

boughtonlaw

November 20, 2018

District of Kitimat
270 City Centre
Kitimat, BC
V8C 2H7

Attention: Wayne Waycheshen and Gwendolyn Sewell

Dear Sirs and Mesdames:

**Re: Bylaw No. 1934 – 461 Quatsino Boulevard Rezoning and OCP Amendment -
Request for Information**

We write to advise you that we have been retained by J. Oviatt Contracting Ltd. We kindly request that all future correspondence be copied to our office with respect to issues related to 461 Quatsino Boulevard (the "Subject Property") Rezoning.

By way of background, our client has concerns with respect to the nature and appropriateness of public consultation with respect to the specific site for the proposed mixed-use building to be funded by the Government of British Columbia in partnership with Tamitik Status of Women ("TSW"), Haisla Nation, and the District of Kitimat. We wish to be abundantly clear that our client is a vocal and stated supporter of TSW having, amongst others, declared their support for increased housing options within Kitimat to be operated by TSW.

That said, it is our intention to review municipal documents to assess particular areas of concern prior to the scheduled Public Hearing for Bylaw No. 1934 on December 17, 2018, for the purposes of assessing the District's adherence to legal obligations and alternative site potential given the stated objective and vision of the municipality in the "*District of Kitimat Official Community Plan 2008*" related to Strawberry Meadows as a Development Permit Area pursuant to sections 488(1)(e) and (f) of the *Local Government Act*. The foregoing assessment will particularly explore issues given the stated purpose of the municipality to "... enhance the quality of development and to ensure that multiple family residential housing fits appropriately within what are presently predominantly one-family and two-family low-intensity neighbourhoods."

We kindly request that all documents of public record related to the Subject Property be forwarded to our office. Without limiting the foregoing, we request the following specific public documents:

- (a) documents related to the acquisition and purchase of the Subject Property by the District of Kitimat from the Kitimat Full Gospel Bible Fellowship on or about July 14, 2012;
- (b) minutes, agendas, and submissions for all zoning applications specific to the Subject Property including, but not limited to, applications by prospective developers interested in purchasing the Subject Property from the Kitimat Full Gospel Bible Fellowship prior to July 14, 2012;
- (c) the Affordable and Accessible housing fund policy filed by the TSW;



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- (d) site selection criteria approved by the District of Kitimat, should it exist, for the supported housing project or, alternatively, confirmation that all site selection criteria is contained in the District of Kitimat Housing Action Plan dated February 2015;
- (e) site review completed for the Subject Property;
- (f) minutes, agendas, and submissions related to the approval in principle of gifting municipal property at 461 Quatsino Boulevard reported in Council Report dated December 6, 2017 (File: 7.15.3.37) to have occurred in September 2017; and
- (g) copy of any Notice of Intention to Dispose of Interest in Municipal Property including particulars of the mediums used to distribute the notice.

We thank you for your attention to this matter. We can advise that the material may be delivered to our address by regular mail/courier or, if more convenient, may be delivered by electronic means at your discretion.

Should you have any questions or concerns please do not hesitate to contact the undersigned.

Yours truly,

BOUGHTON LAW CORPORATION


Per:
Shaun C. Driver

SCD/scd