



MINUTES OF DISTRICT OF KITIMAT
REGULAR MEETING

MEETING HELD IN THE COUNCIL CHAMBERS,
606 MOUNTAINVIEW SQUARE, ON MONDAY DECEMBER 05, 2022 AT 7:00 P.M.

Present: Acting Mayor P. Germuth

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

Present: Staff: W. Waycheshen, CAO
K. Enders, Director of Corporate Administration
T. Tavares, Deputy Director of Corporate Administration
A. Ramos-Espinoza, Director of Engineering Services
T. Bossence, Fire Chief
A. Hansen, IT Manager
A. Anand, Planner
V. Solanki, Planner
A. Stewart-Jones, Planner

Via WebEx M. Penner, Director of Human Resources
Via WebEx D. Rutsatz, Director of Finance
Via WebEx C. McCulley, Director of Operations
Via WebEx W. Tenshak, Director of Economic Development

Call to Order

Message from the Mayor

Delegations/Presentations

1. Petition for Splash Park

Mary John made a presentation to Council for a Splash Park. The presenter then answered questions from Council. The petition for a splash park in Kitimat was delivered to the Corporate Officer.

Moved and seconded,
“THAT the Splash Park be referred to the 2023 Capital budget for consideration.”

Motion Carried Unanimously
Motion: R22-208
Delegation – Splash Park (2.10.3.1)

2. Columbarium Project – Kitimat Municipal Cemetery

Carol and Ferruccio Tormene presented to Council on a Columbarium Project at the Kitimat Municipal Cemetery. The presenters then answered questions from Council.

Moved and seconded,
“THAT the presentation Columbarium Project – Kitimat Municipal Cemetery be received for information.”

Motion Carried Unanimously
Motion: R22-209
Delegation – Columbarium (6.5.0)

3. Kitimat Snowmobile and Hikers Club (KSHC) – Request for Funding

Rick Thompson and Cory Eisenberger presented to Council to request funding to upgrade two (2) community trails. They then answered questions from Council.

Moved and seconded,

“THAT the \$50,000 request for funding from the Kitimat Snowmobile and Hikers Club be referred to the 2023 budget process.”

Motion Carried Unanimously
Motion: R22-210
Delegation – KSHC (2.10.3.1)

4. Urban Systems – Nechako Centre Concept Plan

Samantha Lahey and Anna Sokolowski, Urban Systems presented the October 2022 Nechako Centre Concept Plan to Council. The presenters then answered questions from Council.

Moved and seconded,

“THAT the October 2022, Nechako Centre Market Assessment and Concept Plan be referred to Administration for a report on proposed implementation and next steps.”

Motion Carried Unanimously
Motion: R22-211
Delegation – Nechako Centre Concept Plan (7.2.47)

Public Input / Questions on Agenda Items

Andrew Farina provided input on the Temporary use permit for 497 Quatsino Blvd – J. Oviatt Ltd. regarding concerns of the neighbourhood impact.

Lani Gibson provided comment on Item #2 - Request for Comment – Application for Mines Act Permit #1650897 – Daudet Quarry and Item # Request for Comment – Application for Mines Act Permit #0101044– Daudet Pit regarding the impacts of noise pollution, increase of gravel/dust on the roads and impacts on an active transportation corridor that links cable car to the town.

Media Inquiries - For Clarification Only

Mayor Germuth called for any media inquiries. There were no media inquiries.

Call for New Business / Adoption of the Agenda

Moved and seconded,

“THAT the Regular Council Agenda for December 05, 2022, be adopted as circulated.

Motion Carried Unanimously
Motion: R22-212

Consent Agenda

Moved and seconded,
“THAT the Consent Agenda for December 05, 2022, be approved as circulated.”

Motion Carried Unanimously
Motion: R22-213

The following meeting Minutes were adopted:

Regular Minutes of Council	21 November 2022
Committee of the Whole Minutes	21 November 2022
Special Meeting Minutes of Council	22 November 2022
Committee of the Whole Minutes	23 November 2022
Committee of the Whole Minutes	28 November 2022

All correspondence was received and filed.

Bylaws

1. District of Kitimat Council Remuneration Bylaw No. 2021, 2022

Moved and seconded,
“THAT District of Kitimat Council Remuneration Bylaw No. 2021, 2022 be adopted”

Motion Carried Unanimously
Motion: R22-214
Bylaw No. 2021, 2022 (1.1.2.9)

Reports and/or Communications

1. Cancellation of Regular Council Meeting – December 19, 2022

Moved and seconded,
“THAT the 19 December 2022 Regular Meeting of Council be cancelled”

Motion Carried Unanimously
Motion: R22-215
Cancellation of Regular Council Meeting – 19 Dec 2022 (1.1.2.1)

2. Request for Comment – Application for Mines Act Permit #1650897 – Daudet Quarry

Moved and seconded,
“THAT the District of Kitimat submit Attachment A to the “Request for Comment – Application for Mines Act Permit #1650897 – Daudet Quarry” Report in response to the Mines Act Permit #1650897 - referral application for a Notice of Work (NOW) and Reclamation Program for Mineral Exploration (the “Application”).”

Moved and seconded,

“THAT Staff report back with an amended Attachment A to the “Request for Comment Application for Mines Act Permit #1650897 – Daudet Quarry” Report in response to the Mines Act Permit #1650897 - referral application for a Notice of Work (NOW) and Reclamation Program for Mineral Exploration (the “Application”) to include:

- *Compliance with provincial and municipal regulations including all provincial safety and reclamation standards;*
- *Provincial License of Occupation in good standing*
- *Valid Business License*
- *Quarry excavation creates no depression and drains freely without impacting nearby water systems;*
- *Landscape buffer, 15m wide or more, is maintained along edge of license area abutting Highway 37;*
- *Posting a sufficient bond to the province be held for the term of the permit to ensure adequate mitigation measures are taken to eliminate debris tracked on the highway;*
- *Notification protocol for blasting and other activity resulting in loud noise be implemented with the District of Kitimat and nearby properties, including cable car;*
- *Access road must comply with provincial and municipal design standards;*
- *Should Daudet Creek Contract apply for TUP renewal, a public notice period be incorporated into the process to gauge public feedback on first term;*
- *The concerns of the residents of Cable Car regarding noise pollution for operations and blasting be considered and hours be restricted to between 8:00 a.m. and 5:00 p.m. Monday to Friday;*
- *The applicant be required to regularly monitor and clean up dirt and gravel on the highway; and*
- *The impacts to the District of Kitimat Active Transportation Plan be considered with respect to the site including impacts of conflicts to use of trails between town and cable car.*

Motion Carried Unanimously

Motion: R22-216

Request for Comment – Daudet Quarry (1.4.2.18.4)

3. Request for Comment – Application for Mines Act Permit #0101044 – Daudet Pit

Moved and seconded,

“THAT the District of Kitimat submit Attachment A to the “Request for Comment – Application for Mines Act Permit #0101044 – Daudet Pit” Report in response to the Mines Act Permit #0101044 - referral application for a Notice of Work (NOW) and Reclamation Program for Mineral Exploration (the “Application”).”

Amendment:

Moved and seconded,

“THAT Attachment A be amended to address the history of the usage of the Daudet Pit.”

Motion Carried Unanimously

Motion: R22-217

Request for Comment – Daudet Pit (1.4.2.18.5)

Main Motion as amended:

“THAT the District of Kitimat submit Attachment A to the “Request for Comment – Application for Mines Act Permit #0101044 – Daudet Pit” Report in response to the Mines Act Permit #0101044 - referral application for a Notice of Work (NOW) and Reclamation Program for Mineral Exploration (the “Application”).

AND THAT Attachment A to the “Request for Comment – Application for Mines Act Permit #0101044 – Daudet Pit” Report be amended to address the history of the usage of the Daudet Pit.”

Motion Carried Unanimously

Motion: R22-218

Request for Comment – Daudet Pit (1.4.2.18.5)

4. Temporary Use Permit - 497 Quatsino Blvd. – J. Oviatt Contracting Ltd.

Moved and seconded,

“THAT a Temporary Use Permit to allow J. Oviatt Contracting Ltd. for (1) stockpiling timber, firewood and cedar logs accumulated from clearing the lots for subdivision in Strawberry Meadows; (2) processing topsoil accumulated from clearing land for constructing proposed roads; (3) storing raw topsoil, masonry sand and silt; (4) storing hog fuel, rig mats, portable bridge and a portable sawmill; (5) utilizing Forced Air Burn Pit on site; and (6) storage area for drying wood, at 497 Quatsino Blvd. be issued for three years, conditional on:

- i. compliance with the Open Burning Smoke Control Regulation, and municipal regulations is required;*
- ii. compliance with Section 5.1.23(1) of Kitimat Municipal Code is required. The Applicant will be required to obtain a Class ‘A’ (Industrial Land Clearing) Burning Permit (Attachment 3) from the Kitimat Fire Department each time prior to burning;*
- iii. Compliance with Section 7.2.6 of the Kitimat Municipal Code. The Applicant must obtain a Permit from the District of Kitimat Engineering Department, for importing, storing, and processing topsoil from the subject property;*
- iv. the burning be undertaken using air curtain to mitigate air quality;*
- v. mitigation measures to control the dust, noise and traffic be implemented;*
- vi. the drainage ditch right of way along the eastern side of the subject property be maintained by the Applicant;*
- vii. all trucks entering the subject property must use Loganberry Avenue only;*
- viii. the private fire hydrant in the northeast corner of the subject property be operational at all times and shall be maintained by the Applicant;*
- ix. the access to subject property be cleared of snow at all times;*
- x. a valid municipal business license is maintained; and*
- xi. six months before the expiration date of this Permit the Applicant shall indicate to the Director of Planning their intention to either cease the business activity or to apply for a renewal.*

Amendment:

“THAT condition ii. be amended to read: “THAT compliance with Section 5.1.23(1) of Kitimat Municipal Code is required. The Applicant will be required to obtain a Class ‘A’ (Industrial Land Clearing) Burning Permit (Attachment 3) from the Kitimat Fire Department each time prior to burning and that timber be accepted only from Strawberry Meadows.”

Motion Carried Unanimously
Motion: R22-219

TUP- 497 Quatsino Blvd. – J. Oviatt Contracting Ltd. (7.18.3.62)

Amendment:

“THAT condition iii. be amended to read: “Compliance with Section 7.2.6 of the Kitimat Municipal Code. The Applicant must obtain a Permit from the District of Kitimat Engineering Department, for importing, storing, and processing topsoil from Strawberry Meadows on the subject property;”

Motion Carried Unanimously
Motion: R22-220

TUP- 497 Quatsino Blvd. – J. Oviatt Contracting Ltd. (7.18.3.62)

Amendment:

“THAT the term of the Temporary Use Permit to J. Oviatt Contracting be two years.”

Motion Carried
Motion: R22-221

TUP- 497 Quatsino Blvd. – J. Oviatt Contracting Ltd.(7.18.3.62)

Main Motion as Amended:

“THAT a Temporary Use Permit to allow J. Oviatt Contracting Ltd. for (1) stockpiling timber, firewood and cedar logs accumulated from clearing the lots for subdivision in Strawberry Meadows; (2) processing topsoil accumulated from clearing land for constructing proposed roads; (3) storing raw topsoil, masonry sand and silt; (4) storing hog fuel, rig mats, portable bridge and a portable sawmill; (5) utilizing Forced Air Burn Pit on site; and (6) storage area for drying wood, at 497 Quatsino Blvd. be issued for two years, conditional on:

- i. compliance with the Open Burning Smoke Control Regulation, and municipal regulations is required;*
- ii. compliance with Section 5.1.23(1) of Kitimat Municipal Code is required. The Applicant will be required to obtain a Class ‘A’ (Industrial Land Clearing) Burning Permit (Attachment 3) from the Kitimat Fire Department each time prior to burning and that timber be accepted only from Strawberry Meadows;*

- iii. *Compliance with Section 7.2.6 of the Kitimat Municipal Code. The Applicant must obtain a Permit from the District of Kitimat Engineering Department, for importing, storing, and processing topsoil from Strawberry Meadows on the subject property*
- iv. *the burning be undertaken using air curtain to mitigate air quality;*
- v. *mitigation measures to control the dust, noise and traffic be implemented;*
- vi. *the drainage ditch right of way along the eastern side of the subject property be maintained by the Applicant;*
- vii. *all trucks entering the subject property must use Loganberry Avenue only;*
- viii. *the private fire hydrant in the northeast corner of the subject property be operational at all times and shall be maintained by the Applicant;*
- ix. *the access to subject property be cleared of snow at all times;*
- x. *a valid municipal business license is maintained; and*
- xi. *six months before the expiration date of this Permit the Applicant shall indicate to the Director of Planning their intention to either cease the business activity or to apply for a renewal. “*

Main Motion as Amended Carried
Motion: R22-222

TUP- 497 Quatsino Blvd. – J. Oviatt Contracting Ltd.(7.18.3.62)

5. Kitimat Flying Club request for a grant to the BC Air Access Program

Moved and seconded,

“THAT the District of Kitimat submits an application for grant funding under the BC Air Access Program (BCAAP) to support improvements (taxiway and apron asphalt, and the Greenhouse Gas (GHG) Audit) for the Kitimat Air Park.

AND THAT the District also submits an application to the Northern Development Initiative Trust’s (NDIT) Northern Healthy Communities Fund for the costs not covered by the BCAAP grant.

AND THAT if the respective grants are approved by the BCAAP and NDIT the District is responsible for any cost overruns.

Motion Carried Unanimously
Motion: R22-223

Kitimat Flying Club – BCAAP (1.6.3.30)

New Business:

Mayor and Council Reports

Call for New Business / Adoption of the Closed Agenda

Moved and seconded,
*“THAT the December 05, 2022, agenda be adopted and Council deal with these matters
in a closed session.”*

Motion Carried Unanimously
Motion: IC22-208

Meeting recessed into the Closed meeting at 9:01 p.m.
Meeting reconvened at 10:10 p.m.

Adjournment

Moved and seconded,
“THAT this meeting adjourn.”

Motion Carried Unanimously

The meeting adjourned at 10:11 p.m.

CERTIFIED TRUE AND CORRECT

Mayor

Corporate Officer