



MINUTES OF DISTRICT OF KITIMAT
REGULAR MEETING

MEETING HELD IN THE COUNCIL CHAMBERS,
606 MOUNTAINVIEW SQUARE, ON MONDAY, JUNE 1, 2020 AT 7:00 PM

Present: Mayor P. Germuth

Councillors: E. Empinado, M. Feldhoff, L. Gibson
(All Via WebEx) R. Goffinet, T. Marleau, M. Zielinski

Present: Staff:

W. Waycheshen, Chief Administrative Officer
E. Anderson, Director of Corporate Administration
Via WebEx M. Penner, Director of Human Resources
Via WebEx T. Bossence, Fire Chief
Via WebEx A Ramos-Espinoza, Director of Engineering Services
Via WebEx D. Rutsatz, Director of Finance
Via WebEx G. Sewell, Director of Planning
Via WebEx M. Dewar, Director of Economic Development
Via WebEx C. McCulley, Director of Operations
Via WebEx M. Gould, Director of Leisure Services
Via WebEx A. Hansen, Information Systems Coordinator
Via WebEx S. O'Neill, Deputy Director of Leisure Services
Via WebEx K. Enders, Deputy Director of Corporate Administration

Message from the Mayor

Mayor Germuth provided a message on Council activities over the recent past.

Delegations/Presentations

1. Forest Hill Heights Neighbourhood, Chelsea Bemis

Chelsea Bemis was in attendance and made a presentation regarding a park for the Forest Hill Heights Neighbourhood. She then answered questions from Council.

Public Input / Questions on Agenda Items

Phillip Cheung, representing IAG, provided input on the application for approval of a strata plan at 1425 Nalabila Boulevard. He then answered questions from Council.

Michelle McGregor, Legal Advocate, Kitimat Community Development Centre provided input on the application for approval of a strata plan at 1425 Nalabila Boulevard.

Attaea Wagner, tenant of 1425 Nalabila Boulevard, provided input on the application for approval of a strata plan at 1425 Nalabila Boulevard.

Media Inquiries - For Clarification Only

Call for New Business / Adoption of the Agenda

Councillor Marleau – Consent Agenda Item No. 4 – Correspondence dated 28 May 2020 from Unifor Local 2301
Councillor Feldhoff – Forest Hill Heights Park

Moved and seconded,

“THAT the Regular Council Agenda for June 1, 2020, be adopted as amended.”

Motion Carried Unanimously
Motion: R20-116

Consent Agenda

Moved and seconded,

“THAT the Consent Agenda for June 1, 2020, be approved as amended.”

Motion Carried Unanimously
Motion: R20-117

The following meeting Minutes were adopted:
Regular Meeting of Council – 19 May 2020

All correspondence was received and filed.

Motions

Bylaws

1. Air Cylinder Service Bylaw No. 1979, 2020

Moved and seconded,

“THAT three readings be given to “Air Cylinder Service Bylaw No. 1979, 2020” and that it be adopted.”

Motion Carried Unanimously
Motion: R20-118
Bylaw No. 1979, 2020

Reports and/or Communications

1. Application for Approval of Strata Plan, 1425 Nalabila Boulevard

Moved and seconded,

“THAT, having reviewed Council Reports and considered information presented to-date, including agency referrals, delegations and public input at Council meetings, and additional correspondence, Kitimat Council resolves, as approving authority, to have considered the following under Section 242 (1) of Strata Property Act, in regard to 1425 Nalabila Boulevard:

- a. Priority of rental accommodation over privately-owned housing in Kitimat;*
- b. Proposals for relocation of persons occupying residential buildings;*
- c. Life expectancy of buildings;*
- d. Projected major increases in maintenance costs due to building condition; and*
- e. Any other matters that, in the opinion of Council, are relevant.*

AND THAT application from IAG Enterprises Ltd., to convert a 30-unit townhouse complex from market rental to strata-title ownership be approved subject to the following terms and conditions [or refused until the following terms and conditions have been satisfied]:

Tenant Relocation Plan B, proposed by IAG Enterprises and outlined below, is accepted by Kitimat Council and confirmed by Local Government Act Section 483 Housing Agreement:*

- a. IAG Enterprises provides four units with rent-tied-to-income for a period of 18 months following registration of strata plan:
 - i. Maximum starting rent for each unit would be 30% of occupying household's previous year gross income/12;*
 - ii. Rent increases governed by the Residential Tenancy Act (RTA);**
- b. Property owner could sell unit no earlier than 19 months after registration of strata plan; and tenants could remain in units until sold;*

AND

- c. Primary point of contact identified to lead early and ongoing communication with tenants; including information about proposed project, timeline, and status updates;*
- d. Each tenant household in occupied unit as at 1 May 2020, receives a registered option to purchase or right-of-first-refusal to purchase a strata unit at fair market value, less real estate commission;*
- e. Tenants' option to purchase or right-of-first-refusal is registered on land title concurrently with strata plan or through legal undertakings;*

- f. *Building professional—architect, code compliance specialist or engineer—certified to practice in BC confirms in writing that:*
 - i. *Each residential unit has a life expectancy of 35 years or more;*
 - ii. *Buildings comply, or substantially comply, with current BC Building Code;*
- g. *Kitimat Municipal Code R3-A Residential Zone requirements are met or approved by Development Variance Permit**;*
- h. *LAG Enterprises Ltd agrees to reimburse municipal legal expenses incurred after 9 April 2020; AND THAT*
- i. *Corporate Officer is named authorized signatory for Kitimat Council.*

** Proof of conditions being satisfied shall be provided before strata plan is executed by DOK.*

*** Frontage is 90m. Kitimat Municipal Code requires 4.2m per unit (126m for 30 units).*

Amendment:

Moved and seconded,

“THAT the following option be added:

The tenant households in occupation as at May 1, 2020 (the "Tenants") will have the option, prior to stratification, to accept the following tenant relocation plan:

- a. *Financial compensation based on length of tenancy:*
 - i. *A payment of \$1,417 per month for 4 months rent for tenancies up to 5 years;*
 - ii. *A payment of \$1,417 per month for 5 months for tenancies between 5 and 10 years;*
 - iii. *A payment of \$1,417 per month for 6 months for tenancies between 10 and 20 years;*
- b. *For any tenant household facing a relocation barrier (e.g., household includes a senior, or person with a disability) an additional \$2,500;*

Any tenants who have not accepted the foregoing tenant relocation plan prior to stratification, will have the right to rent their existing unit (or an alternate unit by mutual agreement of the tenant and landlord) at an affordable housing rate of \$1,275 per month (subject to annual increases and all of the other terms and conditions of the Residential Tenancy Act), for a period of up to five years from the date of stratification.

Motion: **Defeated**

In Favour: Councillors Gibson, Goffinet

Opposed: Mayor Germuth, Councillors Empinado, Feldhoff, Marleau, Zielinski

Motion: R20-119
1425 Nalabila Boulevard

Moved and seconded,

"THAT the following tenant relocation plan be added:

Tenant Relocation Plan A, proposed by IAG Enterprises and outlined below, is accepted by Kitimat Council and available to any tenant household that ends tenancy before registration of strata plan:*

- a. Financial compensation based on length of tenancy:
 - i. 4 months rent for tenancies up to 5 years;*
 - ii. 5 months for tenancies between 5 and 10 years;*
 - iii. 6 months for tenancies between 10 and 20 years;**
- b. For any tenant household facing a relocation barrier (e.g., household includes a senior, or person with a disability) an additional \$2,500;*

AND THAT for any tenant household that opts out of the Tenant Relocation Plan A, Tenant Relocation Plan B be offered."

Motion Carried Unanimously
Motion: R20-120
1425 Nalabila Boulevard

Moved and seconded,

"THAT tenant relocation plan B be amended to read "IAG Enterprises provides up to four units for tenant households in occupation as of 1 May 2020 with rent-tied-to-income for a period of up to 24 months following registration of strata plan";

AND THAT tenant relocation plan be further amended from 19 months to 25 months."

Motion: **Carried**

In Favour: Mayor Germuth, Councillors Empinado
Gibson, Goffinet, Marleau

Opposed: Councillors Feldhoff, Zielinski

Motion: R20-121
1425 Nalabila Boulevard

Main Motion as Amended:

Moved and seconded,

"THAT, having reviewed Council Reports and considered information presented to-date, including agency referrals, delegations and public input at Council meetings, and additional correspondence, Kitimat Council resolves, as approving authority, to have considered the following under Section 242 (1) of Strata Property Act, in regard to 1425 Nalabila Boulevard:

- a. Priority of rental accommodation over privately-owned housing in Kitimat;*
- b. Proposals for relocation of persons occupying residential buildings;*
- c. Life expectancy of buildings;*
- d. Projected major increases in maintenance costs due to building condition; and*
- e. Any other matters that, in the opinion of Council, are relevant.*

AND THAT application from IAG Enterprises Ltd., to convert a 30-unit townhouse complex from market rental to strata-title ownership be approved subject to the following terms and conditions [or refused until the following terms and conditions have been satisfied]:

Tenant Relocation Plan A, proposed by IAG Enterprises and outlined below, is accepted by Kitimat Council and available to any tenant household that ends tenancy before registration of strata plan:*

- a. Financial compensation based on length of tenancy:
 - i. 4 months rent for tenancies up to 5 years;*
 - ii. 5 months for tenancies between 5 and 10 years;*
 - iii. 6 months for tenancies between 10 and 20 years;**
- b. For any tenant household facing a relocation barrier (e.g., household includes a senior, or person with a disability) an additional \$2,500;*

AND For any tenant household that opts out of the Tenant Relocation Plan A, Tenant Relocation Plan B, proposed by IAG Enterprises and outlined below, is accepted by Kitimat Council and confirmed by Local Government Act Section 483 Housing Agreement:*

- a. IAG Enterprises provides up to four units for tenant households in occupation as of 1 May 2020 with rent-tied-to-income for a period of up to 24 months following registration of strata plan:
 - i. Maximum starting rent for each unit would be 30% of occupying household's previous year gross income/12;*
 - ii. Rent increases governed by the Residential Tenancy Act (RTA);**
- b. Property owner could sell unit no earlier than 25 months after registration of strata plan; and tenants could remain in units until sold;*

AND

- c. Primary point of contact identified to lead early and ongoing communication with tenants; including information about proposed project, timeline, and status updates;*
- d. Each tenant household in occupied unit as at 1 May 2020, receives a registered option to purchase or right-of-first-refusal to purchase a strata unit at fair market value, less real estate commission;*
- e. Tenants' option to purchase or right-of-first-refusal is registered on land title concurrently with strata plan or through legal undertakings;*
- f. Building professional—architect, code compliance specialist or engineer—certified to practice in BC confirms in writing that:
 - i. Each residential unit has a life expectancy of 35 years or more;**

- ii. *Buildings comply, or substantially comply, with current BC Building Code;*
- g. *Kitimat Municipal Code R3-A Residential Zone requirements are met or approved by Development Variance Permit**;*
- h. *IAG Enterprises Ltd agrees to reimburse municipal legal expenses incurred after 9 April 2020; AND THAT*
- i. *Corporate Officer is named authorized signatory for Kitimat Council.*

** Proof of conditions being satisfied shall be provided before strata plan is executed by DOK.*

*** Frontage is 90m. Kitimat Municipal Code requires 4.2m per unit (126m for 30 units).*

Motion Carried Unanimously
Motion: R20-122
1425 Nalabila Boulevard

2. Leisure Services Department Fee Schedule 2020/2021

Moved and seconded,

“THAT a bylaw be brought forward for consideration with the District of Kitimat Leisure Services Department Fee Schedule for 2020/2021 with a 0% fee increase;

AND THAT the meeting room rental rate of \$15.45 per hour be added to the fee schedule for the Riverlodge Meeting/Board Room;

AND FURTHER THAT the meeting room rental rate of \$15.45 per hour be added to the fee schedule for the rental of the Kitimat Youth Centre;

AND FURTHER THAT the advertising rates of \$172 per year be added to the fee schedule for the advertising spaces in the Tamitik Arena above the ice machine bay and the lower concourse ice exit;

AND FURTHER THAT the advertising rates of \$172 per ice season be added to the fee schedule for in ice advertising in the Tamitik Arena and the Kitimat Ice Rink;

AND FURTHER THAT the Operational Items -Supplement to the Leisure Services Department Fee Schedule be added to the fee schedule; table and chairs, photocopying, flipchart paper and stand, table linen, coffee service, pad locks, racquet equipment and ice skates.

Rectangle Banquet Tables <ul style="list-style-type: none"> • per table per day • per table per week • per table per month 	\$7.55 \$39.90 \$118.95
Chairs – plastic <ul style="list-style-type: none"> • per table per day • per table per week • per table per month 	\$1.30 \$3.90 \$7.80
Photocopying <ul style="list-style-type: none"> • volunteers • public 	\$.13 \$.28
Flip Chart Paper/Stand <ul style="list-style-type: none"> • 1 pad non-lined 50 pgs. • 1 pad lined white newsprint 50 pgs. • Flip Chart Stand 	\$16.50 \$21.30 \$13.30
Linen <ul style="list-style-type: none"> • Tablecloth • Napkins 	\$12.50 \$1.00
Pad locks <ul style="list-style-type: none"> • Pad Locks • Deposit 	\$1.00 \$4.00
Coffee Service <ul style="list-style-type: none"> • 8 cup • 30 cup • 100 cup • Thermos • Urn per day 	\$6.70 \$22.65 \$46.35 \$25.00 deposit only \$10.00 plus \$75 deposit
Racquet Equipment <ul style="list-style-type: none"> • Racquetball/Squash racquet • Racquetball/Squash balls • Racquet goggles • Table tennis paddles & 2 balls 	\$1.00 \$1.00 \$1.00 \$1.00
Ice Skates <ul style="list-style-type: none"> • Ice Skates 	\$1.00

AND FURTHER THAT the 2020/2021 fee schedule be reviewed in January 2021 by the Leisure Services Advisory Commission for any additional recommendations to Council.

Motion Carried Unanimously
 Motion: R20-123
Leisure Services Fee Schedule

3. Tax Sale Deferral

Moved and seconded,
"THAT the 2020 tax sale not be deferred."

Motion: **Carried**

In Favour: Mayor Germuth, Councillors Empinado, Feldhoff, Marleau, Zielinski
Opposed: Councillors Gibson, Goffinet

Motion: R20-124
Tax Sale Deferral

New Business

1. Councillor Marleau – Consent Agenda Item No. 4 Correspondence dated 28 May 2020 from Unifor Local 2301

Moved and seconded,
"THAT this correspondence be included on a future meeting agenda for discussion and decisions on a response, if any."

Motion Carried Unanimously
Motion: R20-125
Unifor Local 2301 Correspondence

Moved and seconded,
"THAT the Vulnerable Populations Committee be provided with a copy of the letter and invited to attend our future meeting."

Motion Carried Unanimously
Motion: R20-126
Unifor Local 2301 Correspondence

2. Forest Hill Heights Neighbourhood

Moved and seconded,
"THAT \$56,000.00 be allocated from reserves for future improvements to Forest Hill Heights Neighbourhood."

Motion Carried Unanimously
Motion: R20-127
Forest Hill Heights Neighbourhood

Mayor and Council Reports

Moved and seconded,
"THAT this meeting adjourn."

Motion Carried Unanimously

The meeting adjourned at 9:17 p.m.

CERTIFIED TRUE AND CORRECT

Mayor

Corporate Officer