kettler River Museum zoning designation is Community Facilities:

CAO received legal opinion respecting the bunkhouse use for short-term and long-term accommodation under the present designation.

Under the CF Community Facilities Zone, 'Permitted Uses' includes; 'Accessory uses, buildings and structures' In the zoning bylaw 'Accessory Use' is defined as, 'the use of land which is customarily incidental to and clearly subordinate to a principal use situated on the same parcel'.

While short term stays are only permissible if they are integrated as an accessory use to the Museum use, it is ultimately the KRMS's responsibility to evidence these stays meet the Zoning Bylaw's definition of accessory use. Long term stays are not permitted at the present time and would need a rezoning.

A rezoning application is recommended to eliminate any uncertainty and to have Council consider what other uses the Society may wish to make of the Bunkhouse.

Operational costs were discussed, CAO is to provide insurance (e.g., liability and property) and utilities (electrical) costs to the museum for budgetary purposes.

Long Term Tenancy – The Kettle River Museum Society to research potential issues with long term tenancy.

Once all items are researched, if the society wishes to proceed with a rezone application a formal request on the Kettle River Museum Society's letterhead should be submitted.

KRMS needs to ensure short-term tenants sign a user agreement outlining terms and indemnification clause for the protection of the KRMS and the Village of Midway.

Museum Society members and Curator Higashi leave at 1930 hours.

User Agreement between the Village of Midway and KRMS to be revised once it is determined what type of use for the bunkhouse.

Moved to adjourned at 19:35 hours