



## Public Participation

The public can view the livestream of Council meetings on our [Council Meeting Livestream webpage](#).

The public may attend in person. To participate electronically please contact the district office at (250) 632-8900 or email [dok@kitimat.ca](mailto:dok@kitimat.ca) before 4:30 p.m. the day of the meeting.

### 1. Call to Order

### 2. Message from the Mayor

### 3. Delegations / Presentations

### 4. Public Input / Questions on Agenda Items

### 5. Media Inquiries - For Clarification Only

### 6. Call for New Business / Adoption of the Agenda

### 7. Consent Agenda

Page	3	7.1	Minutes, Regular Meeting of Council, November 18, 2024
Page	7	7.2	Minutes, Special Meeting of Council, November 25, 2024
Page	9	7.3	Registry of Observances, December 2024 (1.1.1.2)
Page	13	7.4	Kitimat Fire and Ambulance Services statistics for August and September 2024
Page	17	7.5	Correspondence, email dated November 22, 2024, from Mike Forward regarding street renaming (1.5.1.16)
Page	19	7.6	Correspondence, email dated, November 24, 2024, from Robert Whitton regarding street renaming (1.5.1.16)
Page	21	7.7	Correspondence, email dated, November 24, 2024, from Ted Vizzutti regarding street renaming (1.5.1.16)
Page	23	7.8	Correspondence, copy of a letter from Village of Nakusp to Minister Osborne regarding a request to have BC Alert system include hospital diversions (1.1.2.0)

### 8. Notice of Motions

### 9. Bylaws

Page	25	9.1	Second Reading, 3 Blueberry Avenue Zoning Amendment Bylaw No.2049, 2024 (7.5.3.160)
Page	43	9.2	Adoption, Cemetery Amendment Bylaw No. 2060, 2024 (6.5.4)

### 10. Reports and/or Communications

Page	93	10.1	Storage and Transportation of Hazardous Materials (7.17.29)
Page	101	10.2	Solid Waste Management Policy – 2025 Residential Landfill Passes Request (6.4.0.7)

### 11. New Business

### 12. Council Reports

### 13. Questions and Answers

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MINUTES OF DISTRICT OF KITIMAT  
**REGULAR MEETING**

MEETING HELD IN THE COUNCIL CHAMBERS,  
606 MOUNTAINVIEW SQUARE, MONDAY, NOVEMBER 18, 2024, AT 7:00 PM

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 A. Ramos-Espinoza, Director of Engineering T. Tavares, Director of Corporate Administration M. Gould, Director of Engineering W. Tenshak, Director of Economic Development J. Dave, IT Technician
	Via WebEx	S. Tarnowski, Director of Finance
	Via WebEx	C. McCulley, Director of Operations

**1. Call to Order**

Mayor Germuth called the November 18, 2024, Regular Meeting of Council to order.

**2. Message from the Mayor**

Mayor Germuth provided a brief message on his activities since the last Regular Meeting of Council.

**3. Delegations/Presentations**

No delegations or presentations.

**4. Public Input / Questions on Agenda Items**

Mayor Germuth called for public input.

There was no input from the public.

**5. Media Inquiries - For Clarification Only**

Mayor Germuth called for media inquiries on agenda items.

There were no media inquiries.

**6. Call for New Business / Adoption of the Agenda**

Moved and seconded,

*THAT Council adopted the November 18, 2024, Regular Agenda as presented.*

Motion Carried Unanimously

Motion: R24-268

**7. Consent Agenda**

Moved and seconded,

*THAT the Consent Agenda for November 18, 2024, be approved.*

Motion Carried Unanimously

Motion: R24-269

All correspondence was received and filed.

The following Council meeting minutes were adopted:

November 4, 2024, Regular Meeting of Council  
 November 12, 2024, Committee of the Whole

## 8. Notice of Motion

There were not Notices of Motion.

## 9. Bylaws

Moved and seconded,  
*THAT Cemetery Amendment Bylaw No. 2060,2024, be given first, second and third reading.*

Motion Carried Unanimously  
Motion: R24-270  
Bylaw No. 2060, 2024 (6.5.4)

## 10. Reports and/or Communications

### 10.1. Report – Request for Street Renaming

Moved and seconded,  
*THAT a street renaming policy be drafted for Council consideration;*

*AND THAT the request from the Haisla Nation to rename Anderson Street and Raley Street be considered after approval of a street renaming policy.*

Division of the question

*THAT a street renaming policy be drafted for Council consideration.*

In favour: Mayor Germuth, Councillors Empinado, Leibel, Marleau, and Martins  
 Opposed: Councillors Feldhoff and Pitzel  
 Motion **Carried**  
Motion: R24-271  
Request for Street Re-naming (1.5.1.16)

*AND THAT the request from the Haisla Nation to rename Anderson Street and Raley Street be considered after approval of a street renaming policy.*

In favour: Councillors Leibel, Marleau and Martins  
 Opposed: Mayor Germuth, Councillors Empinado, Feldhoff and Pitzel  
 Motion **Defeated**  
Motion: R24-272  
Request for Street Re-naming (1.5.1.16)

### 10.2. Report – Northern Development Initiative Trust Healthy Communities Grant Fund

Moved and seconded,  
*THAT the District of Kitimat support the grant application to the Northern Development Initiative Trust's Healthy Community Fund for the Kitimat Youth Centre.*

Motion Carried Unanimously

Motion: R24-273

NDIT Healthy Communities Grant Fund (2.8.3)

### 10.3. Report – District of Kitimat Housing Committee

Moved and seconded,  
*THAT the Housing Committee Terms of Reference attached to the District of Kitimat Housing Committee report dated November 13, 2024 be approved.*

In Favour: Mayor Germuth, Councillors Empinado, Feldhoff, Leibel, Martins and Martins,

Opposed: Councillor Pitzel

Motion **Carried**

Motion: R24-274

District of Kitimat Housing Committee (7.1.15)

### 11. New Business

There was no New Business

### 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

Moved and seconded,  
*THAT the November 18, 2024, Closed Meeting of Council Agenda be adopted as presented;*

*AND THAT Council move to a Closed Meeting of Council to deal with these matters.*

Motion Carried Unanimously

Motion: R24-275

The Regular Meeting of Council was recessed and moved into a Closed Meeting of Council at 8:33 p.m.

The Regular Meeting of Council reconvened at 9:18 p.m.

### Adjournment

Moved and seconded,  
*THAT the November 18, 2024, Regular Meeting of Council be reconvened and adjourned.*

Motion Carried Unanimously  
Motion: R24-276

The Regular Meeting of Council adjourned at 9:19 p.m.

CERTIFIED TRUE AND CORRECT COPY of  
the minutes of the Regular Meeting of Council  
held Monday, November 18, 2024.

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Philip Germuth  
Mayor

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Tracy Tavares  
Corporate Officer



MINUTES OF DISTRICT OF KITIMAT  
**SPECIAL MEETING**

MEETING HELD IN THE COUNCIL CHAMBERS

606 MOUNTAINVIEW SQUARE ON MONDAY, NOVEMBER 25, 2024, AT 7:00 P.M.

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  
 A. Ramos-Espinoza, Director of Engineering  
 T. Tavares, Director of Corporate Administration  
 M. Penner, Director of Human Resources and Labour Relations  
 W. Tenshak, Director of Economic Development  
 T. Bossence, Fire Chief  
 Via WebEx M. Gould, Director of Leisure Services  
 Via WebEx S. Tarnowski, Director of Finance  
 Via WebEx C. McCulley, Director of Operations

### **1. Call to Order**

Mayor Germuth called the November 25, 2024, Special Meeting of Council to order.

#### **Adoption of the Agenda**

Moved and seconded,

*THAT Council adopt the November 25, 2024, Special Agenda as presented.*

Motion Carried Unanimously

Motion: S24-122

#### **Move to Closed Meeting of Council**

Moved and seconded,

*THAT the November 25, 2024, Closed Agenda be adopted as presented;*

*AND THAT Council move to a Closed Meeting of Council to deal with these matters.*

Motion Carried Unanimously

Motion: S24-123

The Special Meeting of Council was recessed and moved into a Closed Meeting of Council at 7:00 p.m.

The Special Meeting of Council Meeting reconvened at 10:03 p.m.

#### **Adjournment**

Moved and seconded,

*THAT the November 25, 2024, Special Meeting of Council be adjourned.*

Motion Carried Unanimously

Motion: S24-124

The Special Meeting of Council adjourned at 10:03 p.m.

CERTIFIED TRUE AND CORRECT COPY of  
the minutes of the Special Meeting of Council  
held Monday, November 25, 2024

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Philip Germuth  
Mayor

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Tracy Tavares  
Corporate Officer






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## REGISTRY OF OBSERVANCES

As declared by the Sponsor

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OBSERVANCE	DATE	ACTION
75 <sup>th</sup> Anniversary of Philippines-Canada Diplomatic Relations	December 1, 2024	*Light up facilities
National Day of Remembrance and Action on Violence Against Women	December 6, 2024	Half-Masting
*Request to light up facilities in blue, red, white and yellow to reflect the Philippine flag		

Attachment A - Thank you letter from Philippine Embassy in Ottawa

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**Message of Ambassador Maria Andrelita S. Austria  
for the Lighting of Landmarks on the Occasion of the  
75th Anniversary of Philippines-Canada Diplomatic Relations**

Mabuhay! Greetings from Ottawa.

As we mark the 75th anniversary of diplomatic relations between the Philippines and Canada, I am honored to join you all, albeit virtually, in this momentous occasion.

This evening, as landmarks in every province and territory light up, we celebrate the enduring partnership between our two countries and the vibrant Filipino community that strengthens this bond every single day.

Over the past 75 years, the Philippines and Canada have cultivated a relationship rooted in shared values—respect for democracy, human rights, and cultural diversity. From fostering trade and development partnerships to standing side by side in addressing global challenges, our two countries have built a legacy of collaboration and mutual support.

The Filipino community in Canada plays a pivotal role in this story. Today, more than one million strong Filipinos have enriched Canada with their talents, hard work, and vibrant cultural heritage. They contribute across all sectors—from healthcare to the arts, from business to public service. Their success stories are a testament to the strength of our shared values.

As the lights illuminate landmarks across Canada tonight, let them serve as symbols of our friendship, unity, and the aspirations we share for an even brighter future.

I extend my deepest appreciation to the Filipino community organizations who have worked tirelessly to make this event possible in their respective regions, as well as to the local government officials and dignitaries who join us in this commemoration. Your support underscores the special relationship we celebrate today.

Let us continue to nurture this partnership, working together to create a legacy of collaboration for generations to come.

On behalf of the Philippine Embassy and Consulates General in Canada, I thank you for celebrating this milestone with us. May these lights shine as a beacon of hope, unity, and shared prosperity for the next 75 years and beyond.

Mabuhay ang Pilipinas at Canada! Mabuhay tayong lahat!

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**KITIMAT FIRE & AMBULANCE SERVICES**

1101 Kingfisher Avenue, Kitimat, BC V8C 2N4  
 Phone: (250) 632-8940 Fax: (250) 632-7163

November 6, 2024

**Kitimat Fire and Ambulance Monthly Report – AUGUST 2024**

The following information is provided to the Mayor and Council as an update on the 2024 Emergency Response to calls for Service for the District of Kitimat.

**Month of AUGUST 2023/2024 Call Volume**

Medicals/Transfers/Cross Coverage	Fire/Rescue/Trouble/Dangerous Goods	Increase/Decrease
2023 = 200	2023 = 28	-30.70%
2024 = 127	2024 = 31	

**Fire Department Staffing Levels**

- 1 Fire Chief
- 1 Deputy Fire Chief – Operations
- 1 Deputy Fire Chief – Prevention & Training
- 1 Training Officer
- 22 Firefighters

6 open vacancies for Firefighters with Recruitment ongoing.



## KITIMAT FIRE & AMBULANCE SERVICES

1101 Kingfisher Avenue, Kitimat, BC V8C 2N4

Phone: (250) 632-8940 Fax: (250) 632-7163

### EMERGENCY RESPONSE – KITIMAT FIRE & AMBULANCE AUGUST 2024

CALL VOLUME	Month Total 2024	Year To Date 2024	Month Total 2023	Month Total 2022
Fire	22	128	100	99
Rescue	4	23	19	10
Dangerous Goods	2	13	8	6
Emergency Response	8	83	184	213
Medicals In Town	88	919	880	872
Medicals Out of Town	1	18	120	466
Transfers Out of Town	36	226	317	316
Cross Coverage	1	24	117	217
Trouble	3	11	2	0
*Hospital Diversion	6	9	0	0
**Training Hours	374	2850.45	-	-
***Ambulance Out of Service	48	104	-	-

\* Statistics were collected starting in June 2024

\*\* Statistics were collected starting in January 2024 and may increase or decrease due to training completion and the entry into the data base platform



## KITIMAT FIRE & AMBULANCE SERVICES

1101 Kingfisher Avenue, Kitimat, BC V8C 2N4  
 Phone: (250) 632-8940 Fax: (250) 632-7163

November 7, 2024

### Kitimat Fire and Ambulance Monthly Report – SEPTEMBER 2024

The following information is provided to the Mayor and Council as an update on the 2024 Emergency Response to calls for Service for the District of Kitimat.

#### Month of SEPTEMBER 2023/2024 Call Volume

Medicals/Transfers/Cross Coverage	Fire/Rescue/Trouble/Dangerous Goods	Increase/Decrease
2023 = 162	2023 = 29	-29.32%
2024 = 107	2024 = 28	

#### Fire Department Staffing Levels

1 Fire Chief  
 1 Deputy Fire Chief – Operations  
 1 Deputy Fire Chief – Prevention & Training  
 1 Training Officer  
 23 Firefighters

5 open vacancies for Firefighters with Recruitment ongoing.



## KITIMAT FIRE & AMBULANCE SERVICES

1101 Kingfisher Avenue, Kitimat, BC V8C 2N4

Phone: (250) 632-8940 Fax: (250) 632-7163

### EMERGENCY RESPONSE – KITIMAT FIRE & AMBULANCE SEPTEMBER 2024

CALL VOLUME	Month Total 2024	Year To Date 2024	Month Total 2023	Month Total 2022
Fire	21	149	100	99
Rescue	4	27	19	10
Dangerous Goods	1	14	8	6
Emergency Response	8	91	184	213
Medicals In Town	78	997	880	872
Medicals Out of Town	7	25	120	466
Transfers Out of Town	19	245	317	316
Cross Coverage	3	27	117	217
Trouble	2	13	2	0
*Hospital Diversion	2	11	0	0
**Training Hours	529.6	3380.05	-	-
***Ambulance Out of Service	52	156	-	-

\* Statistics were collected starting in June 2024

\*\* Statistics were collected starting in January 2024 and may increase or decrease due to training completion and the entry into the data base platform



Item 7.5

**From:** Mike Forward [REDACTED]  
**Sent:** November 22, 2024 10:58 AM  
**To:** districtofkitimat <[dok@kitimat.ca](mailto:dok@kitimat.ca)>  
**Subject:** Appeal of Street Re-Naming Decision

Dear Mayor and Council,

I write this letter to all of you, but I am specifically beseeching Mayor Germuth, and Councilors Feldhoff, Pitzel and Empinado with this communication.

I was disappointed and deeply saddened by the recent decision by the above named not to support the re-naming of Anderson and Raley Streets. I fear that this decision, and the comments made during the meeting, have the potential to be deeply corrosive and destructive in the short and long term.

This motion can only be brought back to the table if one of those that voted against it reconsiders, and re-opens the topic for conversation. I am thereby requesting that any, but hopefully all of you, do just that and bring this topic back to revisit. The decision as it stands is harmful to our Haisla neighbours, harmful to Truth and Reconciliation efforts, and sadly has the potential to stoke the flames of ignorance and intolerance in our community. It is also simply morally wrong to allow individuals who participated in such harmful and destructive practices to have their names enshrined forevermore.

Please do not allow this to stand. I hope this appeal does not fall on deaf ears.

Sincerely,

Mike Forward

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## Item 7.6

-----Original Message-----

From: [noreply@kitimat.ca](mailto:noreply@kitimat.ca) <[noreply@kitimat.ca](mailto:noreply@kitimat.ca)> On Behalf Of Robert Whitton

Sent: November 23, 2024 6:48 PM

To: districtofkitimat <[feedback@kitimat.ca](mailto:feedback@kitimat.ca)>

Subject: Failure to rename streets

To Mayor and Council,

I am appalled that Mayor and Council chose not to rename the two contentious streets as requested by the Haisla nation.

BC's indigenous communities have been ignored and abused for far too long and your collective action clearly shows a complete lack of understanding as to what truth and reconciliation really means.

As elected officials, your apparent ignorance with respect to this matter is absolutely disgraceful. You've definitely put Kitimat on the map, for all the wrong reasons. Well done.

-----  
Origin:

<https://www.kitimat.ca/Modules/contact/search.aspx?s=qu31Zi5lA5HPyBC2mbBnNbjz0AeQuAleQuAl>

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This email was sent to you by Robert Whitton [REDACTED] through  
<https://www.kitimat.ca>.

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## Item 7.7

-----Original Message-----

From: [noreply@kitimat.ca](mailto:noreply@kitimat.ca) <[noreply@kitimat.ca](mailto:noreply@kitimat.ca)> On Behalf Of Ted Vizutti

Sent: November 24, 2024 2:20 PM

To: districtofkitimat <[feedback@kitimat.ca](mailto:feedback@kitimat.ca)>

Subject: Not in favour of name changes

I want to congratulate city council on not changing city names Reconciliation is not reconciliation it is all about removal of white colonialism It is about money Recognition of specific people is ok for history. Be it any citizen from the region Again I salute your stance to leave things alone. We are fighting it here in Powell River Please receive and acknowledge this email to city council and on their city council meeting.

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Origin: <https://www.kitimat.ca/en/municipal-hall/mayor-and-council.aspx>  
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This email was sent to you by Ted Vizutti [REDACTED] through <https://www.kitimat.ca>.

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THE VILLAGE OF  
**NAKUSP**

November 21, 2024

Honourable Josie Osborne  
Minister of Health  
PO Box 9050  
STN PROV GOVT  
Victoria BC, V8W 9E2  
HLTH.Minister@gov.bc.ca

To Honorable Josie Osborne, Minister of Health,

RE: BC Alert-Ready Program to include Health Services for notification of Emergency Room Closures

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Citizens within our small rural community are outraged by the Health Authority's lack of communication when the Emergency Room at our local hospital unexpectedly closes. Rural communities are left in life-or-death situations when an ER is unexpectedly closed and effective notification is not issued. If our residents serviced by the Arrow Lakes Hospital arrive to find the ER closed, the next closest ER is two and a half (2.5) hours away. Knowing ahead of time the Arrow Lakes Hospital ER is closed allows people to respond appropriately in a time of crisis. Knowing they must travel to another hospital will save valuable time when it matters most.

We know we are not the only community in BC affected by sudden ER closures that occur without adequate public notice. However, we acknowledge that the province already has a tool to provide the public with the necessary notifications. The Province's Alert-Ready system can notify citizens and other emergency service providers about ER closures. This will save lives and ensure people are not wasting valuable time by travelling to an ER that is temporarily closed.

The Province's Alert-Ready program states that the alert must meet the following criteria before proceeding:

- There is a threat to human life
- The threat is immediate
- There are recommended actions that may save lives.

An emergency room closure, whether planned or unplanned, threatens human life. The threat is immediate, and there is a recommended action that can save lives.

On October 16, 2024, Council for the Village of Nakusp resolved the following R232/24:

***THAT staff be directed to write a letter to the Provincial Government requesting they include the Provincial Health Services in their Alert Ready program to communicate with the public and advise of Emergency Room closures.***



THE VILLAGE OF  
**NAKUSP**

With best regards,

---

**Tom Zeleznik**  
**Village of Nakusp, Mayor**

Cc:  
Honourable Garry Begg, Minister of Public Safety and Solicitor General  
MLA Brittny Anderson  
All BC Municipalities



# COUNCIL REPORT

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Date: November 25, 2024  
 File: 7.5.3.160  
 To: Warren Waycheshen, CAO - for Mayor and Council  
 From: Ryan Beaudry, Director of Planning  
 Re: 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024  
 Applicant: Paul Anderson  
 Location: 3 Blueberry Avenue




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## **Recommendation:**

**Action:** Council consider second reading of a revised Zoning Amendment Bylaw for 3 Blueberry Avenue.

## **Recommended Motion:**

**THAT 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 receive second reading as amended.**

## **Background:**

At the November 4, 2024 Regular Meeting, staff presented a report summarizing proposed changes to a development application for 3 Blueberry Avenue (see **Attachment A**). Council considered the proposed changes and passed motion R24-258 as follows:

*“THAT second reading of 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 be rescinded;*

*THAT staff be directed to prepare amendments to 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 including:*

- a. Reduce maximum density from six dwelling units to four dwelling units;*
- b. Limit permitted housing types to only allow single detached dwellings;*
- c. Set a maximum gross floor area of 150 m<sup>2</sup> per dwelling unit;*
- d. Set a maximum height of 6 metres/1 storey for dwellings in the south half of the property, and 9 metres/2 storeys for dwellings in the north half of the property abutting Quatsino Boulevard; and*
- e. Consequential amendments as required;*

*THAT a new public hearing for 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 as amended be scheduled for 7:00 pm on December 16, 2024;*

*THAT a new public hearing for 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024 be scheduled for 7:00 pm on December 16, 2024;*

*AND THAT Council hold adoption of Official Community Plan Amendment Bylaw No. 2048, 2024 and Zoning Amendment Bylaw No. 2049, 2024 subject to registration of a covenant against the title of the property regulating the following:*

- a. Ensuring that no more than 4 dwelling units are permitted on parent parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154); and*

- b. 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 4 dwelling units on the Parent Parcel.”*

Staff have since revised 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049 to address Council’s direction in motion R24-258. Included in **Attachment B** is an amended Zoning Amendment Bylaw for Council’s consideration of 2<sup>nd</sup> reading. For Council convenience, Bylaw 2049 showing amendments in red is attached as **Attachment C**.

As outlined in the previous (November 4) report to Council in Attachment A, the proposed amendments were prepared at the request of the applicant based on feedback from Council and members of the public at the June 17, 2024 public hearing and Council meeting. The amendments reduce the density of development, limit the housing types, and reduce the maximum size and height of dwellings as summarized in the table below.

	<b>Initial Application</b>	<b>Proposed Amendments</b>
Dwelling Types	Single detached dwellings, duplexes, townhouses	Single detached dwellings
Maximum Density	6 dwelling units	4 dwelling units
Maximum Size	No dwelling unit size limit (0.5 FAR / 30% lot coverage)	150 m <sup>2</sup> (~1,600 ft <sup>2</sup> ) gross floor area per dwelling
Maximum Height	9 m (29.5 ft)	6 m (19.7) ft / 1 storey – southeast ½ of lot 9 m (29.5 ft) / 2 storeys – northwest ½ of lot

As the proposed amendments in Attachment B reflect Council’s direction in R24-258, staff recommend that Council give second reading to 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024. Should Council pass the recommended motion, Public Hearings for the Zoning Amendment Bylaw and Official Community Plan Amendment Bylaw for 3 Blueberry Avenue will proceed on December 16 along with consideration of 3<sup>rd</sup> reading in accordance with R24-258. Also in accordance with R24-258, Council’s consideration of bylaw adoption will be held subject to registration of a covenant against the title of the subject property ensuring that no more than 4 dwelling units are permitted on the parent parcel.

**Alternative Options:**

1. Another option as developed through discussion of Council.

**Budget Implications:**

There are no budget implications associated with this report.

“SLT”  
 \_\_\_\_\_  
 Director of Finance Initials

**Budgeted:**

**Unbudgeted:**

**Council Initiative/Other Relevant Plans:**

**Strategic Plan (2023-2026)**

Priority 2 Housing – Adequate, appropriate, affordable and diverse housing for all

**Joint Strategic Plan for Haisla Nation Council – District of Kitimat (2024-2029)**

Not considered

**District of Kitimat and Haisla Council Friendship Agreement - gi guálap' ni**

Not considered

**Community Energy and Emissions Plan**

Strategy 1.1 - Support Compact Communities

**Housing Action Plan and Needs Assessment**

Regulatory Measures Action 4 – Support innovative housing forms

Regulatory Measures Action 5 – Consider accessible ground-oriented housing forms

**Kitimat Age-Friendly Assessment Report and Action Plan**

Not considered

**Kitimat Cycle Network Plan**

Not considered

**Kitimat Poverty Reduction Strategy**

Not considered

**Leisure Services Master Plan**

Not considered

**Minette Bay West Concept Plan**

Not considered

**Official Community Plan (and Downtown Design Guidelines)**

Policy 4.3.3 – Preserve the diversity of housing types, lot sizes and price ranges by ensuring that infill and new development supports housing choice.

Policy 4.4.5 – Encourage redevelopment and infill in developed areas as an alternative to expanding into new areas

Neighbourhood Land Use Designation - Areas designated Neighbourhood are primarily residential in nature. Land uses include single and two-dwelling housing, multi-residential buildings with more than two dwellings, single/multi-residential buildings that may include care facilities, housing for seniors and group homes, mobile homes and home based businesses.

**Solid Waste Action Plan**

Not considered

**Water Conservation Plan**

Not considered

**BC Transit Future Services Plan**

Not considered

**Economic Development Strategic Plan (2023-2029)**

Goal 1 – Enable Housing Choice and Affordability

“Ryan Beaudry”

Submitted by

Ryan Beaudry

Director of Planning

“Warren Waycheshen”

Approved for Submission

Warren Waycheshen, CAO

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# COUNCIL REPORT

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Date: October 29, 2024  
File: 7.5.3.160  
To: Warren Waycheshen, CAO - for Mayor and Council  
From: Ryan Beaudry, Director of Planning  
Re: 3 Blueberry Avenue Official Community Plan  
Amendment Bylaw No. 2048, 2024 and 3 Blueberry  
Avenue Zoning Amendment Bylaw No. 2049, 2024  
Applicant: Paul Anderson  
Location: 3 Blueberry Avenue



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## **Recommendation:**

**Action:** To obtain Council direction for next steps on an Official Community Plan and Zoning Amendment application at 3 Blueberry Avenue.

## **Recommended Motion:**

**THAT second reading of 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 be rescinded;**

**THAT staff be directed to prepare amendments to 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 including:**

- a. Reduce maximum density from six dwelling units to four dwelling units;
- b. Limit permitted housing types to only allow single detached dwellings;
- c. Set a maximum gross floor area of 150 m<sup>2</sup> per dwelling unit;
- d. Set a maximum height of 6 metres/1 storey for dwellings in the south half of the property, and 9 metres/2 storeys for dwellings in the north half of the property abutting Quatsino Boulevard; and
- e. Consequential amendments as required;

**THAT a new public hearing for 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 as amended be scheduled for 7:00 pm on December 16, 2024;**

**THAT a new public hearing for 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024 be scheduled for 7:00 pm on December 16, 2024;**

**AND THAT Council hold adoption of Official Community Plan Amendment Bylaw No. 2048, 2024 and Zoning Amendment Bylaw No. 2049, 2024 subject to registration of a covenant against the title of the property regulating the following:**

- a. Ensuring that no more than 4 dwelling units are permitted on parent parcel PID: 025-182-366 (Lot 1 District Lot 6019 Range 5 Coast District Plan PRP47154); and
- b. 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 4 dwelling units on the Parent Parcel.

## **Background:**

On May 6, 2024, Council considered an application (**Attachment A**) by the property owner of 3 Blueberry Avenue for a 6-unit bare land strata development. This development as proposed required a change in zoning, from G3-B Strawberry Meadows to a new site-specific zone, and a change to the Official Community Plan future land use designation, from "Residential Small Holdings" to "Neighbourhood." Following deliberation, Council passed 1<sup>st</sup> and 2<sup>nd</sup> readings and scheduled a public hearing for the proposed OCP and zoning amendment bylaws per resolution R24-049. These bylaws are included in **Attachments B** and **C** for reference.

A public hearing on the bylaws was held on June 17, 2024, followed by Council deliberation and a consideration of 3<sup>rd</sup> reading. Concerns were cited regarding the proposed scale of development and potential impacts on the surrounding neighbourhood. Council decided to withhold 3<sup>rd</sup> reading and no other motions were adopted, leaving the bylaws at 2<sup>nd</sup> reading per the resolution noted above (R24-049).

In late-August, 2024, the applicant contacted the Planning Department requesting to revise their proposal to incorporate feedback received at the June 17 public hearing and Council meeting. As the bylaws are currently at 2<sup>nd</sup> reading, it is possible at this stage to fulfil the request of the applicant by rescinding 2<sup>nd</sup> reading, amending the zoning amendment bylaw as per the applicant's request, advancing the bylaw to a new public hearing, and returning to Council thereafter for consideration of further readings. It should be noted that only the zoning amendment bylaw requires revisions; the OCP amendment bylaw need not be revised as it is only a map change.

Staff have worked with the applicant over the past two months on multiple iterations of revisions, arriving at a proposal that is considered final as of October 25, 2024. In response to feedback received from Council and the public on June 17, the applicant is proposing to amend 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 to reduce the density of development, limit the housing types, and reduce the maximum size and height of dwellings. The following table provides a summary of the proposed amendments:

	<b>Initial Application</b>	<b>Proposed Revisions</b>
Dwelling Types	Single detached dwellings, duplexes, townhouses	Single detached dwellings
Maximum Density	6 dwelling units	4 dwelling units
Maximum Size	No dwelling unit size limit (0.5 FAR / 30% lot coverage)	150 m <sup>2</sup> (~1,600 ft <sup>2</sup> ) gross floor area per dwelling
Maximum Height	9 m (29.5 ft)	6 m (19.7) ft / 1 storey – south ½ of lot 9 m (29.5 ft) / 2 storeys – north ½ of lot

Although there was no maximum dwelling unit size proposed as part of the initial application, the proposed maximum density of 0.5 floor area ratio (FAR) would have potentially allowed for up to 1,943 m<sup>2</sup> (~20,900 ft<sup>2</sup>) of residential gross floor area on the site in any combination of single detached dwellings, duplexes and townhouses. When factoring in the proposed minimum strata lot size and maximum strata lot coverage, the initial application would have allowed two storey single detached dwellings at a size of 270 m<sup>2</sup> (~2,700 ft<sup>2</sup>) per strata lot. The proposed revisions will limit the size of single detached dwellings to a maximum gross floor area of 150 m<sup>2</sup> (~1,600 ft<sup>2</sup>) per dwelling, for a total of 600 m<sup>2</sup> (~6,500 ft<sup>2</sup>) on the entire site based on a maximum of four dwelling units. The reduction from 1,943 m<sup>2</sup> gross floor area on the site in the initial application, down to 600 m<sup>2</sup> gross floor area on the site in the proposed revisions, represents a reduction in allowable floor area of over 2/3 (~69%).

Staff are seeking direction from Council on next steps regarding the Official Community Plan and Zoning Amendment application at 3 Blueberry Avenue. Should Council wish to proceed with the application beyond this point, staff have provided recommended motions that will allow for the zoning amendment bylaw to be revised as per the applicant's request and to return for Council's consideration of 2<sup>nd</sup> reading on December 2, with a new public hearing and consideration of 3<sup>rd</sup> reading to follow on December 16. Alternatively, should Council wish to not proceed with the application beyond this point, options are provided below.

**Alternative Options:**

1. If Council does not wish to consider the proposed revisions, the following motion is offered for Council consideration:

**THAT first and second readings of 3 Blueberry Avenue Official Community Plan Amendment Bylaw No. 2048, 2024 be rescinded.**

**AND THAT first and second readings of 3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024 be rescinded.**

The application would not proceed further. The applicant could make another application for rezoning and OCP amendment in six months as per section 9.2.2.30 of the *Kitimat Municipal Code*.

2. Another option as developed through discussion of Council.

**Budget Implications:**

There are no budget implications associated with this report.

"SLT"  
\_\_\_\_\_  
Director of Finance Initials

**Budgeted:**

**Unbudgeted:**

**Council Initiative/Other Relevant Plans:**

**Strategic Plan (2023-2026)**

Priority 2 Housing – Adequate, appropriate, affordable and diverse housing for all

**Joint Strategic Plan for Haisla Nation Council – District of Kitimat (2024-2029)**

Not considered

**District of Kitimat and Haisla Council Friendship Agreement - gi guálap' ni**

Not considered

**Community Energy and Emissions Plan**

Strategy 1.1 - Support Compact Communities

**Housing Action Plan and Needs Assessment**

Regulatory Measures Action 4 – Support innovative housing forms

Regulatory Measures Action 5 – Consider accessible ground-oriented housing forms

**Kitimat Age-Friendly Assessment Report and Action Plan**

Not considered

**Kitimat Cycle Network Plan**

Not considered

**Kitimat Poverty Reduction Strategy**

Not considered

**Leisure Services Master Plan**

Not considered

**Minette Bay West Concept Plan**

Not considered

**Official Community Plan (and Downtown Design Guidelines)**

Policy 4.3.3 – Preserve the diversity of housing types, lot sizes and price ranges by ensuring that infill and new development supports housing choice.

Policy 4.4.5 – Encourage redevelopment and infill in developed areas as an alternative to expanding into new areas

Neighbourhood Land Use Designation - Areas designated Neighbourhood are primarily residential in nature. Land uses include single and two-dwelling housing, multi-residential buildings with more than two dwellings, single/multi-residential buildings that may include care facilities, housing for seniors and group homes, mobile homes and home based businesses.

**Solid Waste Action Plan**

Not considered

**Water Conservation Plan**

Not considered

**BC Transit Future Services Plan**

Not considered

**Economic Development Strategic Plan (2023-2029)**

Goal 1 – Enable Housing Choice and Affordability

“Ryan Beaudry”

Submitted by

Ryan Beaudry

Director of Planning

“Warren Waycheshen”

Approved for Submission

Warren Waycheshen, CAO

Attachment(s): A – Application  
B – OCP Amendment Bylaw (currently at 2<sup>nd</sup> reading)  
C – Zoning Amendment Bylaw (currently at 2<sup>nd</sup> reading)



DISTRICT OF KITIMAT  
BYLAW NO. 2049, 2024

A BYLAW TO AMEND PART 9, DIVISION 4 OF THE KITIMAT MUNICIPAL CODE WITH  
RESPECT TO ADDING A LOW-DENSITY MULTI-DWELLING RESIDENTIAL ZONE

WHEREAS the *Local Government Act* allows a local government to divide portions of a municipality into zones and to regulate land, buildings, and other structures, including with respect to use, density, siting, size and dimensions and subdivision.

AND WHEREAS the Kitimat Council deems it is in the public interest to amend the *Kitimat Municipal Code* to encourage smaller residential lots and compact developments.

NOW THEREFORE, the Council of the District of Kitimat, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as “3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024”.
2. The *Kitimat Municipal Code* is hereby amended by adding and amending text outlined as follows, including updating related section numbers and cross-references accordingly:

Subdivision 18 – R3-D1 Low Density Multi-Dwelling Residential

9.4.18

1. Permitted Uses

- a. Single Detached Dwelling

Permitted Accessory Uses

- b. Day Care (Child)
- c. Day Care (Adult)
- d. Home Business Address
- e. Temporary Uses in accordance with Part 9, Division 8

Conditions of Use

2. Permitted Number of Buildings and Structures per Lot:
  - a. One Single Detached Dwelling per Lot, to a maximum of four Single Detached Dwellings
  - b. Accessory Buildings or Structures
3. Strata Lot Area (minimum): 450 m<sup>2</sup>

4. Strata Lot Frontage (minimum): 14 m per Single Detached Dwelling
5. Strata Lot Coverage (maximum): 30%, plus 30 m<sup>2</sup> for Accessory Buildings, and a Garage or Carport
6. Gross Floor Area (maximum): 150 m<sup>2</sup> per Single Detached Dwelling
7. Height of Buildings (maximum):
  - a. Two storeys, to a maximum height of 9 metres for Strata Lots in the northwest half of the parent parcel
  - b. One storey, to a maximum height of 6 metres for Strata Lots in the southeast half of the parent parcel
8. Front Yard (minimum): 4.5 metres
9. Side Yard (minimum): 1.5 metres
10. Rear Yard (minimum): 4.5 metres
11. Building Setbacks on a Corner Lot: Refer to 9.4.1.6.

#### Off Street Parking and Internal Roads

12. Two Parking Spaces per Dwelling Unit, one of which must have unrestricted access to a highway.
13. Each Parking Space shall be 3.5 metres in width and 6.5 metres in length and one of the required Parking Spaces shall be within the Permissible Building Area for the purpose of building a Garage or Carport.
14. For strata and bare land strata developments, 1 visitor Parking Space for every 2 Dwelling Units.
15. The minimum internal road width shall be 6 metres and no parking shall be allowed on such internal access roads.

Access (maximum)

16. Each Access shall be paved if the abutting street is paved.
17. One Access not exceeding 7.5 metres in width is permitted where Lot Frontage is less than 30 metres.
18. Second Access no wider than 3.7 metres is permitted for every 15 metres of Frontage in excess of 30 metres.

Snow Storage

19. An area equal to 25% of the required parking area shall be provided for snow storage per Lot.
20. For strata and bare land strata developments, an area equal to 25% of the required drive aisles shall be provided for snow storage.
21. Snow storage areas shall be located away from public roads and other areas so that motorists and pedestrians sight lines are not impacted.
22. Snow storage areas cannot be located in required parking areas.

Refuse Storage & Landscaping

23. For strata and bare land strata developments:
  - a. All refuse and recycling bins shall have a Landscape Screen as to be screened from adjacent Lots and Streets.
  - b. All Landscape Screens shall be a height equivalent to the height of the refuse or recycling bin.
  - c. All refuse or recycling bins shall be located entirely within the property boundary lines and not obstruct pedestrian and vehicle traffic.

Accessory Buildings in Required Yards: See 9.4.1.7 to 9.4.1.13

3. The *Kitimat Municipal Code* is hereby amended by amending the zoning of the mentioned legal parcel and amending the Zoning Map outlined as follows:
  - a. Amending the zoning of the following legal parcel from “G3-C Residential” to “R3-D1 Low Density Multi-Dwelling Residential”:
    - i. LOT 1 DISTRICT LOT 6019 RANGE 5 COAST DISTRICT PLAN

PRP47154, PID 025-182-366 (3 Blueberry Avenue).

- b. Amending the Zoning Map to affect the above re-designations, as shown in **Schedule A**.
4. This bylaw shall come into force and be binding on all persons from the date of adoption.

READ a first time this	6 <sup>th</sup> day of	May, 2024
READ a second time this	6 <sup>th</sup> day of	May, 2024
PUBLIC NOTICE issued this	6 <sup>th</sup> day of	June, 2024
PUBLIC NOTICE issued this	13 <sup>th</sup> day of	June, 2024
PUBLIC HEARING held this	17 <sup>th</sup> day of	June, 2024
RESCINDED second reading this	4 <sup>th</sup> day of	November, 2024
READ a second time this	day of	2024
PUBLIC NOTICE issued this	day of	,2024
PUBLIC HEARING held this	day of	,2024
READ a third time this	day of	,2024
ADOPTED this	day of	, 2024

MAYOR

\_\_\_\_\_  
Philip Germuth

CORPORATE OFFICER

\_\_\_\_\_  
Tracy Tavares



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DISTRICT OF KITIMAT  
BYLAW NO. 2049, 2024

A BYLAW TO AMEND PART 9, DIVISION 4 OF THE KITIMAT MUNICIPAL CODE WITH  
RESPECT TO ADDING A LOW-DENSITY MULTI-DWELLING RESIDENTIAL ZONE

WHEREAS the *Local Government Act* allows a local government to divide portions of a municipality into zones and to regulate land, buildings, and other structures, including with respect to use, density, siting, size and dimensions and subdivision.

AND WHEREAS the Kitimat Council deems it is in the public interest to amend the *Kitimat Municipal Code* to encourage smaller residential lots and compact developments, ~~with low-density multi-dwelling housing types.~~

NOW THEREFORE, the Council of the District of Kitimat, in open meeting assembled, ENACTS AS FOLLOWS:

1. This bylaw may be cited as “3 Blueberry Avenue Zoning Amendment Bylaw No. 2049, 2024”.
2. The *Kitimat Municipal Code* is hereby amended by adding and amending text outlined as follows, including updating related section numbers and cross-references accordingly:

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9.4.18

1. Permitted Uses

- a. ~~Low-Density Multi-Dwelling Residential Development~~ Single Detached Dwelling

Permitted Accessory Uses

- b. Day Care (Child)
- c. Day Care (Adult)
- d. Home Business Address
- e. Temporary Uses in accordance with Part 9, Division 8

Conditions of Use

2. Permitted Number of Buildings and Structures per Lot:

- a. ~~Planned Development, consisting of either all single-family dwellings or all two-family dwellings or all terrace dwellings or in any combination to a maximum of six (6) Dwelling~~

Units. One Single Detached Dwelling per Lot, to a maximum of four Single Detached Dwellings

- b. Accessory Buildings or Structures
3. Strata Lot Area (minimum): 450 m<sup>2</sup>
4. Strata Lot Frontage (minimum): 14 m per Single Detached Dwelling Unit
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14. For strata and bare land strata developments, 1 visitor Parking Space for every ~~23~~ Dwelling Units.
15. The minimum internal road width shall be 6 metres and no parking shall be allowed on such internal access roads.



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- b. Amending the Zoning Map to affect the above re-designations, as shown in **Schedule A**.
4. This bylaw shall come into force and be binding on all persons from the date of adoption.

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READ a third time this	day of	,2024
ADOPTED this	day of	, 2024

MAYOR

\_\_\_\_\_  
Philip Germuth

CORPORATE OFFICER

\_\_\_\_\_  
Tracy Tavares

# COUNCIL REPORT

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Date: November 19, 2024  
 File: 6.5.4  
 To: Warren Waycheshen, CAO - for Mayor and Council  
 From: Alex Ramos-Espinoza, Director of Engineering  
 Kiona Enders, Deputy CAO  
 Re: Cemetery Amendment Bylaw No. 2060, 2024  
 Applicant: n/a  
 Location: Kitimat Municipal Cemetery

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## **Recommendation:**

**Action:** Council consider adoption of Cemetery Amendment Bylaw No. 2060, 2024 and approving the Cemetery Columbarium Memorial Order Policy.

## **Recommended Motion:**

(noted in bold in report)

## **Background:**

At the November 18, 2024 meeting Council provide first three readings of the Cemetery Amendment Bylaw No. 2060, 2024. The bylaw is being presented for Council consideration of adoption. Comments regarding the bylaw are noted below. The following is offered for Council consideration:

### **THAT Cemetery Amendment Bylaw No. 2060, 2024 be adopted.**

This bylaw introduces two new fees, one for the attachment of the photograph on the nameplate at the columbarium and the administrative fee for orders submitted for columbarium nameplates. After the bylaw is adopted, staff will forward the new fees to the Better Business Bureau for their review.

The company the District worked with to design the nameplates for the Cemetery columbarium has expressed their preference to have columbarium nameplates ordered through the District. Staff is proposing a policy to guide that process including the responsibilities of the District, the person ordering, as well as fees. The Cemetery Columbarium Memorial Order Policy is attached for Council's consideration. If Council is satisfied with the policy, the following is offered for Council consideration:

### **THAT the Cemetery Columbarium Memorial Order Policy attached to the Cemetery Amendment Bylaw No. 2060, 2024 report dated November 19, 2024 be approved.**

During the November 18, 2024 meeting there was a discussion regarding the municipal ticket information section that will now form part of the *Kitimat Municipal Code*. The District is not considering issuing fines for non-compliant memorials currently in the cemetery at this time.

However, as staff noted, we had received correspondence from the Better Business Bureau noting the District was not ensuring compliance with our own bylaws. They further noted that enforcement against the District was not being considered at that time, instead they are directing the District to ensure compliance in the future. Staff does not know what enforcement measures

are available to the Better Business Bureau. Staff will, at a future time, bring forward a report seeking Council direction on what to do with non-compliant memorials and to also consider creating a master plan for the cemetery that would incorporate the various communities groups input. Future memorials will be required to comply with the regulations.

Comments from November 12, 2024 report:

At the April 15, 2024 meeting of Council the following motion was made:

*THAT a name plate style similar to the Smithers Cemetery be used for the columbarium and be included in a bylaw amending Part 7, Division 4 of the Kitimat Municipal Code. (R24-093)*

At the November 4, 2024 meeting of Council the following motion was made:

*THAT an additional style of nameplate for the Columbarium at the Kitimat Cemetery be included in the draft cemetery amendment bylaw with an option for a 4.7" x 3.5" photograph. (R24-257)*

At the April 15, 2024 meeting of Council, direction was also provided on the fee structure for the columbarium. The *Kitimat Municipal Code* was amended by Bylaw No. 2053, 2024, and the fees were submitted to the Better Business Bureau for approval. The Better Business Bureau has since approved the fee structure for the columbarium. As of the date of this report, 8 niches for the Columbarium have been sold.

Staff took the opportunity to review Part 7, Division 4 of the *Kitimat Municipal Code* in detail and are proposing several revisions. This is a summary of proposed amendments:

- Reviewed to identify where new definitions were needed as well as for definitions that could be removed. Definitions were also updated for clarity or to better align with legislation.
- In some sections, the requirements are specifically set out in the *Cremation, Interment and Funeral Services Act*, for example with respect to the Cemetery Care Fund or Health Officer Direction. Although in the event of a discrepancy between the KMC and legislation, legislation would prevail, having inaccurate information can be difficult for staff to navigate. In these cases, staff simply refers to the *Cremation, Interment and Funeral Services Act* for guidance.
- The cemetery has three distinct parts, the grave sites (burial of remains and cremated remains), the mausoleum (crypt and niche spaces), and the columbarium (niche spaces). The KMC now clearly has information on licences and applications for each of these parts.
- Schedule F and G have been amended to include all regulations related to the memorial markers in one location. This is done to assist persons with understanding the requirements.

It is important to note that the mausoleum is operated by a third-party agreement and conditions regarding memorial markers, licencing and permits, and transfers may be regulated through this agreement. Staff has not proposed changes with respect to these processes.

Given the extensive amendments, Bylaw No. 2060 (Attachment A) proposes to delete Part 7, Division 4 in its entirety and replace with Appendix A to the bylaw. The bylaw also includes an update to the municipal ticket information section noting fines for infractions related to this part.

**Alternative Options:**

1. If Council wishes to make amendments to Cemetery Amendment Bylaw No. 2060, 2024, third reading needs to be rescinded, the amendment made and then given third reading. The bylaw would come back at a future meeting for consideration of adoption. The following motion is offered for Council consideration:

**THAT third reading of Cemetery Amendment Bylaw No. 2060, 2024 be rescinded.**

**THAT Cemetery Amendment Bylaw No. 2060, 2024 be amended by** (to be determined through Council discussion).

**AND THAT Cemetery Amendment Bylaw No. 2060, 2024 be given third reading.**

2. Another option as developed through discussion of Council.

**Budget Implications:**

There are no budget implications for this bylaw amendment.

“SLT”  
\_\_\_\_\_  
Director of Finance Initials

**Budgeted:**

**Unbudgeted:**

**Council Initiative/Other Relevant Plans:**

**Strategic Plan (2023-2026)**

Priority 5 – Social Wellbeing

Goals: A healthy community with strong social bonds and services that meet community needs

**Joint Strategic Plan for Haisla Nation Council – District of Kitimat (2024-2029)**

Not Applicable

**District of Kitimat and Haisla Council Friendship Agreement - gi guálap ni**

Not Applicable

**Community Energy and Emissions Plan**

Not Applicable

**Housing Action Plan and Needs Assessment**

Not Applicable

**Kitimat Age-Friendly Assessment Report and Action Plan**

Not Applicable

**Kitimat Cycle Network Plan**

Not Applicable

**Kitimat Poverty Reduction Strategy**

Not Applicable

**Leisure Services Master Plan**

Not Applicable

**Minette Bay West Concept Plan**

Not Applicable

**Official Community Plan (and Downtown Design Guidelines)**

Not Applicable

**Solid Waste Action Plan**

Not Applicable

**Water Conservation Plan**

Not Applicable

**BC Transit Future Services Plan**

Not Applicable

**Economic Development Strategic Plan (2023-2029)**

Not Applicable

“Alex Ramos-Espinoza”

Submitted by

Alex Ramos-Espinoza, P.Eng.

Director of Engineering Services

“Kiona Enders”

Submitted by

Kiona Enders, Deputy CAO

“Warren Waycheshen”

Approved for Submission

Warren Waycheshen, CAO

Attachment(s): A – Cemetery Amendment Bylaw No. 2060, 2024  
B – Cemetery Columbarium Memorial Order Policy

DISTRICT OF KITIMATBYLAW NO. 2060

A BYLAW TO AMEND PART 7 – PUBLIC HEALTH, DIVISION 4 CEMETERIES OF THE *KITIMAT MUNICIPAL CODE* AND TO AMEND PART 1 – GENERAL PROVISIONS, DIVISION 3 MUNICIPAL TICKET INFORMATION SYSTEMS WITH RESPECT TO CONTRAVENTIONS OF PART 7, DIVISION 4.

WHEREAS an operator of a cemetery must adopt bylaws related to interment and respecting the organization, operation and management of the place of interment; the rights, privileges and responsibilities of the operator, persons who visit the place of interment and supplies in respect of the place of interment; the rights, privileges and responsibilities of interment rights holders in respect of the place of interment; and the size, class, kind and composition of memorials that are permitted to be installed in the place of interment, or in any of its parts or subdivisions;

WHEREAS the operator of a cemetery may make other bylaws providing for any other matter related to the place of interment, including, without limitation, bylaws allowing multiple interments in one lot;

WHEREAS the District of Kitimat is an owner and operator of a cemetery;

WHEREAS the District of Kitimat is the Board of Trustees in accordance with the *Cremation, Interment and Funeral Services Act*;

AND WHEREAS, the District of Kitimat has a consolidation of regulatory bylaws referred to as the *Kitimat Municipal Code*;

NOW THEREFORE the Council

1. This bylaw will be cited as “Cemetery Amendment Bylaw No. 2060, 2024”.
2. Part 7 – Public Health, Division 4 – Cemeteries is deleted in its entirety and replaced with Appendix A to Bylaw No. 2060, 2024.
3. Part 1 – General Provisions, Division 3 – Municipal Ticket Information Systems be amended by adding the following:

Bury, Cremate or otherwise dispose of a body within the municipal boundary	7.4.15	\$100
Digging or opening of a grave	7.4.16.12	\$100
Placing or installing a memorial marker before interment	7.4.17.1(l)	\$100
Improving, altering, or embellishment of crypt or niche contrary to Division	7.4.17.1(n)	\$100
Visting Mausoleum not in accordance with Division	7.4.17.1(o)	\$100
Burning incense, candle, or other flammable product	7.4.17.1(r)	\$100
Flower container contrary to Division	7.4.17.2(a)	\$100
Tampering with flower container	7.4.17.2(a), 7.4.23.2(a)	\$100
Portrait contrary to Division	7.4.17.2(f)	\$100
Installing a fence, hedge or railing or memorial marker contrary to Division	7.4.21.2	\$100
Planting, removing, cutting or destroying of trees, shrubs, plants, flowers, bulbs or rocks contrary to Division	7.4.22.2	\$100
Damaging or defacing a memorial, fence, gate or structure	7.4.22.3	\$100
Vehicle in Cemetery contrary to Division	7.4.22.4	\$100
Soliciting orders for markers, tablets, Memorials, curbing, cappings or like works	7.4.22.5	\$100
Failing to comply with the direction of the Caretaker	7.4.22.6	\$100

Failing to provide notice of military funeral service with discharge of firearms	7.4.22.7	\$100
Interfering in accordance with section 47 of the <i>Cremation, Interment and Funeral Services Act</i>	7.4.22.8	\$100
Disturbing or interfering in accordance with section 48 of the <i>Cremation, Interment and Funeral Services Act</i>	7.4.22.8.1	\$100
Entering or remaining at the Cemetery	7.4.22.9, 7.4.23.1(p)	\$100
Burning incense, candle, or other flammable products in Cemetery	7.4.22.11	\$100

4. This bylaw will come into effect upon adoption.

READ a first time this 18<sup>th</sup> day of November, 2024.  
 READ a second time this 18<sup>th</sup> day of November, 2024.  
 READ a third time and passed this 18<sup>th</sup> day of November, 2024.  
 FINALLY ADOPTED this day of , 2024.

Mayor \_\_\_\_\_  
 Phil Germuth

Corporate Officer \_\_\_\_\_  
 Tracy Tavares



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PART 7 - PUBLIC HEALTH  
Division 4 - Cemeteries

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Subdivision 1 - Interpretation

7.4.1. 1. In this Division, unless the context otherwise requires:

**Caretaker** means the Municipal Engineer or their delegate.

**Cemetery** means land that is set apart or used as a place of Interment of Human Remains or Cremated Remains and includes any incidental or ancillary buildings on the land.

**Cemetery Care Fund** means a fund for the care and maintenance of a place of Interment.

**Cemetery Columbarium** means the structure in the Cemetery, owned and managed by the District, that contains, as an integral part of the structure or building or as free-standing sections, Niches to inter Cremated Remains.

**Cemetery Mausoleum** means the structure in the Cemetery that contains, as an integral part of the structure or building or as free-standing sections, Niches to inter Cremated Remains and Crypts to inter Human Remains and Cremated Remains.

**Child** means any person one year old up to and including twelve (12) years of age.

**Clerk** deleted by Bylaw No. 2060, 2024.

**Council** means the Council of the District of Kitimat.

**Cremated Remains** means human bone fragments that remain after cremation.

**Cremation, Interment and Funeral Services Act** means the *Cremation, Interment and Funeral Services Act*, S.B.C. 2004, c. 35, its Regulations, and any amendments thereto.

**Crypt** means one space in the Cemetery Mausoleum and is intended to be used for the entombment of one casket and one Cremated Remains.

**Director of Public Works** deleted by Bylaw No. 2060, 2024.

**Disinterment** means the removal, for permanent relocation, of human remains and the container, or any of the remaining container, holding the Human Remains.

**District** means the District of Kitimat.

**Division** means Part 7 – Public Health, Division 4 – Cemeteries of the *Kitimat Municipal Code*.

**Engineer** deleted by Bylaw No. 2060, 2024.

**Exhumation** means the exposure and removal of interred Human Remains for viewing or for examination.

**Health Officer** means the person appointed under the *Public Health Act*, S.B.C. 2008, c. 28, its Regulations and any amendments thereto.

**Human Remains** means a dead human body in any stage of decomposition but does not include Cremated Remains.

**Infant** means any person up to the age of one year.

**Interment** means disposition by:

- (a) burial of Human Remains or Cremated Remains,;
- (b) entombment of Human Remains or
- (c) inurnment of Cremated Remains.

**Licence** means a Licence for Columbarium Space, Licence for Mausoleum Space, or Licence for Reserve Plots.

**Licence for Columbarium Space** means the licence in a form as determined by the Municipal Engineer issued to the purchaser of a Niche in the Cemetery Columbarium in accordance with this Division stating the purchaser name, date of purchase, space purchased, and fee for purchase.

**Licence for Mausoleum Space** means the licence in a form as determined by the Municipal Engineer issued to the purchaser of a Crypt or Niche space in the Cemetery Mausoleum in accordance with this Division stating the purchaser name, date of purchase, space purchased, and fee for purchase.

**Licence for Reserve Plots** means the licence in a form as determined by the Municipal Engineer issued to the purchaser of a cemetery space in accordance with this Division stating the purchaser name, date of purchase, space purchased, and fee for purchase.

**Mausoleum Memorial** deleted by Bylaw No. 2060, 2024.

**Mayor** deleted by Bylaw No. 2060, 2024.

**Medical Health and Health Officer** deleted by Bylaw No. 2060, 2024.

**Memorial** means a tombstone, monument, plaque or other marker on a grave or plot, or an inscription of ornamentation on a crypt or niche front use to identify a lot or memorialize a deceased person.

**Memorial Wall** means the wall established in the Cemetery Mausoleum for the purpose of displaying Memorial markers.

**Minister** deleted by Bylaw No. 2060, 2024.

**Municipal Engineer** means the Municipal Engineer for the District of Kitimat or their delegate.

**Niche** means one space for the Interment of urns containing Cremated Remains. Unless otherwise stated in this Division, the number of urns contained within one Niche is limited by the size of the Niche and the size of the urns

**Non-Resident** means any person who has not lived within the municipal limits for more than one year.

**Permit** means a Cemetery Interment Permit, Mausoleum Interment Permit or Columbarium Interment Permit.

**Permit – Cemetery Interment** means the permit in the form determined by the Municipal Engineer for the Interment of remains in the Cemetery which will include the date issued, name of the applicant, name of the person being interred, grave space, and date and time of Interment.

**Permit – Mausoleum Interment** means the permit in the form determined by the Municipal Engineer for the Interment of remains in the Cemetery Mausoleum which will include the date issued, name of the applicant, name of the person being interred, Crypt or Niche space, and date and time of Interment.

**Permit – Columbarium Interment** means the permit in the form determined by the Municipal Engineer for the Interment of remains in the Cemetery Columbarium which will include the date issued, name of the applicant, name of the person being interred, Niche space, and date and time of Interment.

**Shutter** means the veneer plate of granite covering Crypts and Niches and to which may be attached approved Memorial markers.

**Statutory Holiday** means a day recognized by the provincial or federal government as a Statutory Holiday.

**Treasurer** deleted by Bylaw No. 2060, 2024

**Urn** means a container used to store Cremated Remains. Urns may contain the Cremated Remains of more than one person.

#### Subdivision–2 - Designated Lands

- 7.4.2. 1. The following lands have been set aside, operated, used or maintained as a Cemetery by the District:

KITIMAT MUNICIPAL CEMETERY, legally described as being:

- Lot 1, District Lot 6041, Range 5 Coast District Plan 3562; and
- Lot 2, District Lot 6041, Range 5 Coast District Plan 3562

#### Subdivision–3 - Cemetery Plans

- 7.4.3. 1. Deleted by Bylaw No. 2060, 2024.
2. Cemetery plans shall be submitted in accordance with the *Cremation, Interment and Funeral Services Act*.

#### Subdivision–4 - Licence to Use the Cemetery

- 7.4.4. 1. Council may, by agreement with a society, church or other organization, reserve a section of the Cemetery to be used exclusively for the interment of deceased members of the society, church, or other organization concerned, and upon such an agreement being made, no person shall be issued with a Licence for Reserve Plots or Cemetery Interment Permit, unless the application to the District to purchase is accompanied by a certificate from the society, church or organization concerned, stating that they, or the person on whose behalf they may be acting, is entitled to burial in the reserved section. All Licences issued and services rendered by the District under these conditions shall be subject to payment at the regular rates set forth in the schedule of rates attached hereto Schedule C of this Division.

#### Subdivision–5 - Licence for Reserved Lots

- 7.4.5. 1. Deleted by Bylaw No. 2060, 2024.
2. The District may grant to any person, upon payment of the associated fee, and subject to the terms of Section 7.4.4. of the *Kitimat Municipal Code*, a Licence for Reserve Plots of any grave space which may be vacant and unlicensed in the Cemetery.
3. The District may grant to any person, upon payment of the associated fee, a Licence for Mausoleum Space of any Crypt or Niche which may be vacant and unlicensed in the Cemetery Mausoleum.

4. The District may grant to any person, upon payment of the associated fee, a Licence for Columbarium Space of any Crypt which may be vacant and unlicensed in the Cemetery Columbarium.

#### Subdivision–6 - Limiting Sales

- 7.4.6. 1. The District reserves the right to limit the issuing of Licences to any one person to two (2) Licences.

#### Subdivision–7 - Transfer of Licence

- 7.4.7. 1. Where the holder of a Licence for Reserve Plots in the Cemetery wishes to transfer that Licence to another person, they shall first provide the Municipal Engineer with details include the space being transferred, name and address of transferee, the consideration to be paid for transfer of the Licence, and such other information as the Municipal Engineer may reasonably request. The provision of such information shall not bind the District to accept or permit the proposed transfer.
2. If the Licence for Reserve Plots to be transferred relates to a grave space located in an area reserved under an agreement made between the District and an organization pursuant to Section 7.4.4. of the *Kitimat Municipal Code*, the requirements of Section 7.4.4. of the *Kitimat Municipal Code* apply.
3. Upon acceptance by the District of the transfer fee prescribed “in Schedule C attached hereto, and upon compliance with the requirements of this Division by the Licence holder and the person to whom the Licence is to be transferred, the Municipal Engineer shall effect the desired transfer by an endorsement upon the Licence and shall record the transfer in the books or other records kept for that purpose.

#### Mausoleum

4. Where the holder of a Licence for Mausoleum Space in the Cemetery Mausoleum wishes to transfer that Licence to another person, they shall first provide the Municipal Engineer with details including the Crypt or Niche space being transferred, the name and address of transferee, the consideration to be paid for transfer of the Licence, and such other information as the Municipal Engineer may reasonably request. The provision of such information shall not bind the District to accept or permit the proposed transfer.
5. Upon acceptance by the District of the transfer fee prescribed in Schedule C of this Division, and upon compliance with the requirements of this Division by the Licence holder and the person

to whom the Licence is to be transferred, the Municipal Engineer shall effect the desired transfer by an endorsement upon the Licence and shall record the transfer in the books or other records kept for that purpose.

#### Columbarium

6. Where the holder of a Licence for Columbarium Space in the Cemetery Columbarium wishes to transfer that Licence to another person, they shall first provide the Municipal Engineer with details including the Crypt space being transferred, the name and address of transferee, the consideration to be paid for transfer of the Licence, and such other information as the Municipal Engineer may reasonably request. The provision of such information shall not bind the District to accept or permit the proposed transfer.
7. Upon acceptance by the District of the transfer fee prescribed in Schedule C of this Division, and upon compliance with the requirements of this Division by the Licence holder and the person to whom the Licence is to be transferred, the Municipal Engineer shall effect the desired transfer by an endorsement upon the Licence and shall record the transfer in the books or other records kept for that purpose.

#### Subdivision 8 - Licence Regulations

- 7.4.8. 1. All Licences issued for use of space in the Cemetery shall be subject to the provisions of this Division and the *Cremation, Interment and Funeral Services Act*.

#### Subdivision 9 - Fees and Charges

- 7.4.9. 1. The fees for Exhumation, Interment, Disinterment, use of grave space and care of graves, and the charges for goods offered for sale by the District for use in the Cemetery, and any other Cemetery fees shall be those set out in Schedule C of this Division of this Division.
2. The fees set out in Schedule C of this Division to this Division shall be paid at the District Offices at the time of purchasing a Licence or Permit, or any goods or services sold by the District in connection with the operation of the Cemetery.

#### Subdivision-10 - Size of Grave Spaces

- 7.4.10. 1. The size of grave spaces in any Cemetery expansion shall be:
- |                       |                                  |
|-----------------------|----------------------------------|
| Adult - 1.5 m x 3.0 m | Infant - 1.3 m x 1.3 m           |
| Child - 1.3 m x 2.0 m | Cremated Remains - 0.6 m x 0.6 m |

Subdivision–11 - Permission to Inter, Disinter or Exhume

- 7.4.11. 1. No Interment, Disinterment, or Exhumation of Human Remains or Cremated Remains shall occur in the Cemetery, Cemetery Mausoleum, or Cemetery Columbarium until a Permit has been obtained from the District and the appropriate fee as specified in Schedule C has been paid to the District, except as may be permitted under the terms of section 7.4.13. of the *Kitimat Municipal Code*.

Subdivision 12 – Interment

- 7.4.12. 1. Deleted by Bylaw No. 2060, 2024.
2. All applications for a Permit must be made to the Municipal Engineer at the District municipal office during regular business hours at least forty-eight (48) hours prior to Interment in accordance with the *Cremation, Interment and Funeral Services Act*. Except as may be permitted under Subdivision 7.4.13.
3. Any person who makes application for a Permit or who requires an Interment to be made, shall provide the Municipal Engineer with information in accordance with the *Cremation, Interment and Funeral Services Act* and any other information which it is reasonable for the Municipal Engineer to request.
4. No person shall be granted a Permit to inter in an area of the Cemetery which Council has reserved under the provisions of Section 7.4.4. of the *Kitimat Municipal Code* except in accordance with Section 7.4.4. of the *Kitimat Municipal Code*.
5. Interment will be done in accordance with the *Cremation, Interment and Funeral Services Act*.

Subdivision–13 - Health Officer Direction

- 7.4.13. 1. Deleted by Bylaw No. 2060, 2024.
2. Deleted by Bylaw No. 2060, 2024.
3. Deleted by Bylaw No. 2060, 2024.
4. Where an order is issued by the Health Officer in accordance with the *Cremation, Interment and Funeral Services Act*, the District will follow the direction of the Health Officer.

Subdivision–14 – Exhumation, Disinterment, removal/Reinterment

- 7.4.14. 1. Exhumation, Disinterment and removal/Reinterment of Human Remains shall be done in accordance with the *Cremation, Interment and Funeral Services Act*.
2. The applicant of the Exhumation, Disinterment and removal/Reinterment of Human Remains shall arrange and pay for the services of a licensed funeral home in addition to District fees as set out in Schedule C of this Division.

Subdivision–15 - Cremation

- 7.4.15. 1. No person shall bury, cremate, or otherwise dispose of Human Remains, or bury or otherwise dispose of Cremated Remains within the municipal boundary of the District except in accordance with *Cremation, Interment and Funeral Services Act*.

Subdivision–16 - Interment in the Cemetery

- 7.4.16. 1. Only Human Remains or Cremated Remains shall be interred in the Cemetery and all Interments shall be subject to and comply with the provisions of this Division.
2. The holder of a Licence or Permit in the Cemetery shall not permit an Interment to be made in the Cemetery space to which the Licence refers, nor transfer or dispose of the said Cemetery space to another person, group or organization, except in accordance with this Division.
3. Deleted by Bylaw No. 2060, 2024.
4. Deleted by Bylaw No. 2060, 2024.
5. Each Interment in the Cemetery, other than the Interment of Cremated Remains, shall provide for not less than one (1) metre of earth between the general surface level of the ground at the grave site and the upper surface of the vault, casket or grave liner enclosing the Human Remains in the grave.
6. Only one Human Remain is to be interred in each grave space in the Cemetery.
7. Notwithstanding Section 7.4.16.6 of the *Kitimat Municipal Code* the Interment of up to two Cremated Remains may be made in the area above the interred Human Remains. Where two Cremated Remains are interred, one Memorial marker for single grave plots is allowed.



8. Each Interment of Cremated Remains shall be interred in the Cemetery:
  - a) in a container encased in concrete not less than 40 mm thick, and shall be buried in the grave not less than 0.6 m deep; or
  - b) Notwithstanding 7.4.16.8(a) of the *Kitimat Municipal Code*, where the concrete encased container of Cremated Remains is used as a foundation-base for a tablet memorial installed on the grave, the container may be buried according to the requirements of Section 7.4.21. of the *Kitimat Municipal Code*.
9. A grave liner meeting the District's requirements shall be used for each Interment, except where Cremated Remains are interred according to the requirements of Section 7.4.16.8 of the *Kitimat Municipal Code*.
10. No person shall inter any Human Remains or Cremated Remains in the Cemetery except:
  - a) between the hours of 10:00 a.m. and 2:00 p.m.; or
  - b) as directed in writing by the Municipal Engineer; or
  - c) in accordance with Section 7.4.13 of the *Kitimat Municipal Code*.
11. No person shall inter any Human Remains or Cremated Remains in the Cemetery on Saturday or Sunday or any Statutory Holiday without:
  - a) the written permission of the Municipal Engineer; or
  - b) in accordance with Section 7.4.13 of the *Kitimat Municipal Code*.
12. No grave shall be dug or opened by any person except as authorized by the Municipal Engineer.

#### Subdivision–17 - Mausoleums and Above-ground Vaults

- 7.4.17. 1. A License for Mausoleum Space or Mausoleum Interment Permit will be issued in accordance with this Division and the following:

##### Interment in the Mausoleum

- (a) Arrangements for Interment in the Cemetery Mausoleum will be made in accordance with section 7.4.12 of the *Kitimat Municipal Code*.
- (b) No person shall inter any Human Remains or Cremated Remains in the Cemetery Mausoleum except:
  - a) between the hours of 10:00 a.m. and 2:00 p.m.; or
  - b) as directed in writing by the Municipal Engineer.

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- (c) No person shall inter any Human Remains or Cremated Remains in the Mausoleum on Saturday or Sunday or any Statutory Holiday without the written permission of the Municipal Engineer.
  - (d) No sale, assignment or transfer of Crypts and Niches or of rights of Interment therein, shall be made without the written consent of the Municipal Engineer which consent will not be withheld unreasonably.
  - (e) An assignment or transfer of Interment rights for Crypts and Niches may be made by the owner of such rights. After an Interment has been made in a Crypt, no assignment or transfer will be permitted.
  - (f) Deleted by Bylaw No. 2060, 2024.
  - (g) The fees for Interment and Disinterment, use of Crypts and Niches, installations of Memorials and any other fees are as set out in Schedule C of this Division.
  - (h) All Interments, Disinterments and removals from Crypts and Niches shall be done in accordance with this Division and the *Cremation, Interment and Funeral Services Act*.

#### Caskets and Urns

- (i) External dimensions of a casket to be placed in any Crypt shall not exceed 61 cm (2'0") high by 76 cm (2'6") wide by 221 cm (7'3") long.
- (j) Urns to be placed into outside Niches shall be made of metal, stone or porcelain or plastic and shall be manufactured for the express purpose of containing Cremated Remains. The number of urns contained within an outside Niche is limited only by the size of the urns and the size of the Niche. A maximum of two Memorial markers are permitted for each outside Niche regardless of the number of urns contained therein.
- (k) Urns to be placed into inside Niches shall be made of bronze metal. Inside Niches are designed to contain four (4) or two (2) urns. An inside Niche shall contain no more than the maximum number of urns for which it is designed.

#### Mausoleum General

- (l) No Memorial marker shall be placed or installed until after Interment. Memorial marker fees are as set out in Schedule C of this Division. Payment of all applicable fees shall be payable before installation of a Memorial marker.

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- (m) Cemetery Mausoleum Memorials shall be in the form as set out in this Division.
  - (n) All improvements, alterations and embellishments of Crypts or Niches or areas in the Cemetery Mausoleum shall be done in accordance with this Division. Improvements, alterations and embellishments made contrary to this Division shall be removed, without notice, at a charge to the Crypt or Niche owner. The District may remove items placed in the Cemetery Mausoleum where considered to be detrimental to the beauty of the Cemetery Mausoleum or their presence impedes maintenance. The District assumes no responsibility for items removed under this Division.
  - (o) No person may visit the Cemetery Mausoleum except in accordance with section 7.4.22.9 of the *Kitimat Municipal Code*.
  - (p) Deleted by Bylaw No. 2060, 2024.
  - (q) Wherever in the rules and regulations of a cemetery such terms as interment, burial, lot, etc. appear, these terms shall be extended in meaning to include corresponding terms as are applicable to crypt or niche spaces.
  - (r) No person shall be permitted to burn incense or candles or other flammable products in the Cemetery Mausoleum at any time.
  - (s) The Interment of one casket only is permitted in each Crypt. Notwithstanding, one Cremated Remains may be interred in a Crypt in addition to a casket so long as the Interment of the Cremated Remains is done at the same time as or prior to the Interment of the casket.

#### Mausoleum Memorials

2. Cemetery Mausoleum Memorials shall be allowed in accordance with Schedule F of this Division and the following:

(a) Flowers

Containers shall hold artificial flowers only and must be permanently affixed to the Shutters of Crypts and may be used only if such container has been specifically manufactured for this purpose and is made of a bronze alloy.

(b) Inscriptions

Memorial must comply with Schedule F of this Division.

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(c) Crypt Name Plate

Crypt Name Plate must comply with Schedule F of this Division.

(d) Niche Name Plate

Niche Name Plate must comply with Schedule F of this Division.

(e) Memorial Wall Plate

Memorial Wall Plate must comply with Schedule F of this Division.

(f) Crypt Portraits

Only pictures of the deceased are allowed to be affixed to the face of a Crypt or outside Niche. The pictures must be in a frame 5.7 cm (2"1/4") by 7 cm (2"3/4") cast in bronze alloy, manufactured specifically for this purpose.

(g) Glass Niches

The names of deceased shall be engraved at the discretion of the owner of the Niches. Name plates made of bronze coloured plastic with black engraved lettering may be placed inside the glass Niche adjacent or in front of each urn. No opportunity exists for exterior Memorial markers on glass Niches.

Subdivision–18 - Cemetery Caretaker

- 7.4.18
1. Deleted by Bylaw No. 2060, 2024
  2. Deleted by Bylaw No. 2060, 2024

Subdivision–19 - Administration

- 7.4.19.
1. The Municipal Engineer shall maintain records in accordance with the *Cremation, Interment and Funeral Services Act*.
  2. The Municipal Engineer is hereby authorized on behalf of the District and subject to the provisions of this Division to establish the form of and grant a Licence.
  3. The Municipal Engineer is hereby authorized on behalf of the District and subject to the provisions of this Division to establish the form of and grant a Permit.
  4. Deleted by Bylaw No. 2060, 2024.

Subdivision–20 - Cemetery Care Fund

- 7.4.20.
1. A fund shall be established to be known as the Cemetery Care Fund and such fund shall be administered in accordance with the requirements of the *Cremation, Interment and Funeral Services Act*.
  2. Deleted by Bylaw No. 2060, 2024.
  3. Licences for Cemetery space sold shall be subject to the Cemetery Care Fund.
  4. On all Permits or Licences for Cemetery space the amount required to be used for Cemetery Care Fund purposes shall be specified in Schedule C of this Division.
  5. On any Permit or Licence sold prior to installation by any person a Memorial shall pay to the District a \$10.00 fee to the Cemetery Care Fund.
  6. Deleted by Bylaw No. 2060, 2024.
  7. Deleted by Bylaw No. 2060, 2024.
  8. Deleted by Bylaw No. 2060, 2024.
  9. Deleted by Bylaw No. 2060, 2024.
  10. The District may exercise its option of reclamation of right of Interment previously sold in accordance with the *Cremation, Interment and Funeral Services Act*.
  11. Unless otherwise noted, the Cemetery Care Fund is established at 25 (Twenty-five) percent.

Subdivision 21 - Memorials

- 7.4.21.
1. Deleted by Bylaw No. 2060, 2024.
  2. No grave or grave space in the Cemetery shall be defined by a fence, hedge, or railing, and no Memorial other than as specified in 7.4.21.3. of the *Kitimat Municipal Code* may be installed on a grave.

3. A tablet type Memorial may be installed on a grave in the Cemetery provided the installation fee, as set out in Schedule C of this Division, is paid and conforms to the following:
- a. each Memorial tablet shall be installed in a position on the grave as directed by the Municipal Engineer and shall have its top surface set level and flush with the surface of the surrounding ground;
  - a.1 a memorial tablet must be made of stone or bronze;
  - b. each bronze Memorial tablet shall be attached to a concrete base not less than 10 cm (4") thick, with side surfaces true and perpendicular with top surface of the attached tablet;
  - c. each stone Memorial tablet shall be not less than 10 cm (4") thick and shall have its side surfaces true and perpendicular with its top surface;
  - d. except as permitted otherwise in 7.4.21.3.e. the top surface of Memorial tablets and concrete bases shall measure as follows:

MAXIMUM SIZE (in mm)

(1)	on single grave plots	400 X 710
(2)	on two grave plots	400 X 1120
(3)	on cremation plots:	
	single	250 X 410
	double (one plot)	300 X 510
	double (two plots)	310 X 710

- e. a bronze Memorial tablet intended for installation on the grave of an adult or Child may be smaller than its concrete base provided the concrete base conforms to the size for the grave as required by 7.4.21.3.d. of the *Kitimat Municipal Code* above, and provided the part of the base extending beyond the tablet does not exceed 5 cm (2") wide and has a smooth, slightly bevelled surface to shed water at its outer edges;
- f. one Memorial tablet per interment may be installed on each grave, but where two related persons are buried side by side in adjacent graves, one tablet which provided for the memorialization of both persons may be used instead of two separate tablets provided the single tablet so used is set to embrace evenly the two graves concerned;

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- g. on a Cremated Remains size grave a Memorial base which conforms to the requirements of 7.4.21.3.d. and which supports either a stone or bronze tablet, may enclose one or two containers of Cremated Remains, as permitted by the terms and requirements of 7.4.16.8.

Subdivision 22 - General

- 7.4.22.
1. Cut flowers, wreaths and floral offerings may be placed on graves, but may be removed by the Caretaker when the condition is considered to be detrimental to the beauty of the Cemetery, or the presence impedes maintenance.
  2. No person shall plant, remove, cut down or destroy any trees, shrubs, plants, flowers, bulbs or rocks in the Cemetery, other than an employee of the District authorized by the Municipal Engineer.
  3. All persons are prohibited from damaging or defacing any Memorial, fence, gate or structure in the Cemetery, or any improvements in the Cemetery.
  4. No person shall enter the Cemetery in a vehicle after sunset, or drive a vehicle in the Cemetery at any time at a speed of more than 16 km/h (10 mph) and all vehicles and their drivers, while in the Cemetery grounds, shall be subject to the reasonable directions and orders of the Caretaker.
  5. No person shall solicit orders for markers, tablets, Memorials, curbing, cappings, or like works within the limits of the Cemetery.
  6. All persons and funeral processions in the Cemetery shall obey the reasonable instructions of the Caretaker, but any person not behaving with proper decorum within the Cemetery, or disturbing the quiet and good order of the Cemetery, may be evicted therefrom by the Caretaker.
  7. Except in accordance with Section 47(b) the *Cremation, Interment and Funeral Services Act*, no person shall discharge firearms, other than during of a military funeral service, in the Cemetery. Notice in writing to the Municipal Engineer of a military funeral service is required.
  8. No person shall interfere at the Cemetery in accordance with section 47 of the *Cremation, Interment and Funeral Services Act*.
  - 8.1 No person shall disturb or interfere with persons in accordance with section 48 of the *Cremation, Interment and Funeral Services Act*.

- 
9. No person shall enter or remain in the Cemetery during a period not within the posted visiting hours. In the absence of posted visiting hours, no person shall enter or remain in the Cemetery in accordance with section 49(1)(b) of the *Cremation, Interment and Funeral Services Act*.
  - 9.1 A person or persons restricted by the Municipal Engineer in accordance with section 49(2) of the *Cremation, Interment and Funeral Services Act* shall comply with the direction of the Municipal Engineer.
  10. Notwithstanding anything herein contained, the administration and operation of the Cemetery shall be carried out at all times in accordance with the *Cremation, Interment and Funeral Services Act*.
  11. No person shall be permitted to burn incense or candles or other flammable products in the Cemetery at any time.

#### Subdivision 23 - Columbarium

- 7.4.23 1. A Licence for Columbarium Space or Columbarium Interment Permit will be issued in accordance with this Division and the following:

##### Interment in the Columbarium

- (a) Arrangements for interment in the Cemetery Columbarium will be made in accordance with section 7.4.12 of the *Kitimat Municipal Code*.
- (b) No person shall inter any Cremated Remains in the Cemetery Columbarium except:
  - a) between the hours of 10:00 a.m. and 2:00 p.m.; or
  - b) as directed in writing by the Municipal Engineer.
- (c) No person shall inter any Cremated Remains in the Cemetery Columbarium on Saturday or Sunday or any Statutory Holiday without the written permission of the Municipal Engineer.
- (d) No sale, assignment or transfer of Niches or of rights of Interment therein, shall be made without the written consent of the Municipal Engineer which consent will not be withheld unreasonably.
- (e) An assignment or transfer of Interment rights for Niches may be made by the owner of such rights. After an Interment has been made in a Niche, no assignment or transfer will be permitted.



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- (f) The fees for Interment and Disinterment, use of Niches, installations of Memorials and any other fees are as set out in Schedule C of this Division.
  - (g) All Interments, Disinterments and removals from Niches shall be done in accordance with this Division and the *Cremation, Interment and Funeral Services Act*.

#### Urns

- (h) Urns shall be made of metal, stone or porcelain or plastic and shall be manufactured for the express purpose of containing Cremated Remains.
- (i) Niches are designed to contain four (4) urns. A Niche shall contain no more than the maximum number of urns for which it is designed.

#### Memorial

- (j) Memorials, as set out in Schedule G of this Division, are permitted.

#### Columbarium General

- (m) No Cemetery Columbarium marker shall be placed or installed until after Interment. Memorial marker fees are as set out in Schedule C of this Division. Payment of all applicable fees shall be payable before installation of a Memorial marker.
- (n) Cemetery Columbarium Memorials shall be in the form as set out in this Division.
- (o) All improvements, alterations and embellishments of Niches or area around the Cemetery Columbarium shall be done in accordance with this Division. Improvements, alterations and embellishments made contrary to this Division shall be removed, without notice, at a charge to the Niche owner. The District may remove items placed by the Cemetery Columbarium where considered to be detrimental to the beauty of the Cemetery or their presence impedes maintenance. The District assumes no responsibility for items removed under this Division.
- (p) No person may visit the Cemetery Columbarium except in accordance with section 7.4.22.9 of the *Kitimat Municipal Code*.
- (q) Wherever in the rules and regulations of a cemetery such terms as interment, burial, lot, etc. appear, these terms shall

be extended in meaning to include corresponding terms as are applicable to Niche spaces.

#### Columbarium Memorials

2. Cemetery Columbarium Memorials shall be allowed in accordance with Schedule G of this Division and the following:

- (a) Flowers

Cut flowers, wreaths and floral offerings may be placed in the designated area, but may be removed by the Caretaker when the condition is considered to be detrimental to the beauty of the Cemetery, or the presence impedes maintenance.

- (b) Niche Name Plate and Photograph

Niche Name Plate and Photographs must comply with Schedule G of this Division.

3. No person shall tamper, remove, or otherwise dispose of Cemetery Columbarium Memorials.

#### Subdivision 24 – Board of Cemetery Trustees

1. The District of Kitimat has established itself as a Board of Trustees in accordance with *Cremation, Interment and Funeral Services Act*.

SCHEDULE A

Deleted by Bylaw No. 2060, 2024.

SCHEDULE B

Deleted by Bylaw No. 2060, 2024.

SCHEDULE C

DISTRICT OF KITIMAT

FEES

A. CEMETERY

1. Grave Space Fees

Total Fee

Adult size (including Care Fund contribution of \$52.50) .....	\$210.00
Adult size - non resident (including Care Fund contribution of \$68.75) .....	\$275.00
Child size (including Care Fund contribution of \$28.75).....	\$115.00
Child size - non resident (including Care Fund contribution of \$42.50) .....	\$170.00
Infant size (including Care Fund contribution of \$26.25) .....	\$105.00
Infant size - non resident (including Care Fund contribution of \$40.00) .....	\$160.00
Cremated remains size (including Care Fund contribution of \$23.75) .....	\$95.00
Cremated remains size - non resident (including Care Fund contribution of \$37.50) .....	\$150.00

2. Services

Opening and closing grave for burial

Adult size .....	\$230.00
Child size .....	\$195.00
Infant size .....	\$150.00
Cremated remains size .....	\$90.00

Disinterment/exhumation (administration fee) .....	\$50.00
(NB: Services of licenced funeral home are in addition to above disinterment/exhumation fee.)	

Burials after 2:00 p.m. Monday to Friday – extra .....	\$ 70.00
Burials on Saturday - extra .....	\$275.00
Burials on Sunday or Statutory Holiday - extra .....	\$325.00
Installation of Memorials (including \$10.00 Care Fund contribution) .....	\$55.00
Transfer of Licence .....	\$35.00

3. Goods

Grave Liners: wooden rough box- Adult .....	\$160.00
- Child.....	\$115.00
- Infant or Ashes .....	\$40.00
Concrete Base for Bronze Tablets .....	\$45.00

---

SCHEDULE C (Continued)

B. CEMETERY MAUSOLEUM

1. Crypt & Niche Space Fees

Section A (same price list applies to Section B & varying levels)  
 (below prices include 28% Care Fund contribution - GST is extra)

**Westminster** (must be purchased with abutting Level 1 crypt)

A-1-W/M	\$ 8,000.00	A-4-W/M	\$18,500.00
A-2-W/M	\$ 8,000.00	A-5-W/M	\$ 8,000.00
A-3-W/M	\$18,500.00	A-6-W/M	\$ 8,000.00

**Lounge (Level 1)**

A-1-1	\$10,000.00
A-2-1	\$10,000.00
A-3-1	\$23,500.00
A-4-1	\$23,500.00
A-5-1	\$10,000.00
A-6-1	\$10,000.00

**Level 3**

A-1-3	\$10,975.00
A-2-3	\$10,975.00
A-3-3	\$24,500.00
A-4-3	\$24,500.00
A-5-3	\$10,975.00
A-6-3	\$10,975.00

**Level 2**

A-1-2	\$10,975.00
A-2-2	\$10,975.00
A-3-2	\$24,500.00
A-4-2	\$24,500.00
A-5-2	\$10,975.00
A-6-2	\$10,975.00

**Level 4**

A-1-4	\$10,000.00
A-2-4	\$10,000.00
A-3-4	\$23,500.00
A-4-4	\$23,500.00
A-5-4	\$10,000.00
A-6-4	\$10,000.00

**Inside Niches Bank A-D**

Level 1	\$2,165.00
Level 2	\$2,265.00
Level 3-6	\$2,365.00
Level 7	\$2,165.00
Level 8	\$2,065.00
Level 9	\$1,865.00
Level 10	\$1,765.00

**Outside Niches Bank A-D**

Level 1	\$1,765.00
Level 2	\$1,865.00
Level 3-5	\$1,965.00
Level 6	\$1,865.00
Level 7	\$1,765.00
Level 8	\$1,665.00

2. Services

Crypt

(a) Interment	\$400.00
(b) Interment after 2:00 p.m., Monday to Friday	\$200.00 (additional)
(c) Interment Saturday, Sunday or Statutory Holidays	\$400.00 (additional)
(d) Remove and reinstall shutter	\$ 90.00

---

SCHEDULE C (Continued)

B. CEMETERY MAUSOLEUM (Continued)

(e) Attachment of each item to shutter:	
i) name bar	\$ 50.00
ii) pictures	\$ 50.00
iii) flower vase	\$ 50.00
iv) lights	\$ 50.00
(\$50 each to a maximum of \$150.00).	
(f) Disinterment/Exhumation	\$750.00
(NB: Services of licenced funeral home are in addition to above disinterment/exhumation fee.)	
(g) Transfer of Licence	\$ 50.00

Niche

(a) Interment	\$105.00
(b) Interment after 2:00 p.m., Monday to Friday	\$175.00 (additional)
(c) Interment Saturday, Sunday or Statutory Holidays	\$350.00 (additional)
(d) Remove shutter	\$ 40.00
(e) Attach Name plate	\$ 50.00 per plate
(f) Disinterment/Exhumation	\$250.00
(NB: Services of licenced funeral home are in addition to above disinterment/exhumation fee.)	
(g) Transfer of Licence	\$ 50.00

Memorial Wall Service (Gross to Customer)

(a) Bronze Standardized Nameplate	\$365.00
(b) Space Reserve on Memorial Wall	200.00
(c) Installation of Nameplate onto Wall	<u>50.00</u>
Total Price to Customer	<u>\$615.00</u>

Distribution of Revenues

i. Name Bar Gross Price	\$365.00
Accruing to DOK 5% Admin Fee	(18.25)
Accruing to Evergreen	<u>\$346.75</u>
ii. Space on Reserve on Memorial Wall	\$200.00
Accruing to DOK 5% Admin Fee (200 x .05)	(10.00)
Accruing to Perpetual Care Fund 28% (200 x .28)	(56.00)
Accruing to Evergreen	<u>134.00</u>
Total to Evergreen	<u>\$480.75</u>

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SCHEDULE C (Continued)

B. CEMETERY MAUSOLEUM

1. Niche Space Fees

- (a) Niche Space ..... \$1,350.00\*  
 \*price includes 25% Cemetery Care Fund contribution, price does not include taxes

2. Services

Prices below do not include taxes, if applicable.

Niche

- (a) Minimum Interment Fee ..... \$250.00\*  
 (i) Interment after 2:00 p.m., Monday to Friday ..... \$125.00  
 (ii) Interment Saturday, Sunday or Statutory Holiday .... \$500.00  
 (b) Remove Shutter ..... \$40.00  
 (c) Attach Name Plate ..... \$120.00\*\*  
 (d) Disinterment/Exhumation ..... \$250.00  
 (e) Transfer of Licence ..... \$50.00

\*Additional Interment Fees may apply – see C. Columbarium 2(a)(i) and 2(a)(ii)

\*\*An additional \$10.00 Cemetery Care Fund fee will be charged.



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C. CEMETERY COLUMBARIUM

1. Niche Space Fees

- (a) Niche Space ..... \$1,350.00\*  
 \*price includes 25% Cemetery Care Fund contribution, price does not include taxes

2. Services

Prices below do not include taxes, if applicable.

Niche

- (a) Minimum Interment Fee ..... \$250.00\*  
 (i) Interment after 2:00 p.m., Monday to Friday ..... \$125.00  
 (ii) Interment Saturday, Sunday or Statutory Holiday .... \$500.00  
 (b) Remove Shutter ..... \$40.00  
 (c) Attach Name Plate ..... \$120.00\*\*  
 (d) Disinterment/Exhumation ..... \$250.00  
 (e) Transfer of Licence ..... \$50.00  
 (f) Attach Photograph ..... \$60.00\*\*

\*Additional Interment Fees may apply – see C. Columbarium 2(a)(i) and 2(a)(ii)

\*\*An additional \$10.00 Cemetery Care Fund fee will be charged.

MISCELLANEOUS FEES

Administrative Fee to Order Cemetery Columbarium Memorial..... \$70.00

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SCHEDULE D Deleted by Bylaw No. 2060, 2024

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SCHEDULE E

Deleted by Bylaw No. 2060, 2024

SCHEDULE F  
DISTRICT OF KITIMAT  
CEMETERY MAUSOLEUM MEMORIALS

This Schedule provides specifications to standardize approved Cemetery Mausoleum Memorials for installation in the Cemetery Mausoleum Niches, Crypts, and Memorial Wall. The following attachments give dimensions and font for approved name plates.

1. Crypt Name Plate
2. Outside Niche Name Plate
3. Memorial Wall Name Plate

**FAMILY**  
**GIVEN NAMES HERE**  
**YOB** **YOD**

Name Casting for Kitimat Mausoleum, Crypts and Lounges

Notes:

1. Font: Arial
2. Material: Cast Bronze low luster polish
3. Colour Finish: Bronze with dark brown bars
4. Family Name letter size: 1- ½ inches
5. Given Name letter size: 1- 0 Inches
6. Date number size: 0- 3/4 inches
7. Bar width: 0- 5/8 inches
8. Space between upper bar and given name: 0- 5/8 inches
9. Maximum length of Casting: 27-0 inches
10. May only contain text noting Surname, Given Name(s), initials of Given Names (or combination thereof), Year of Birth (YOB) and Year of Death (YOD). Text must be hand chased and polished
11. Must be true and free from defects and roughness
12. Must be secured by chemical means

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2. Outside Niche Name Plate

Kitimat Mausoleum - Bronze Casting for Outside Niches

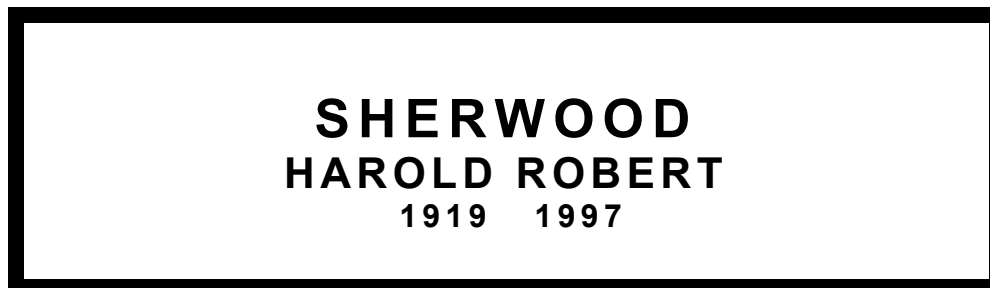
Option Number 1  
Separate Family Names  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch



Option Number 2  
Same Family Name  
Family Name letter size: 3/4 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch



Option Number 3  
Single Cremation Nameplate  
Family Name letter size: 3/4 inch  
Given Names: 1/2 inch  
Dates: 1/2 inch



Notes:

PART 7 - PUBLIC HEALTH  
Division 4 - Cemeteries

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1. Font: Arial
2. Material: Bronze
3. Colour Finish: Bronze letters and numbers with dark brown background
4. Total casting dimensions: 10 inches by 4 inches
5. Family Name letter size: Depending on option selected
6. Given Name letter size: Depending on option selected
7. Date number size: Depending on option selected
8. May only contain text noting Family Name, Given Name(s), Initials of Given Names (or combination thereof), Year of Birth (YOB) and Year of Death (YOD).
9. Text must be hand chased and polished.
10. Must be true and free from defects and roughness
11. Must be secured by chemical means

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3. Memorial Wall Name Plate

Kitimat Mausoleum

Name bar for memorial wall

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YOB GIVEN AND FAMILY NAMES YOD

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Notes

1. Font: Arial
2. Material: Cast Bronze
3. Colour Finish: Bronze letters and numbers with dark brown mount
4. Letter size: 1-0 inches
5. Number size: 0-3/4 inches
6. Bar underline width: 0-1/4 inches
7. Maximum length of total bar: 22 inches
8. May only contain text noting Surname, Given Name(s), initials of Given Names (or combination thereof), Year of Birth (YOB) and Year of Death (YOD).
9. Text must be hand chased and polished
10. Must be true and free from defects and roughness
11. Must be secured by chemical means



SCHEDULE G  
DISTRICT OF KITIMAT  
CEMETERY COLUMBARIUM MEMORIALS

This Schedule provides specifications to standardize approved Cemetery Columbarium Memorials. Please see Schedule F for specifications of Niches within the Cemetery Mausoleum.

Columbarium Niche Name Plate

1. Font: Arial
2. Material: Bronze
3. Colour Finish: Bronze letters and numbers with dark brown mount
4. Total casting dimensions: 10 inches by 4 inches
5. Family Name letter size: See below
6. Given Name letter size: See below
7. Date number size: See below
8. Sentiment Text Size: See below
9. May only contain text noting Family Name, Given Name(s), Initials of Given Names (or combination thereof), Year of Birth (YOB) and Year of Death (YOD) and two lines of sentiment.
10. Text must be hand chased and polished.
11. Must be true and free from defects and roughness
12. Must be secured by chemical means

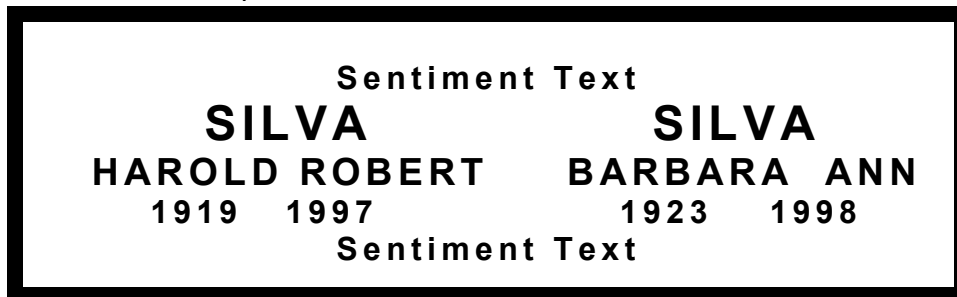
Columbarium Photograph

1. Total casting dimensions: 10 inches by 4 inches
2. Frame Size: 4.7 inches x 3.5 inches
3. Frame Shape: Oval
4. Frame Material: Bronze
5. Other: Specifically designed for this purpose

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Columbarium - Bronze Casting for Niches

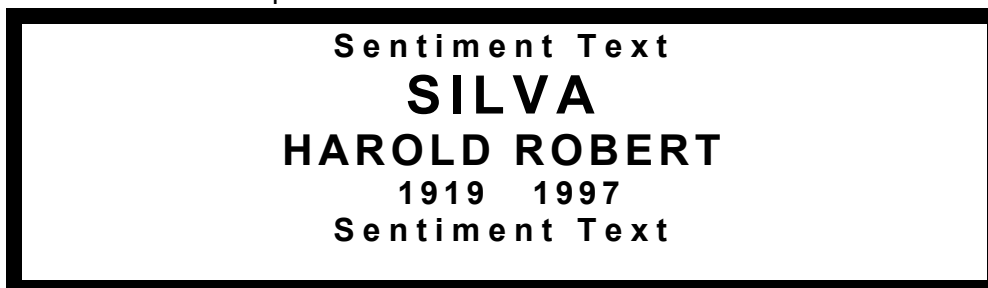
Option Number 1  
 Separate Family Names  
 Family Name letter size: 5/8 inch  
 Given Names: 3/8 inch  
 Dates: 3/8 inch  
 Optional Sentiment Text: 3/8 inch



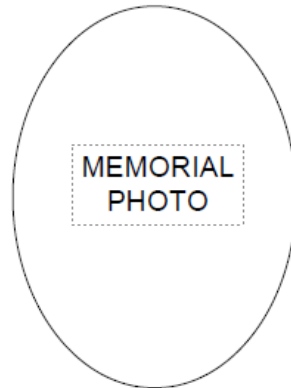
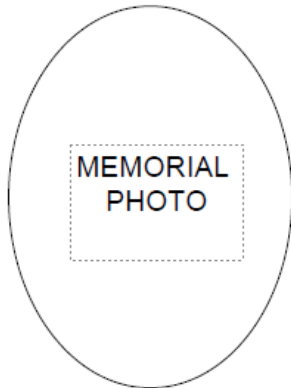
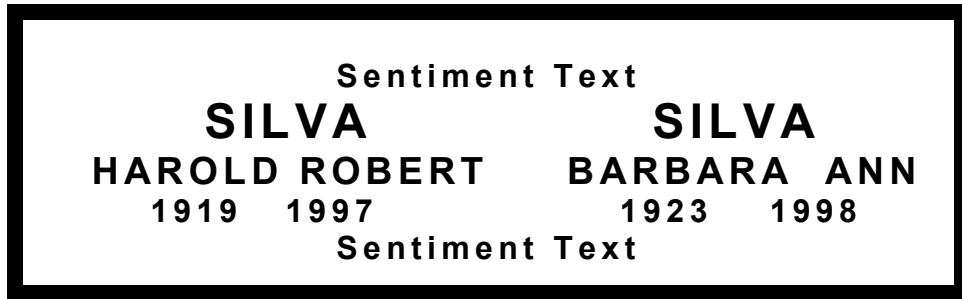
Option Number 2  
Same Family Name  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch  
Optional Sentiment Text: 3/8 inch



Option Number 3  
Single Cremation Nameplate  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch  
Optional Sentiment Text: 3/8 inch

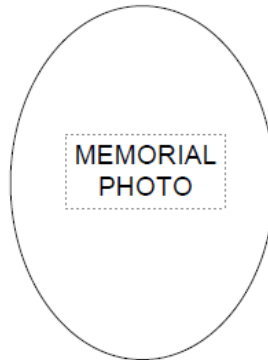


Option Number 4  
Separate Family Names  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch  
Optional Sentiment Text: 3/8 inch  
Photographs: 3.5"x4.7"/each

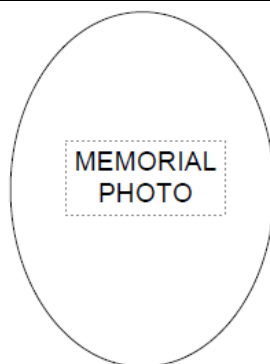
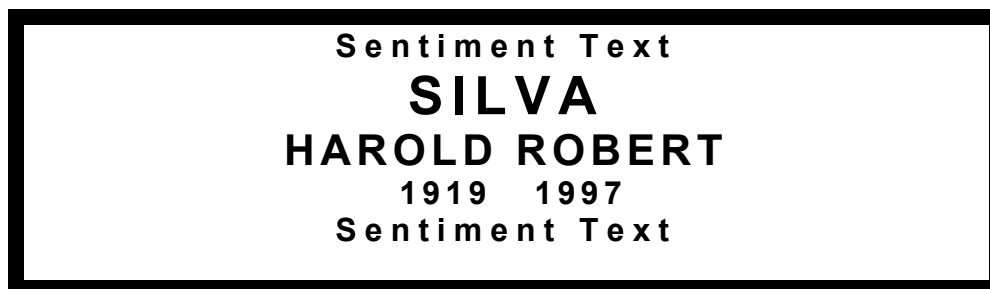


Option Number 5  
Same Family Name  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch  
Optional Sentiment Text: 3/8 inch

Sentiment Text  
**SILVA**  
**HAROLD ROBERT      BARBARA ANN**  
1919   1997                      1923   1998  
Sentiment Text



Option Number 6  
Single Cremation Nameplate  
Family Name letter size: 5/8 inch  
Given Names: 3/8 inch  
Dates: 3/8 inch  
Optional Sentiment Text: 3/8 inch



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## Cemetery Columbarium Memorial Order

POLICY TITLE	PROCUREMENT POLICY & PROCEDURES		
<b>Replaces</b> (if applicable)	N/A	<b>Policy Number</b>	
<b>Authority</b>	Legislative (Council)	<b>Department Responsible</b> (if applicable)	Engineering Services
<b>Effective Date</b>			
<b>Last Review Date</b>	n/a	<b>Next Review Date</b>	December, 2025
<b>Supporting Documents</b>	a) <b>Part 7, Division 4 of the <i>Kitimat Municipal Code</i></b>		

### STATEMENT

The District of Kitimat operates a municipal cemetery. The District of Kitimat has, through bylaw, set out the regulations of the municipal cemetery, including regulations of Memorial markers, such as nameplates and photographs, for the Cemetery Columbarium. These regulations form part of Part 7, Division 4 of the *Kitimat Municipal Code*.

The District would like to use Ornamental Bronze Limited (“Third-Party”) as a provider of Memorials for the Cemetery Columbarium.

The District of Kitimat may facilitate the order for the nameplate and/or photograph for a Niche at the Cemetery Columbarium.

It is not a requirement to order the Memorial through the District of Kitimat or through any specific third party.

### PURPOSE

This Policy outlines the role of the District and the role of the Owner of a Licence for Columbarium Space related to ordering a Memorial for the Cemetery Columbarium.

### SCOPE

This policy relates to the Cemetery Columbarium.

### DEFINITIONS

**Licence for Columbarium Space** shall have the same meaning as in Part 7, Division 4 of the *Kitimat Municipal Code*.

**Cemetery Columbarium** shall have the same meaning as in Part 7, Division 4 of the *Kitimat Municipal Code*.

**District** shall have the same meaning as in Part 7, Division 4 of the *Kitimat Municipal Code*.

**Niche** shall have the same meaning as in Part 7, Division 4 of the *Kitimat Municipal Code*.



## Cemetery Columbarium Memorial Order

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**Memorial** shall have the same meaning as in Part 7, Division 4 of the *Kitimat Municipal Code* and include a photograph.

**Owner** means the person, or organization, who is the owner of record of a Niche space at the Cemetery Columbarium, or a person that holds authority to make decisions on behalf of the owner of the Niche space.

### 1. General Administration

- 1.1** The nameplate order will be administered through the direction of the holder of the Licence for Columbarium Space or the Owner.
- 1.2** Notwithstanding 1.1, the District may take direction from a person other than the Owner or holder of the Licence for Columbarium Space provided that the person provides evidence to the satisfaction of the Municipal Engineer, or delegate, of their authority to order the nameplate.

### 2. Memorial Marker

#### 2.1. Administration

- 1) The Director of Engineering Services, or delegate, will be responsible for the administration of this Policy. The Director of Engineering Services shall set the form for ordering the nameplate and/or photograph through the Third-Party.

#### 2.2. Fees

- 1) The District will recover all Third-Party fees from the person ordering, including taxes, shipping, and other fees incurred to complete the order.
- 2) The District will recover an administrative fee as set out in Schedule C of Part 7, Division 4 of the *Kitimat Municipal Code*.

#### 2.3. Delivery

- 1) The District may take delivery of the order from the Third-Party.
- 2) The District will notify the person ordering that the order has been received. Upon notification being affected, the thirty (30) day period begins.
- 3) The District will inspect the order upon receipt for damage related to shipping.



## Cemetery Columbarium Memorial Order

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- 4) The person ordering will be required to:
  - a) Arrange for the Memorial to be attached to the Niche; or
  - b) Arrange for the Memorial to be picked up from the District office, within thirty (30) days of notification by the District.

The District will not be responsible for orders following this period (the “Unclaimed Memorial”).
- 5) The District will not store orders longer than thirty days unless arrangements are made in accordance with section 2.3.3(a) of this Policy.

### 2.4. Responsibility of the person ordering

- 1) The person ordering the Memorial will be responsible for:
  - a) Providing all information required by the Third-Party, including the text and/or photograph, and final approval of proof;
  - b) Arranging to attach the Memorial to the Niche, including any fees as set out in the *Kitimat Municipal Code*;
  - c) All Fees as set out in 2.2 of the Policy;
  - d) Unless arrangements are made under 2.4.1.b, picking up or arranging shipping of the Memorial from the District’s municipal office within thirty (30) days of notice of receipt by the District; and
  - e) Providing other information as may be requested by the Director of Engineering or delegate.

### 3. Unclaimed Memorial

- 3.1. The District will not be responsible for damage or loss of a Memorial not claimed within the time period established in this policy.

### 4. Disclaimer

- 4.1. The District will not be responsible for warranties, claims, or other issues that may arise between the person ordering and the Third-Party.

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# COUNCIL REPORT

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Date: November 12, 2024  
 File: 7.17.29  
 To: Warren Waycheshen, CAO - for Mayor and Council  
 From: Sarah McLaughlin, Planner  
 Ryan Beaudry, Director of Planning  
 Re: Storage and Transportation of Hazardous Materials  
 Applicant: N/A  
 Location: N/A




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## **Recommendation:**

**Action:** Council receive and discuss the report and provide direction to staff.

## **Recommended Motion:**

**THAT having considered the Storage and Transportation of Hazardous Materials report dated November 12, 2024, Council withdraws direction to withhold applications related to Storage and Transportation of Hazardous Materials as directed in Council Resolution R23-204.**

## **Background:**

At the October 16, 2023 Regular Meeting, Council passed the following motion:

*“THAT the permitted uses within Part 9 Division 6 of the Kitimat Municipal Code be reviewed to clearly identify the industrial zones that permit industrial activities related to storage and/or transportation of hazardous materials;*

*AND THAT no applications related to storage and or transportation of hazardous materials be considered until the review is complete” (R23-204).*

The resolution above was prompted by an inquiry from a company in 2023 that was seeking to receive, store, and ship hazardous materials from Service Centre. The company proposed to receive the materials by rail, store the materials in warehousing facilities, and deliver the materials to mining operations. The materials in question included inputs for mining processes.

The company had proposed to operate in Service Centre based on the permitted uses in Part 9, Division 6 of the *Kitimat Municipal Code*. The most applicable permitted use to the proposed activity was “Warehousing”, which at the time of the inquiry was not a defined term in Section 9.1.1 (Interpretation) of the *Kitimat Municipal Code*.

Recognizing that there are risks associated with hazardous materials, staff recommended out of an abundance of caution that a review of Part 9, Division 6 of the *Kitimat Municipal Code* be undertaken and that a moratorium be placed on applications related to the storage and transportation of hazardous materials while the review was underway. Staff have since completed the review and the following is a summary of findings and potential next steps for Council’s consideration.

## 1. Review of Kitimat Municipal Code Part 9, Division 6

In response to Council Resolution R23-204, staff have identified the industrial zones in Kitimat that permit activities related to storage and transportation of hazardous materials. There are five industrial zones that permit this activity; the zones are mapped in **Attachment A** and listed as follows:

- M1 – Manufacturing Zone
- M2 – Service Centre General Zone
- M2-A – Service Centre Commercial Zone
- M2-B – Service Centre Industrial Zone
- M3 – Maintenance Depot Zone

The M1 zone includes a permitted use called "Storage." This use is undefined in Section 9.1.1 of the *Kitimat Municipal Code* but can reasonably be interpreted to include storage of hazardous materials given that the zone allows heavy industrial uses. For example, storage of materials necessary to undertake manufacturing at operations such as Rio Tinto and LNG Canada would be permitted in this zone.

The M2, M2-A, M2-B and M3 zones allow "Warehousing" use, which is defined in Section 9.1.1 as "*the use of Buildings and Structures for receiving, storage, and shipping of goods.*" This new definition was added through Zoning Housekeeping Amendment Bylaw No. 2041, 2023, adopted by Council on November 6, 2023. Materials that are intended to be used as inputs for industrial processes such as mining, can be reasonably interpreted to be goods under this definition, as the common meaning of goods is an item that has economic utility and is manufactured or produced for sale. Waste products are not considered goods and are therefore not permitted as part of warehousing in Kitimat.

## 2. Background Research - Senior Government Legislation

Concurrent with the *Kitimat Municipal Code* review summarized above, staff researched senior government legislation applicable to the storage and transportation of hazardous materials. The purpose of this research was to determine what mitigation measures may already be in place provincially and/or federally to address risks associated with storing and transporting hazardous materials.

Staff can confirm that there is a longstanding, robust system of federal and provincial laws in place regarding the Transportation of Dangerous Goods (TDG). This includes the *Transportation of Dangerous Goods Act and Regulations* at the federal level and the *Transport of Dangerous Good Act and Regulations* at the provincial level.

According to the Province of B.C.'s TDG [webpage](#), the federal government's dangerous goods program encompasses all modes of transportation and addresses movement of goods between jurisdictions. The Province of B.C.'s program harmonizes provincial and federal requirements for transportation of dangerous goods on B.C. highways. These programs place responsibility on suppliers and shippers, with permitting and inspection processes in place to promote compliance.

### 3. Relevant District of Kitimat Processes

There are a number of municipal processes in place that serve as mitigation measures for the storage of hazardous/dangerous goods in Kitimat. This was recently discussed and confirmed by the Engineering, Fire, Administration and Planning Departments at a team meeting on October 30, 2024. It was confirmed that the most relevant processes include business licensing, building permitting, and fire inspections, as follows:

a. Business Licensing. When a prospective new business applies for a business license from the District of Kitimat for warehousing or any other use, the application triggers a referral by the Finance Department to the Fire, Building and Planning Departments. These departments review the application through the lens of their respective disciplines, including a review of relevant local regulations and other requirements and standards such as building and fire codes. If it is determined that a proposed new business cannot comply with applicable regulations, a business license will not be issued by the District.

b. Building Permitting. When a business proposes to construct or renovate a building for warehousing or any other use, a building permit application is required. The District's Building Officials will review building plans and inspect construction while it is underway, ensuring that buildings and structures are built according to relevant local regulations and other requirements and standards such as building and fire codes. If it is determined that a proposed building or structure cannot comply with applicable regulations, a building permit will not be issued by the District. Occupancy can be withheld by the District if a building under construction does not meet requirements.

c. Fire Inspections. As part of regular duties, the Fire Department inspects existing businesses including warehouses and other uses. When inspecting a facility storing dangerous goods, the Fire Department considers factors such as the type and quantity of goods being stored, the duration of storage, where and how the goods are being stored, and whether adequate sprinklers and fire flow capacity is available. The Fire Department also requires that Emergency Response Plans be established and maintained by businesses. If the Fire Department identifies safety concerns in the course of inspections, the Fire Chief has the authority to initiate an Order to rectify the issue.

### 4. Summary and Next Steps

Given the findings summarized in this report, staff are of the opinion that there are sufficient regulations and processes in place at the local, provincial and federal levels to ensure safe storage and transportation of hazardous/dangerous goods in Kitimat. The Planning Department therefore recommends that Council withdraw direction to withhold applications related to storage and transportation of hazardous materials as noted in Council Resolution R23-204. If Council resolves to approve the proposed motion, it will have the effect of directing staff to conclude research on the topic of storage and transportation of dangerous goods while lifting the moratorium on applications.

In the event Council wishes to direct staff to explore additional regulatory measures for the storage and/or transportation of dangerous goods, an alternative motion is provided below.

**Alternative Options:**

1. If Council wishes to explore additional regulatory measures for the storage and/or transportation of dangerous goods, the following motion is offered for Council consideration:

**THAT staff investigate options to regulate the storage and/or transportation of dangerous goods and report back to Council;**

**AND THAT no applications related to storage and/or transportation of dangerous goods be considered until staff report back to Council on options.**

2. Another option as developed through discussion of Council.

**Budget Implications:**

There are no budget implications associated with this report.

“SLT”

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Director of Finance Initials

**Budgeted:**

**Unbudgeted:**

**Council Initiative/Other Relevant Plans:**

**Strategic Plan (2023-2026)**

Not Considered

**Joint Strategic Plan for Haisla Nation Council – District of Kitimat (2024-2029)**

Not Considered

**District of Kitimat and Haisla Council Friendship Agreement - gi guálap ni**

Not Considered

**Community Energy and Emissions Plan**

Not Considered

**Housing Action Plan and Needs Assessment**

Not Considered

**Kitimat Age-Friendly Assessment Report and Action Plan**

Not Considered

**Kitimat Cycle Network Plan**

Not Considered

**Kitimat Poverty Reduction Strategy**

Not Considered

**Leisure Services Master Plan**

Not Considered

**Minette Bay West Concept Plan**

Not Considered

**Official Community Plan (and Downtown Design Guidelines)**

Not Considered

**Solid Waste Action Plan**

Not Considered

**Water Conservation Plan**

Not Considered



**BC Transit Future Services Plan**

Not Considered

**Economic Development Strategic Plan (2023-2029)**

Not Considered

“Sarah McLaughlin”

Submitted by

Sarah McLaughlin

Planner

“Ryan Beaudry”

Submitted by

Ryan Beaudry

Director of Planning

“Warren Waycheshen”

Approved for Submission

Warren Waycheshen, CAO

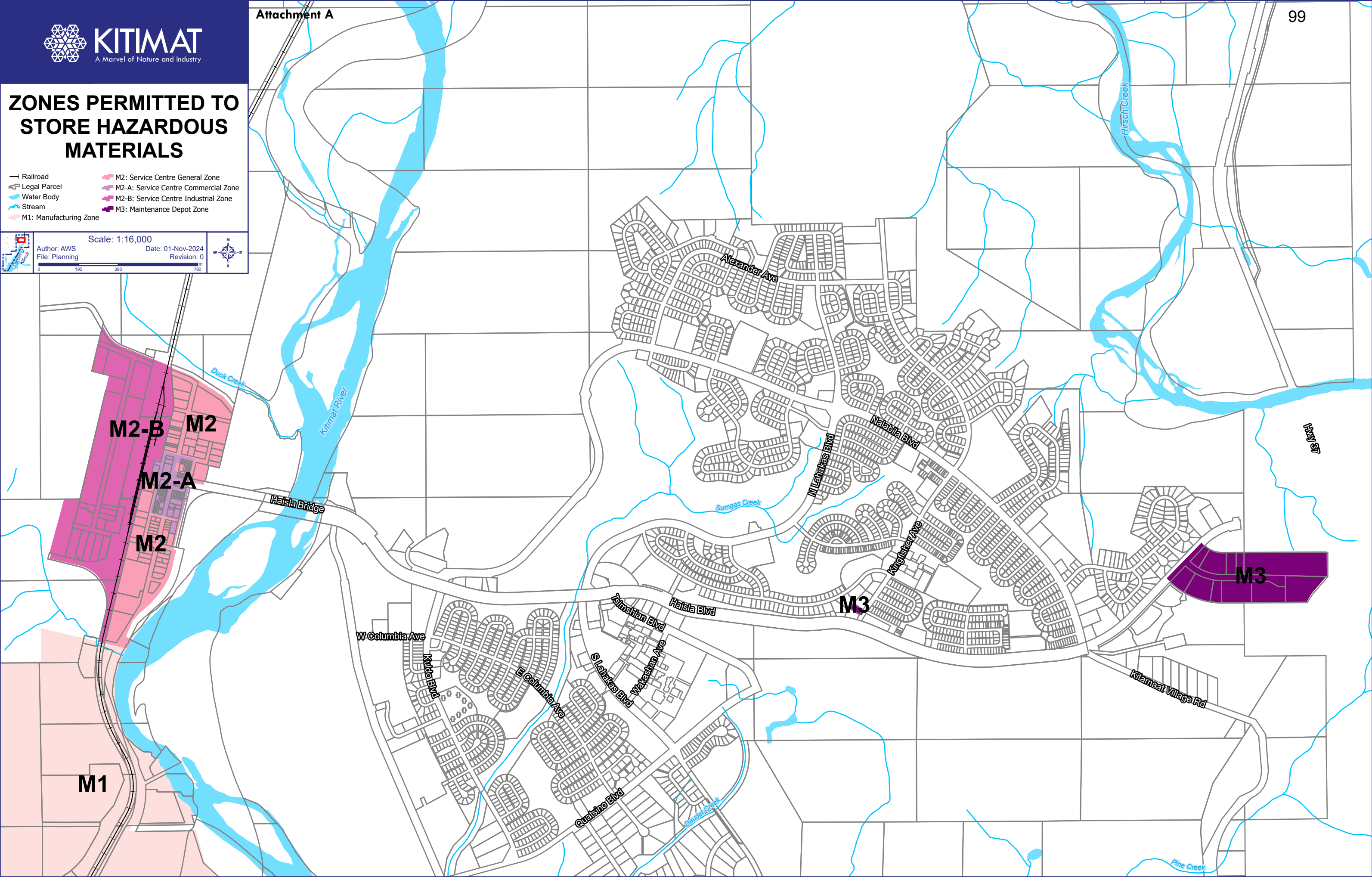
Attachment(s): A – Map of Zones Permitted to Store Hazardous Materials

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# ZONES PERMITTED TO STORE HAZARDOUS MATERIALS

- Railroad
- Legal Parcel
- Water Body
- Stream
- M1: Manufacturing Zone
- M2: Service Centre General Zone
- M2-A: Service Centre Commercial Zone
- M2-B: Service Centre Industrial Zone
- M3: Maintenance Depot Zone

Scale: 1:16,000  
Author: AWS  
File: Planning  
Date: 01-Nov-2024  
Revision: 0



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# COUNCIL REPORT

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Date: November 27, 2024  
 File: 6.4.0.7  
 To: Warren Waycheshen, CAO - for Mayor and Council  
 From: Alex Ramos-Espinoza, Director of Engineering Services  
 Re: Solid Waste Management Policy –  
 2025 Residential Landfill Passes Request  
 Applicant: n/a  
 Location: n/a




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## **Recommendation:**

### Action:

Council considers the Solid Waste Management Policy for four (4) free residential Landfill Passes for the year 2025.

### Recommendation:

**THAT four (4) free residential landfill passes be issued in 2025 in accordance with the Solid Waste Disposal – Residential Landfill Free Pass Policy.**

### **Background:**

Through the adoption of the new landfill schedule of fees, the following motion was made by Council, October 30<sup>th</sup>, 2023:

*That a policy for four free visits to the Kitimat Landfill be brought back for Council consideration at a future meeting as per discussion.*

On January 22, 2024, Council approved the Residential Landfill Free Pass Policy. The motions are noted below.

*“THAT the Solid Waste Disposal – Residential Landfill Free Pass Policy be amended to provide the four free landfill passes to each household participating in the Residential Collection Service.” (R24-014)*

*“THAT the Solid Waste Disposal – Residential Landfill Free Pass Policy be adopted as amended.” (R24-015)*

## **Solid Waste Management Policy – Residential Landfill Passes:**

The policy for Residential Landfill Passes has been developed to define the landfill pass’ intention of use, and to prescribe how they are to be distributed and administered at the Kitimat Municipal Landfill. The policy is appended to this report at Attachment A. The following outlines the highlights of the adopted policy.

**Purpose:**

The District of Kitimat recognizes that not all classes of solid waste are accepted as part of the Residential Solid Waste Collection Service at the curb. The Landfill Free Pass Program gives residents the opportunity to dispose of this waste, up to 100kg, without the residential tipping fee. The Landfill Free Pass Program will not apply to waste in excess of 100kg. The number of Landfill Free Passes will be reviewed before December 31.

**Who Qualifies:**

Property Owner(s) pay the municipal garbage tax levy through property taxes (levy of \$146 charged per residence).

**Procedure:**

By February 1 of each year, Qualified Residents will be mailed four (4) Landfill Free Passes (per municipal garbage collection tax levy charged on a property). The passes will be valid from February 1 to January 31 of the following year.

As noted in the purpose section of the Solid Waste Disposal – Residential Landfill Free Pass Program, the number of Landfill Free Passes is to be reviewed before December 31 and hence the purpose of this report.

**Solid Waste – Landfill Background:**

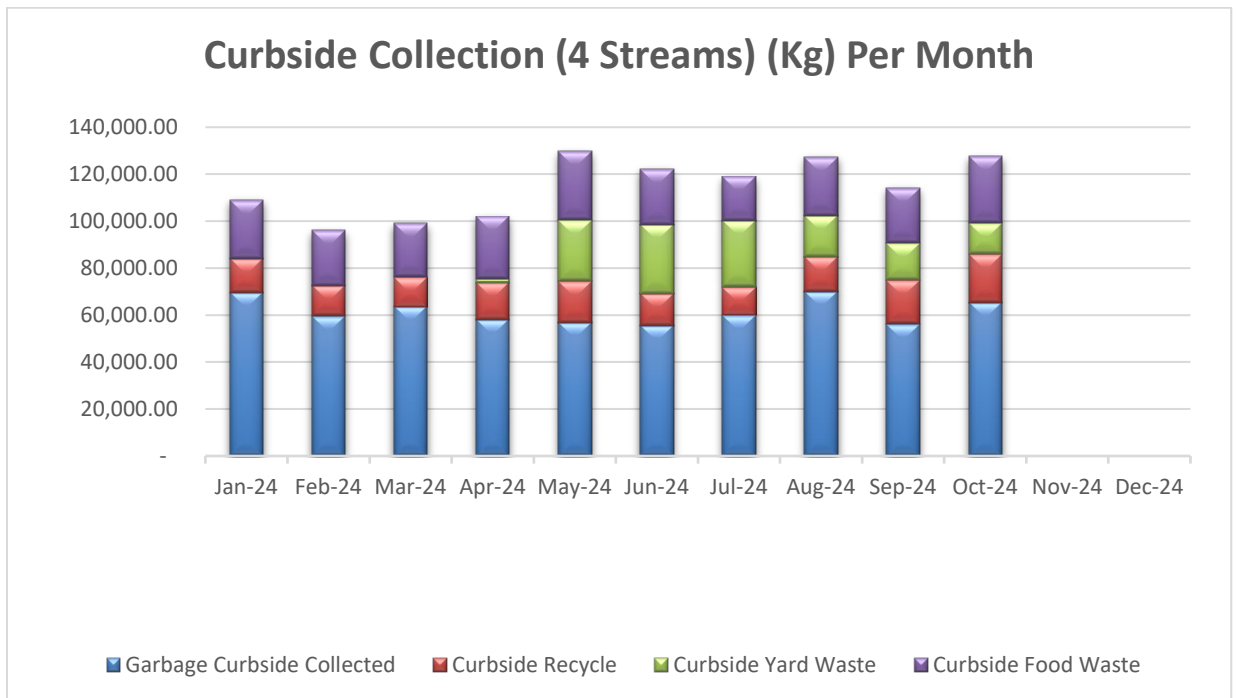
The following sections of this report outline the current landfill passes utilization, and all the garbage collected via our curbside collection program and the garbage received at the landfill.

**Landfill Passes Used 2024:**

The landfill passes program was rolled out in January 2024 with approximately 14,000 passes issued to the community. 5,141 passes have been used at landfill at the end of October 2024 translating to a 37% utilization.

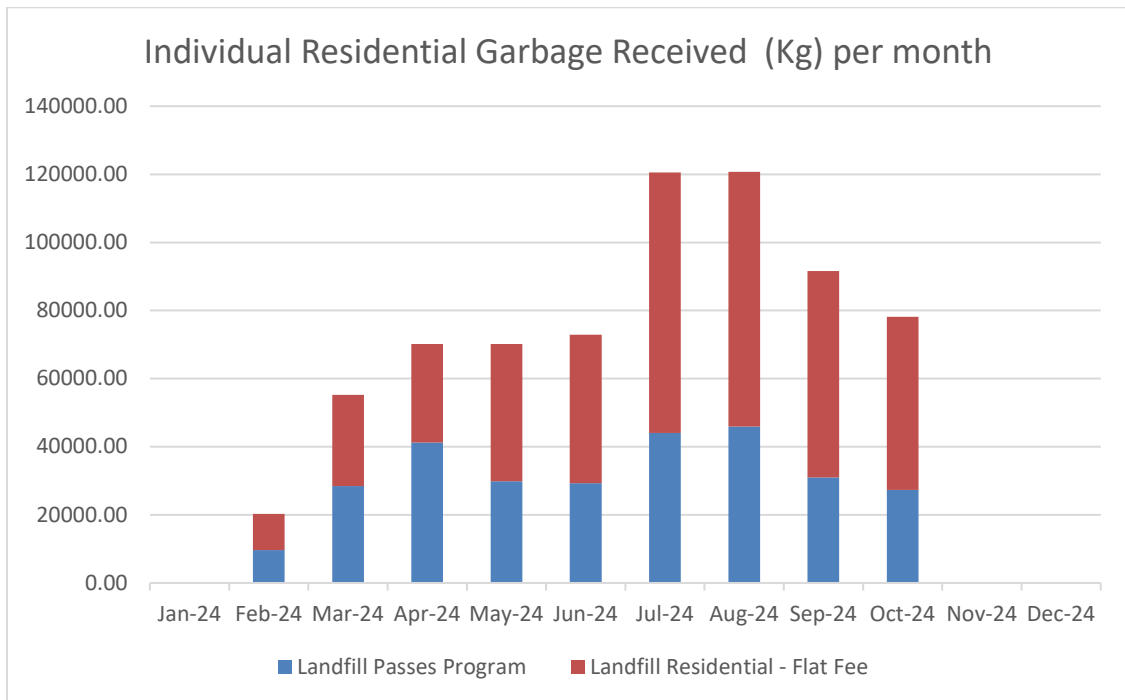
**Curbside Collection Program**

From January 2024 to October 2024, we have collected 615,070 Kilograms of garbage, 153,350 Kilograms of Recycling materials, 131,575 Kilograms of Yard Waste and 245,370 Kilograms of Food Waste. Based on the waste collected to date we have diverted approximately 46% of the waste from the active landfill. The following graph illustrates the waste streams collected monthly.



### Residential Garbage at the Landfill

Staff also tracked the residential waste being disposed at landfill from the “Landfill Pass Program” and residential users that pay the standard flat fee. Year to date the landfill received 286,730 Kilograms of residential garbage from the landfill pass program, and 412,968 Kilograms from individual residents paying the flat fee. The following graph illustrates the monthly residential waste received at the landfill.



### Commercial Garbage at the Landfill

During the period of January 2024 to October 2024 we also received 2,465,000 Kilograms of garbage from the commercial sector which is the largest generator of garbage at the Kitimat Landfill.

We have summarized the total garbage generated by each generator in the table below to give Council an overall perspective of the garbage being generated from various generators and how the landfill pass program impacts the overall garbage generation.

Generator	Garbage (Kg)	% Allocation
Garbage Curbside Collected	615,070.00	16.3%
Landfill Passes Program	286,739.00	7.6%
Landfill Residential - Flat Fee	412,968.00	10.9%
Commercial Garbage	2,465,000.00	65.2%
<b>Total Garbage</b>	<b>3,779,777.00</b>	

What can be concluded from the data collected to date is that the residents of Kitimat continue to make trips to the landfill and generate more garbage than is collected at the curb. Staff realizes that we need to continue to promote our curbside program to increase participation. During the 2025 budget deliberations staff will be asking Council to consider updating our Solid Waste Strategy plan and reach out to the community and engage our Energy, Emissions and Solid Waste Advisory Committee to evaluate progress of our program.

### Considerations

We are asking Council to consider evaluating the number of passes to be issued for 2025. Based on the landfill pass usage to date and new tipping fees coming into effect in 2025 staff recommend that we continue with issuing four passes in 2025. In addition, staff will be engaging the Energy, Emissions and Solid Waste Advisory Committee in 2025 to update the solid waste strategic plan.



**Alternative Options:**

1. If Council wishes to consider less passes for 2025, the following motion is provided for Council consideration:

**THAT (to be determined through Council discussion) free residential landfill passes be issued in 2025 in accordance with the Solid Waste Disposal – Residential Landfill Free Pass Policy.**

2. Another option as developed through discussion of Council.

**Budget Implications:**

It is estimated that 3,500 residential properties will qualify for the free passes, and this represents a total of 14,000 passes being issued and if all the passes are used it amounts to \$140,000 relief.

“SLT”  
Director of Finance Initials

**Budgeted:** X

**Unbudgeted:**

**Council Initiative/Other Relevant Plans:**

**Strategic Plan (2023-2026)**

Environmental Sustainability Goals:

- *Support sustainable practices*
- *Increase waste diversion, including organics diversion*
- *Complete and implement the Solid Waste Action Plan (SWAP)*

**Joint Strategic Plan for Haisla Nation Council – District of Kitimat (2024-2029)**

Not Applicable

**District of Kitimat and Haisla Council Friendship Agreement - gi guálap ni**

Not Applicable

**Community Energy and Emissions Plan**

Not Applicable

**Housing Action Plan and Needs Assessment**

Not Applicable

**Kitimat Age-Friendly Assessment Report and Action Plan**

Not Applicable

**Kitimat Cycle Network Plan**

Not Applicable

**Kitimat Poverty Reduction Strategy**

Not Applicable

**Leisure Services Master Plan**

Not Applicable

**Minette Bay West Concept Plan**

Not Applicable

**Official Community Plan (and Downtown Design Guidelines)**

Sanitary Landfill and Recycling

Sanitary Landfill

*4.6.41 Continue to follow appropriate management practices at the landfill site and look toward expanding recycling and diverting from the waste stream.*

**Solid Waste Action Plan**

*1.1.4 Amend the Municipal Code to incentivize diversion and reflect the new service contract (e.g., container volume, weight and set-out limits, unacceptable items, separate yard waste collection, and new fee schedule).*

**Water Conservation Plan**

Not Applicable

**BC Transit Future Services Plan**

Not Applicable

**Economic Development Strategic Plan (2023-2029)**

Not Applicable

“Alex Ramos-Espinoza”

Submitted by:

Alex Ramos-Espinoza, P.Eng.  
 Director of Engineering Services

“Warren Waycheshen”

Approved for Submission:

Warren Waycheshen, CAO

Attachment(s):

A – Policy for Residential Landfill Passes



**POLICY -PROCEDURE MANUAL**

- TITLE: SOLID WASTE DISPOSAL - RESIDENTIAL  
LANDFILL FREE PASS PROGRAM (S-56)

Page 1 of 2

PREPARED BY:

Director of Engineering

AUTHORIZED BY:

Council

DATE OF ISSUE:

January 22, 2024

**PURPOSE:**

The District of Kitimat recognizes that not all classes of solid waste are accepted as part of the Residential Solid Waste Collection Service at the curb. The Landfill Free Pass Program gives residents the opportunity to dispose of this waste, up to 100kg, without the residential tipping fee. The Landfill Free Pass Program will not apply to waste in excess of 100kg. The number of Landfill Free Passes will be reviewed before December 31.

**WHO QUALIFIES:**

Property Owner(s) pay the municipal garbage tax levy through property taxes (levy charged per residence). The municipal garbage tax levy must be applicable to the property as of December 31. Registered Property Owners as of December 31, as reported through Land Titles qualify ("Qualified Resident").

Properties that are not part of the Residential Solid Waste Collection Service and non-residential properties, such as commercial entities, are not eligible for the Landfill Free Pass Program.

**PROCEDURE:**

By February 1 of each year, Qualified Residents will be mailed four (4) Landfill Free Passes (per municipal garbage collection tax levy charged on a property).

Where the Qualified Resident is a company, the Landfill Free Passes will be mailed to the address as reported by the Land Title Office.

Where the Qualified Resident notes more than one person with separate addresses, the Landfill Free Passes will be distributed evenly. If the Landfill Free Passes cannot be distributed evenly, the Landfill Free Passes will be distributed to one Qualified Resident, first to a Qualified Resident(s) who has a local address, and secondly in alphabetical order by last name, first name, middle name.

It is the responsibility of the Qualified Resident to ensure that their current information is registered with the Land Title Office.

Free Landfill Passes returned as undeliverable may be redirected at the discretion of the District.

The District is not responsible for undelivered Free Landfill Passes.



- TITLE: SOLID WASTE DISPOSAL - RESIDENTIAL  
LANDFILL FREE PASS PROGRAM (S-56)  
Page 2 of 2

### **USE - SCALE HOUSE:**

Upon arrival to the scale house, the resident will advise that they will use a Free Landfill Pass.

Upon exiting, the resident will provide the Landfill Site Personnel with the Free Landfill Pass.

The Free Landfill Pass applies to the residential user fee, which includes any amount of solid waste weight up to 100kg. Solid Waste in excess of 100kg is subject to charges as set out in the *Kitimat Municipal Code*.

The Landfill Site Personnel may, at their sole discretion, refuse to accept the Free Landfill Pass if they feel it is not a District issued Free Landfill Pass. A resident may appeal this decision to the Director of Engineering.

### **CONDITIONS:**

The Free Landfill Pass will expire on January 31 of the following year and does not hold a monetary value.

Lost or stolen Free Landfill Passes will not be replaced.

The homeowner is not required to be present to use the Free Landfill Pass.

In the event of fraud or misuse, the District of Kitimat has the right to discontinue the Free Landfill Pass Program to a person.

The Free Landfill Passes cannot be used for industrial waste, commercial and institutional solid waste and solid waste generated outside of the Service Area.

The Free Landfill Pass does not apply to mixed loads. Solid Waste must be disposed of in accordance with the *Kitimat Municipal Code*.

### **WHAT SOLID WASTE DOES NOT APPLY TO THE FREE LANDFILL PASS PROGRAM:**

Controlled Waste that has a surcharge does not apply to the Free Landfill Pass Program including:

- Asbestos containing waste
- Dead Animals and Parts (exempt animal carcasses from recreational hunting)

Handling fees for the following quantity items remain, and the Free Landfill Pass Program does not offset their cost:

- Tires on rims
- Mattresses

Landfill Site Personnel may refuse to accept a Free Landfill Pass for non-compliant, unsorted loads of Solid Waste, or Solid Waste that is suspected of being out of the Service Area. The Qualified Resident may appeal this decision to the Director of Engineering.