



MINUTES OF DISTRICT OF KITIMAT

**PUBLIC HEARING**

MEETING HELD IN THE COUNCIL CHAMBERS,  
606 MOUNTAINVIEW SQUARE, ON OCTOBER 5, 2020 AT 7:00 P.M.

Present:	Mayor	P. Germuth
Present:	Councillor:	T. Marleau, M. Zielinski
Present:	Councillors: (All Via WebEx)	E. Empinado, M. Feldhoff L. Gibson, R. Goffinet
Present:	Staff:	W. Waycheshen, CAO E. Anderson, Director of Corporate Administration A. Ramos-Espinoza, Director of Engineering A. Lucas, Director of Planning D. Rutsatz, Director of Finance M. Gould, Director of Leisure Services M. Dewar, Director of Economic Development T. Bossence, Fire Chief C. McCulley, Director of Operations M. Penner, Director of Human Resources K. Enders, Deputy Director of Corporate Administration A. Spracklin, GIS Technician K. Hogan, Planner C. Brown
	Via WebEx	
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	Via WebEx	

The Public Hearing is being held pursuant to the Local Government Act to consider 72 Bittern Street Zoning Amendment Bylaw No. 1988, 2020.

The Corporate Officer introduced Bylaw 1988, 2020, and stated that the Bylaw had been given 1<sup>st</sup> and 2<sup>nd</sup> readings on September 8, 2020.

There were no written comments submitted.

There were no registered speakers. Mayor Germuth called for public input.

Mayor Germuth called for public input three more times. No input was offered.

Mayor Germuth called for Council's comments on closing the public hearing to deal with the item on the agenda tonight or having it adjourned to another date and time.

Moved and seconded,

*"THAT the Public Hearing for 72 Bittern Street Zoning Amendment Bylaw No. 1988, 2020 be adjourned and the matter dealt with on the agenda."*

Mayor Germuth called for discussion.

Councillor Gibson commented that:

- the rezoning indicates a desire for this property to not be zoned commercial and to become residential;
- it may be appropriate that, at some point in the future, the driveway be permanently changed;
- the applicants are wanting to sell the property and notes that from the photos the concrete doesn't appear to be in great shape;
- it may be a good idea for this neighbourhood to have a covenant giving the property owner ten years to replace everything outside of the 10.5 meters that would be allowed with landscaping;
- this wouldn't burden the current owners or any new buyer from having to have an expense right away;
- eventually the property would match the character of the other properties in the neighbourhood; and
- she is interested in hearing comments from staff and other councillors as well the applicant or any neighbours as to whether or not it would be advisable just to ensure that at some point a permanent transition to residential and the property looking like the other yards.

Councillor Marleau commented that:

- he had a question he was going to pose when Council later considered by Bylaw about the delineation of snow;
- given our snowfall it may be a challenge for staff in terms of snow removal without clear delineation;
- he is interested in hearing comments regarding the use of a covenant;
- he agrees with providing a timeline that would require the establishment of a driveway; and
- he foresees potential issues around over flow of snow.

Councillor Feldhoff commented that:

- the public hearing should close;
- there is opportunity to discuss these issues with input from staff and make our decision later on in the agenda; and
- we don't need to continue discussions in the Public Hearing.

Councillor Zielinski commented about snow clearing that:

- he went over and checked out the premises today and measured and it looks approximately 60 feet from the north side of the driveway until the corner;
- the road is a little bit wider, similar to Albatross Street, with more snow to move; and
- he spoke with Operations and they have been putting snow on the corner of the property in previous years.

Councillor Marleau requested that staff provide comment on the legalese of how to proceed with the third reading of the bylaw and whether the posing of the covenant would necessitate us having to do the third reading at another time or negate the first and second readings.

In response to the query, the CAO advised that if Council was to consider a covenant or other mechanism, that:

- the public hearing should be closed;
- proceed with third reading of the bylaw and provide direction to staff to provide input on the other options, such as a covenant;
- the owners would have to agree to the covenant; and
- to table the Development Variance Permit Application.

Mayor Germuth called for any other comments about closing the public hearing. There were none.

On the motion to adjourn:

Motion Carried Unanimously  
Public Hearing – Bylaw No. 1988, 2020

There being no further comments, the Public Hearing adjourned at 7:07 p.m.

CERTIFIED TRUE AND CORRECT

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Mayor

\_\_\_\_\_  
Corporate Officer