



Present: Mayor: P. Germuth
Present: Councillors: E. Empinado, M. Feldhoff, G. Leibel, T. Marleau, M. Martins,
G. Pitzel

Present: Staff: W. Waycheshen, Chief Administrative Officer
K. Enders, Deputy Chief Administrative Officer
T. Tavares, Director of Corporate Administration
J. Stevenson, Deputy Director of Corporate Administration
A. Ramos-Espinoza, Director of Engineering Services
J. Dave, IT Technician
S. Tarnowski, Director of Finance
F. Sinclair, Interim Director of Planning
A. Macdonald, Manager of Planning
W. Tenshak, Director of Economic Development
A. Anand, Planner

Via WebEx C. McCulley, Director of Operations
Via WebEx T. Bossence, Fire Chief
Via WebEx M. Gould, Director of Leisure Services

1. Call to Order

Mayor Germuth called the May 6, 2024, Regular Meeting of Council to order.

2. Message from the Mayor

Mayor Germuth provided a brief message.

3. Delegations/Presentations

None.

4. Public Input / Questions on Agenda Items

Mayor Germuth called for public input on Council Procedure Amendment Bylaw No. 2047, 2024.
There was no public input.

Mayor Germuth called for public input on the Development Variance Permit Application for 86
Clifford.
There was no public input.

Mayor Germuth called for public input on any other agenda items.
There was no public input.

5. Media Inquiries - For Clarification Only

Mayor Germuth called for any media inquiries on the agenda items.
There were no media inquiries.

6. Call for New Business / Adoption of the Agenda

Councillor Feldhoff, Consent Agenda, Item 7.6, News Release, Government of Canada Declares Kitimat Station as a Heritage Railway Station.

Councillor Feldhoff, Consent Agenda, Item 7.7, Correspondence dated April 15, 2024, from L. Gibson regarding decision making information for a Spray Park.

Councillor Martins, Consent Agenda Item 7.4, For Information Only, Department Update, Public Works

Councillor Martins, Consent Agenda Item 7.5, For Information Only, Department Update, Fire Department

Councillor Martins, Consent Agenda Item 7.8, Correspondence dated April 18, 2024, from CN regarding Building Capacity 2024 Work Calendar.

Moved and seconded,
THAT Council adopt the May 6, 2024, Regular Meeting of Council Agenda as amended.

Motion Carried Unanimously
Motion: R24-110

7. Consent Agenda

Moved and seconded,
THAT the Consent Agenda for May 6, 2024, be approved as amended.

Motion Carried Unanimously
Motion: R24-111

All correspondence was received and filed.

The following Council meeting minutes were adopted:
April 15, 2024 - Regular Meeting of Council
April 29, 2024 – Special Meeting of Council.

8. Notice of Motion

None.

9. Bylaws

9.1. Adoption, Council Procedure Amendment Bylaw No. 2047, 2024

Moved and seconded,
THAT Council Procedure Amendment Bylaw No. 2047, 2024 be adopted.

Motion Carried Unanimously
Motion: R24-112
Bylaw No. 2047, 2024 (1.2.1.13)

9.2. First and Second Reading of 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024; First and Second Reading of 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024

Moved and seconded,
THAT the Official Community Plan Amendment and Zoning Amendment Application for 3 Blueberry be denied.

In favour: Mayor Germuth, Councillors Empinado, Feldhoff
Opposed: Councillors Leibel, Marleau, Martins, Pitzel

Motion **Defeated**

Motion: R24-113

Bylaw No. 2048, 2024 and Bylaw No. 2049, 2024 (7.5.3.160)

Moved and seconded,
THAT 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024 receive first and second reading;

THAT Council hold adoption of Bylaw No. 2048, 2024 subject to registration of a covenant against the title of the property regulating the following:

- *Ensuring that no more than 6 dwelling units are permitted on parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154)*
- *All subsequent lots or parcels that are created from the Parent Parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154) must not permit the development of more than 6 dwelling units on the Parent Parcel.*

THAT Council has considered impacts of Bylaw No. 2048, 2024 to Kitimat's Five-Year Financial Plan and Waste Management Plan and found no measurable impact;

THAT in accordance with sections 475 and 476 of the Local Government Act, Council directs the referral of the proposed amendment bylaw with the following persons, organizations, and authorities, with any comment to be provided at or in advance of the proposed public hearing, and staff be available to respond to questions from:

1. *Haisla Nation; and*
2. *Coast Mountain School District No. 82*

THAT Bylaw No. 2048, 2024 be referred to the Advisory Planning Commission;

THAT a public hearing be scheduled for 7:00 pm on June 17, 2024;

AND THAT the Public Hearing allow electronic participation.

Amendment:

Moved and seconded

THAT the covenant for 3 Blueberry Avenue be amended to ensure that no more than four (4) dwelling units are permitted on parcel PID:025-182-366 (Lot 1) District Lot 6019 Range 5 Coast District Plan PRP47154).

In favour: Mayor Germuth, Councillors Empinado, Feldhoff
Opposed: Councillors Liebel, Marleau, Martins, Pitzel.

Amendment Defeated

Motion: R24-114

Bylaw No. 2048, 2024 and

Bylaw No. 2049, 2024 (7.5.3.160)

Tabling Motion:

Moved and seconded,

THAT 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024, be tabled until staff get more information from the proponent on their proposed maximum dwelling size and minimum lot size.

In favour: Councillors Empinado and Pitzel
Opposed: Mayor Germuth, Councillors Feldhoff, Leibel, Martins, Marleau

Tabling Motion Defeated

Motion: R24-115

Bylaw No. 2048, 2024 and

Bylaw No. 2049, 2024 (7.5.3.160)

Main Motion:

In favour: Mayor Germuth, Councillors Leibel, Marleau, Martins
Opposed: Councillors Empinado, Feldhoff, Pitzel

Motion **Carried**

Motion: R24-116

Bylaw No. 2048, 2024 and

Bylaw No. 2049, 2024 (7.5.3.160)

Moved and seconded,

THAT 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 receive first and second reading;

THAT Council hold adoption of Zoning Amendment Bylaw No. 2049, 2024 subject to registration of a covenant against the title of the property regulating the following:

- *Ensuring that no more than 6 dwelling units are permitted on parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154)*
- *All subsequent lots or parcels that are created from the Parent Parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154) must not permit the development of more than 6 dwelling units on the Parent Parcel.*

THAT Bylaw No. 2049, 2024 be referred to the Advisory Planning Commission;

THAT a public hearing be scheduled for 7:00 pm on June 17, 2024;

AND THAT the Public Hearing allow electronic participation.

In Favour: Mayor Germuth, Councillors Leibel, Marleau, Martins

Opposed: Councillors Empinado, Feldhoff, Pitzel

Main Motion **Carried**

Motion: R24-117

Bylaw No. 2048, 2024 and Bylaw No. 2049, 2024 (7.5.3.160)

9.3. First, Second and Third Reading of Five-Year Financial Plan No. 2050, 2024; First Second and Third Reading of Tax Rates Bylaw No. 2051, 2024; First Second and Third Reading of Residential Flat Rate Tax Bylaw No. 2052, 2024

Moved and seconded,

THAT the Five-Year Financial Plan Bylaw No. 2050, 2024 be given first, second and third readings.

Motion Carried Unanimously

Motion: R24-118

Bylaw No. 2050, 2024; Bylaw No. 2051, 2024; Bylaw No. 2052, 2024 (2.10.3.1)

Moved and seconded,

THAT Tax Rate Bylaw No. 2051, 2024 be given first, second and third readings.

Motion Carried Unanimously

Motion: R24-119

Bylaw No. 2050, 2024; Bylaw No. 2051, 2024; Bylaw No. 2052, 2024 (2.10.3.1)

Moved and seconded,
THAT Residential Flat Rate Tax Bylaw No. 2052, 2024 be given first, second and third readings.

Motion Carried Unanimously

Motion: R24-120

Bylaw No. 2050, 2024; Bylaw No. 2051, 2024; Bylaw No. 2052, 2024 (2.10.3.1)

9.4. First, Second and Third Reading of Cemetery Amendment Bylaw No. 2053, 2024

Moved and seconded,
THAT Cemetery Amendment Bylaw No.2053, 2024, receive first three readings.

Motion Carried Unanimously

Motion: R24-121

Bylaw No 2053, 2024 (6.5.7)

10. Reports and/or Communications

10.1. Report – Development Variance Permit Application– 86 Clifford Street

Moved and seconded,
THAT the Development Variance Permit No. 04-2024 increasing the permitted fence height at 86 Clifford Street from 2.0 metres to 2.14 metres be approved.

Motion Carried Unanimously

Motion: R24-122

DVP- 86 Clifford Street (7.9.3.122)

10.2. Report – Industrial Land Strategy Project Outline and Baseline

Moved and seconded,
THAT the Industrial Land Strategy Project Outline (Attachment A to the Industrial Land Strategy report dated April 28, 2024) be approved, and staff be directed to proceed to Phase 2 in the scope of work;

AND THAT the Industrial Land Strategy Baseline Report (Attachment B to the Industrial Land Strategy report dated April 28, 2024) be received for information.

Motion Carried Unanimously

Motion: R24-123

Industrial Land Strategy Project Outline and Baseline (7.4.17.1)

11. New Business

11.1 Councillor Feldhoff - Consent Agenda, Item 7.6, News Release, Government of Canada Declares Kitimat Station Heritage Railway Station

Moved and seconded,
THAT Consent Agenda, Item 7.6, News Release, Government of Canada Declares Kitimat Station as a Heritage Railway Station, be received for information.

Motion Carried Unanimously
Motion: R24-124
News Release, Government of Canada Declares Kitimat Station
Heritage Railway Station (7.16.3.7)

11.2 Councillor Feldhoff - Consent Agenda, Item 7.7, Correspondence dated April 15, 2024, from L. Gibson regarding decision making information for a Spray Park

Moved and seconded,
THAT Consent Agenda, Item 7.7, Correspondence dated April 15, 2024, from L. Gibson regarding decision making information for a Spray Park, be received for information.

Motion Carried Unanimously
Motion: R24-125
Correspondence dated April 15, 2024, from L. Gibson
regarding decision making information for a Spray Park (10.6.0.433)

11.3 Councillor Martins - Consent Agenda, Item 7.4, For Information Only, Department Update, Public Works Department

Moved and seconded,
THAT Consent Agenda, Item 7.4, For Information Only, Department Update, Public Works Department, be received for information.

Motion Carried Unanimously
Motion: R24-126
Department Update, Public Works Department (10.1.1)

11.4 Councillor Martins - Consent Agenda Item 7.5, For Information Only, Department Update, Fire Department

Moved and seconded,
THAT Consent Agenda Item 7.5, For Information Only, Department Update, Fire Department be received for information.

Motion Carried Unanimously
Motion: R24-127
Department Update, Fire Department (11.1.13)

11.5 Councillor Martins - Consent Agenda, Item 7.8, Correspondence dated April 18, 2024, from CN regarding Building Capacity Work Calendar

Moved and seconded,
THAT Consent Agenda, Item 7.8, Correspondence dated April 18, 2024, from CN regarding Building Capacity Work Calendar be received for information.

Motion Carried Unanimously

Motion: R24-128

Correspondence dated April 18, 2024, from CN regarding Building Capacity Work Calendar (1.1.20)

12. Council Reports

Councillors Empinado, Feldhoff, Leibel, Marleau, Martins and Pitzel provided a report on their activities since the last Regular Meeting of Council.

Move to Closed/Adoption of Closed Meeting of Council

Moved and Seconded
THAT the May 6, 2024, Closed Meeting of Council Agenda be adopted as presented.

Motion Carried Unanimously

Motion: R24-129

The Regular Meeting of Council was recessed and moved into a Closed Meeting of Council at 8:58 p.m.

The Regular Meeting of Council reconvened at 9:35 p.m.

Adjournment

Moved and seconded,
THAT the May 6, 2024, Regular Meeting of Council be reconvened and adjourned.

Motion Carried Unanimously

Motion: R24-130

The Regular Meeting of Council adjourned at 9:35 p.m.

CERTIFIED TRUE AND CORRECT COPY of
the minutes of the Regular Meeting of Council
held Monday, May 6, 2024.

Philip Germuth
Mayor

Tracy Tavares
Corporate Officer