DISTRICT OF PORT HARDY

AGENDA
REGULAR MEETING OF COUNCIL
7:00 PM
TUESDAY, OCTOBER 9, 2012

MUNICIPAL HALL COUNCIL CHAMBERS

Mayor: Bev Parnham
Councillors: Janet Dorward, Jessie Hemphill, Al Huddlestan, Rick Marcotte, Nikki Shaw, John Tidbury

Staff: Rick Davidge, Chief Administrative Officer
Gloria Le Gal, Director Corporate Services
Allison McCarrick, Acting Director Financial Services
Trevor Kushner, Director of Operations

DISTRICT OF PORT HARDY
AGENDA FOR THE REGULAR MUNICIPAL COUNCIL MEETING
7:00 pm TUESDAY OCTOBER 9, 2012
Council Chambers - Municipal Hall

A. CALL TO ORDER **Time:**

B. APPROVAL OF AGENDA AS PRESENTED (or amended)

Motion required 1. 2.

C. ADOPTION OF MINUTES

1-2 1. The minutes of the Committee of the Whole Meeting held September 11, 2012.

Motion required 1. 2.

3-7 2. The minutes of the Regular Council Meeting held September 11, 2012.

Motion required 1. 2.

D. DELEGATIONS AND REQUEST TO ADDRESS COUNCIL

1. S/Sgt. G. Brownridge re: RCMP Quarterly report

E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

8 1. Council Action items. For information.

F. CORRESPONDENCE

9 1. Thomas W. Barnes, Chief Executive Officer & General Counsel, Municipal Insurance Association of BC (Sept. 14/12) re: Municipal Insurance Association of BC Dividend Cheque ($4,700). For information.

10-11 2. Susan Farlinger, Regional Director General, Pacific Region, Fisheries and Oceans Canada (Sept 11/12) re: September 4, 2012 correspondence regarding amendments to the *Fisheries Act*. For information.

12-21 3. Derek R. Corrigan Mayor, City of Burnaby, (Aug.30/12) re: Correspondence from the Canadian Federation of Independent Business and Business Property Tax Report. For information.

22-23 4. Community Living British Columbia re: Start with HI 2 Initiative. For information.

24-54 5. Email from Haley Datoo, Planning Officer, BC Parks, (Sept13/12) re: Draft Burdwood Group Conservancy Management Plan.

Motion / direction 1. 2.

55 6. Karen Leibovici President, Federation of Canadian Municipalities (Sept.24/12) re: Queen's Diamond Jubilee Medal. For information.

56 7. Yana Hrdy, Executive Director, Port Hardy & District Chamber of Commerce (Sept 28/12) re: The Great Pumpkin Patch Walk, request for use of seawall and lights turned out on the seawall.

Motion / direction 1. 2.

8. Correspondence re: Late Grant-in-Aid applications / donation requests

57 a. Yana Hrdy, Executive Director, Port Hardy & District Chamber of Commerce (Sept 28/12) re: Great Annual Pumpkin Patch Walk, request for prize donation of swim passes for a school class.

58 b. Rotary Clubs of Port Hardy and Port McNeill (Sept.19/12) re: Donation to 26th Annual Rotary Radio Auction.

59 Memo from A. McCarrick, Acting Director Financial Services (Oct.3/12) re: Late Grant-in-Aid applications.

Motion / direction 1. 2.

G. NEW BUSINESS

Mayor Parnham re: Council Appointments to Community Consultative Committee

Motion required 1. 2.

H. COUNCIL REPORTS

Verbal reports from Council members.

I. COMMITTEE REPORTS

60-63 1. Downtown Revitalization Committee, Minutes of the Special Meeting held September 18, 2012, Note: Three recommendations to Council.

64-69 Memo from G. Le Gal, Director Corporate Services (Sept.26/12) re: Recommendations of Downtown Revitalization Committee.

Motion / direction 1. 2.

J. STAFF REPORTS

70-71 1. Accounts Payable September 2012. For information.

72-74 2. Memo from A. McCarrick, Acting Director Financial Services (Sept.18/12) re: Council Policy CP 3.10 Expenses Incurred by Employees on Municipal Business

Motion / direction 1. 2.

K. CURRENT BYLAWS AND RESOLUTIONS

75 1. District of Port Hardy 2013 Permissive Exemption from Taxation Bylaw 17-2012. For First, Second and Third Reading.

Motion required 1. 2.

L. PENDING BYLAWS

Bylaw 18-2012 District of Port Hardy User Rates and Fees For 2013

M. INFORMATION AND ANNOUNCEMENTS

October 15	Port Hardy Twinning Society 7:00 pm, Council Chambers
October 17	Watershed Working Group Meeting 12:00-4:30 pm, Council Chambers
October 22-26	Zoning Bylaw Review by Urban Systems, Council Chambers • October 23 Coffee Talk 3:00-5:00 pm, Cafe Guido • October 24 Drop In 3:00-5:00pm, Council Chambers • October 25 Community Open House 6:30-8:30 pm, Council Chambers
October 23	Regular Council Meeting 7:00 pm, Council Chambers
October 24	Occupational Health & Safety 8:30 am, Council Chambers
October 26	Career Expo 2012 9:00 am, Civic Center

N. NOTICE OF IN-CAMERA MEETING

No In-Camera Meeting scheduled at this time.

O. ADJOURNMENT

1. Time:

DISTRICT OF PORT HARDY
MINUTES OF THE COMMITTEE-OF-THE-WHOLE MEETING
HELD ON SEPTEMBER 11, 2012

CALL TO ORDER: Mayor Parnham called the meeting to order. Time: 4:00 pm

PRESENT: Mayor Parnham, Councillors Dorward, Hemphill, Marcotte, Shaw, Tidbury

REGRETS: Councillor Huddlestan

ALSO PRESENT: Gloria Le Gal, Director Corporate Services

Media: None Citizens: Members of the Twinning Society

C2012-006
APPROVAL OF AGENDA

APPROVAL OF AGENDA

Moved/Seconded/Carried
THAT the agenda be approved as presented.

DELEGATION

Consul General Hideki Ito and Consul for Cultural Affairs Tetsuya Isono from the Japanese Consulate in Vancouver, BC and members of Port Hardy Twinning Society.

Mayor Parnham introduced Consul General Hideki Ito and Consul Tetsuya Isono and the members of the Port Hardy Twinning Society introduced themselves to those in attendance.

Consul General Ito spoke on the thirty-five sister city relationships within British Columbia and the Yukon and advised the most successful are Campbell River, Port Alberni and Victoria. He thanked the District for the hospitality shown during the visit and expressed the Consulate's eagerness to assist with District's twinning relationship with Numata, Japan.

Twinning Society members addressed the cultural and community benefits of twinning. There is a need to interest older teens from both cities in the annual visits. Discussion was held on the possibility of longer term student exchanges.

The Consul General commented that the most successful twinning relationships were the ones that concentrate on cultural aspects and the people rather than those that focus on economic development.

STAFF REPORTS

Memo from G. Le Gal, Director Corporate Services (Sept.6/12) re; Zoning Bylaw Review was received as information

DELEGATION

Lawrence O'Connor and Carla Reusch, Tri-Port Speedway Association re: Request for Permissive Tax Exemption for 2013.

Memo from Allison McCarrick, Acting Director Financial Services (Sept.5/12) re: Request for Permissive Exemptions for 2013 was received as information.

Council was advised the race track was constructed by volunteers in the early 1990's. There were financial difficulties discovered in 2009 and the Association has worked to rebuild since that time. The track is an advantage to the community. The Society does participate in Filomi Days parade and have recently organized the Filomi Days soap box derby.

Council requested the Association provide copies of their society incorporation and insurance documents.

Council rose. Time: 5:34 pm

CERTIFIED CORRECT APPROVED

_____ _____

DIRECTOR OF CORPORATE SERVICES MAYOR

MINUTES OF THE DISTRICT OF PORT HARDY
REGULAR MEETING OF COUNCIL SEPTEMBER 11, 2012

CALL TO ORDER: Mayor Bev Parnham Time: 7:00 pm

PRESENT: Mayor Parnham, Councillors Dorward, Hemphill, Marcotte, Shaw, Tidbury

REGRETS: Councillor Huddlestan

ALSO PRESENT: Rick Davidge, Chief Administrative Officer
Gloria Le Gal, Director Corporate Services
Allison McCarrick, Acting Director Financial Services
Leslie Driemel, Recording Secretary

Media: None Citizens: None

APPROVAL OF AGENDA

Mayor Parnham advised of two addendum to the agenda:
Correspondence: Association of Vancouver Island and Coastal Communities (Sept 10/12) re: Aquaculture Working Group.
New Business: Brought forward from the Committee of the Whole Meeting September 11, 2012 Tri-Port Speedway Association application for Permissive Exemptions from Taxation for 2013.

2012-187
APPROVAL OF AGENDA AS AMENDED

Moved/Seconded/Carried
THAT the agenda be approved as amended.

ADOPTION OF MINUTES

1. The minutes of the Committee of the Whole Meeting held August 14, 2012.

2012-188
MINUTES COMM OF WHOLE COUNCIL MEETING AUGUST 14, 2012 APPROVED

Moved/Seconded/Carried
THAT the minutes of the Committee of the Whole Meeting held August 14, 2012 be approved as presented.

2. The minutes of the Regular Council Meeting held August 14, 2012.

Councillor Hemphill requested the minutes be amended under Council Reports,

From: Councillor Hemphill reported on:
- Being on leave for six months, until January 2013, from employment at the Kwakiutl Band office.
- The Port Hardy Heritage Society 30th Anniversary and forwarded an invitation from Jane Sutton, Museum Curator for Council to attend the anniversary celebrations August 26, 2012 from 1:00 - 4:00 pm at the Museum

To: Councillor Hemphill reported on
- Being on leave for six months, until January 2013, from employment at the Gwa'sala-'Nakwaxda'xw Band office.

- The Port Hardy Heritage Society 30th Anniversary and forwarded an invitation from Jane Hutton, Museum Curator for Council to attend the anniversary celebrations August 26, 2012 from 1:00 - 4:00 pm at the Museum.

2012-189
MINUTES REGULAR COUNCIL MEETING AUGUST 14, 2012 APPROVED AS AMENDED

Moved/Seconded/Carried
THAT the minutes of the Regular Council Meeting held August 14, 2012 be approved as amended.

DELEGATIONS

No delegations.

BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

1. Council action items were received as information.

CORRESPONDENCE

1. Sarah Fraser, Executive Director, Regional Economic Operations, Ministry of Jobs, Tourism and Innovation re: Conclusion of Port Hardy Communities First Agreement was received as information.

2. Email from Mitch Kenyon, Chief Operating Officer, Municipal Insurance Association of British Columbia (MIABC) (Aug.22/12) re: MIABC Voting Delegate and two alternates for Annual General Meeting, September 25, 2012.

2012-190
APPOINTMENTS TO MIABC

Moved/Seconded/Carried
THAT Mayor Bev Parnham be appointed as the District of Port Hardy delegate to the Municipal Insurance Association AND THAT Councillor John Tidbury and Councillor Nikki Shaw be appointed as alternates.

3. Memo from G. Le Gal, Director Corporate Services (Sept 7/12) re: Proposed Addition to Reserve, Kwakiutl Indian Band and Statutory Right of Way.

   G. Behrens, Land Management and Leasing officer Team 2, Aboriginal Affairs & Northern Development Canada re: Addition to Reserve, Kwakiutl Indian Band

2012-191
CONSULTATION WITH KWAKIUTL FIRST NATION RE: PROPOSED ADDITIONS TO KIPPASSE INDIAN RESERVE NO.2.

Moved/Seconded/Carried
THAT the District of Port Hardy request consultation with the Kwakiutl First Nation and settlement of the matter of the Statutory Right of Way prior to endorsing the proposed addition to Kwakiutl Indian Band Kippasse Indian Reserve No.2.

Addendum: Association of Vancouver Island and Coastal Communities (Sept 10/12) re: Aquaculture Working Group.

Mayor Parnham advised Council of the appointment of Rick Davidge, Chief Administrative Officer to the Association of Vancouver Island and Coastal Communities Aquaculture Working Group.

NEW BUSINESS

Addendum: Brought forward from the Committee of the Whole Meeting September 11, 2012 Tri-Port Speedway Association application for Permissive Exemptions from Taxation for 2013.

Gloria Le Gal, Director Corporate Services advised Council of the requirements to advertise intent for approving permissive exemptions from taxation prior to adopting a bylaw.

Mayor Parnham advised that the Tri-Port Speedway Association was to supply the District with copies of society incorporation and insurance documents.

2012-192
PERMISSIVE EXEMPTION FROM TAXATION BYLAW FOR TRI-PORT SPEEDWAY ASSOC.

Moved/Seconded/Carried
THAT Staff be directed to proceed with advertising and a bylaw for permissive exemptions from taxation for 2013 for Tri-Port Speedway Association.

COUNCIL REPORTS

Councillor Tidbury reported on:
- Attending the Queen Elizabeth II Diamond Jubilee Medal presentations to Colleen Hemphill, Lou Lepine and Chief Tom Nelson.
- Attending the various Diamond Jubilee celebrations that were held in August.
- Attending Mt. Waddington Health Network Executive meetings and advised Council that on September 19th the Vancouver Health Authority is holding a board meeting in Port Hardy.
- Attending and judging at the Mt. Waddington Regional Fall Fair.

Councillor Hemphill reported on:
- Attending and volunteering at the Mt. Waddington Regional Fall Fair for the Port Hardy Twinning and Heritage Societies. Council was advised that the District of Port Hardy was given the Community Service Award.
- Attending the Heritage Society 30 Year Anniversary celebration and commented that it was well attended.
- Attending events and meetings with discussions of sister city and twinning relationships with Japanese Consul General Hideki Ito and Consul for Cultural Affairs Tetsuya Isono on September 11, 2012.

Councillor Dorward reported on:
- Attending the Mt. Waddington Regional Fall Fair.
- Returning to full time employment.

Councillor Marcotte reported on:
- Attending the Committee of the Whole meeting with discussions of sister city and twinning relationships with Japanese Consul General Hideki Ito and Consul for Cultural Affairs Tetsuya Isono on September 11, 2012.
- Attending meetings for the Hardy Bay Seniors Society and Port Hardy Fire Department

Councillor Shaw reported on:

- Attending meetings for Mt. Waddington Housing and Homelessness and the Regional District of Mt. Waddington Board meeting.
- Attending the Committee of the Whole meeting and discussions of sister city and twinning relationships with Japanese Consul General Hideki Ito and Consul for Cultural Affairs Tetsuya Isono on September 11, 2012.

COUNCIL REPORTS

Mayor Parnham reported on:

- Attending Island Coastal Economic Trust meetings and advised Council that funding from the Provincial Government is being requested.
- Speaking at UBCM Convention session on the Regional Community Poverty Reduction Strategy.
- Attending the Heritage Society 30 year Anniversary celebration.
- Attending the Geoscience BC mining workshop and advised they will be coming to Port Hardy in October to do a similar presentation.
- Attending a recent Vancouver Island Health Authority Local Working Group meeting and advised the service model is based on an integrated primary care facility from Alaska.
- Welcoming Japanese Consul General Hideki Ito and Consul for Cultural Affairs Tetsuya Isono to Port Hardy on September 11, 2012 and discussion at the Committee of the Whole meeting regarding sister city and twinning relationships.

COMMITTEE REPORTS

1. Operational Services Committee, minutes of the meeting held August 23, 2012 was received as information.

STAFF REPORTS

1. Accounts Payable August 2012 was received as information.

2. Memo from Allison McCarrick, Acting Director Financial Services (Aug.17/12) re: Rupert Street Strata Properties was received as information.

3. Memo from R. Davidge, Chief Administrative Officer (Sept. 7/12) re: Inspection of Public Buildings was received as information.

4. Memo from Urban Systems (Sept.5/12) re: Primer for Comprehensive Zoning Bylaw Review was received as information.

5. Memo from R. Davidge, Chief Administrative Officer (Sept. 7/12) re: Cape Scott Wind Farm Inc. Transmission Line Agreement.

2012-193
TRANSMISSION LINE AGREEMENT WITH CAPE SCOT WIND FARM INC. APPROVED

Moved/Seconded/Carried
THAT the District of Port Hardy approve the Transmission Line Agreement with Cape Scot Wind Farm Inc. as presented AND THAT the Mayor and Chief Administrative Officer be authorized to sign the Agreement.

6. Memo from Gloria Le Gal, Director Corporate Services (Aug.30/12) re: Community Consultative Committee Appointments.

2012-194
APPOINTMENTS TO COMMUNITY CONSULTATIVE COMMITTEE

Moved/Seconded/Carried
THAT the following be appointed to the Community Consultative Committee:

Lyn Barton	1 year term
Pat Corbett-Labatt	1 year term
Eddy Lagrosse	1 year term
Allison Flannigan	1 year term
Gord Patterson	2 year term
Donna Gault	2 year term
Cathie Poje	2 year term
Mark Jones	2 year term
Rob Tucker	2 year term

BYLAWS

1. District of Port Hardy Open Burning and Smoke Control Bylaw 15-2012. For Adoption.

2012-195
BYL 15-2012 OPEN BURNING & SMOKE CONTROL ADOPTED

Moved/Seconded/Carried
THAT District of Port Hardy Open Burning and Smoke Control Bylaw 15-2012 be adopted.

2. District of Port Hardy Tax Sale Redemption Period Extension Bylaw 12-2012. For Adoption.

2012-196
BYL 12-2012 TAX SALE REDEMPTION PERIOD EXTENSION BYLAW 1ST, 2ND & 3RD READING

Moved/Seconded/Carried
THAT District of Port Hardy Tax Sale Redemption Period Extension Bylaw 12-2012 be adopted

ADJOURNMENT

2012-197
ADJOURNMENT

Moved
THAT we adjourn. Time: 7:30 pm

CORRECT APPROVED

DIRECTOR OF CORPORATE SERVICES

MAYOR

ITEM	ACTION – REGULAR MEETING OF SEPTEMBER 11, 2012	WHO	STATUS /COMMENTS
MIA BC Voting Delegates	Mayor Parnham appointed. C/Tidbury & Shaw as alternates. Advise MIABC	LD	Done
G. Le Gal, DCS (Sept 7/12) re: Proposed Addition to Reserve, Kwakiutl Indian Band and Statutory Right of Way	District of Port Hardy to request consultation with the Kwakiutl First Nation and settlement of the matter of the Statutory Right of Way prior to endorsing the proposed addition to Kwakiutl Indian Band Kippasse Indian Reserve No.2.	RD	Done
Brought forward from the Committee of the Whole Meeting September 11, 2012 Trip-Port Speedway Association application for Permissive Exemptions from Taxation for 2013	Association to supply the District with copies of society incorporation and insurance documents. Staff directed to proceed with advertising and a bylaw for permissive exemptions from taxation for 2013 for Trip-Port Speedway Association	GL AM	Done Done/Agenda item
Director Corporate Services (Aug.30/12) re: Community Consultative Committee Appointments.	Appointed as presented. Advise members of appointments.	GL	Done
Cape Scott Wind Farm Inc. Transmission Line Agreement.	Approved as presented, Mayor and Chief Administrative Officer authorized to sign the Agreement	GL	Done
ITEM	**ACTION – REGULAR MEETING OF JULY 10 2012**	**WHO**	**STATUS /COMMENTS**
Letters regarding protection of fish habitat in waterways	Staff was directed to ask a local Department of Fisheries representative and Pacificus Biological Services to attend a Committee of the Whole in August to discuss the implications of Bill C38 and changes to the *Fisheries Act* will have on the municipality.	RD	In progress, request made to DFO
ITEM	**ACTION – REGULAR MEETING OF JUNE 26, 2012**	**WHO**	**STATUS /COMMENTS**
Ben York, A/Inspector, Conservation Officer Service re: deployment of Conservation officers	Invite to Comm of the Whole to discuss issue. Also invite reps from N.I. Communities, Bear Aware, and RCMP Prepare Briefing notes re history of CO service on North Island	RD RD	In progress In progress
ITEM	**ACTION – REGULAR MEETING OF MAY 22, 2012**	**WHO**	**STATUS /COMMENTS**
G. Le Gal, Director Corporate Services (May 17/12) re: Carnarvon Place Park	Remove equipment. Prepare a report detailing all options for Council	TK TK	Completed Report: Ongoing
G. Wolden, Recreation Facility Foreman (May 17/12) re: Tender for Recreation Centre Whirlpool Construction.	All tenders rejected. Advise tender proponents. Review fibreglass option, VIHA requirements and time frame for approval and if possible tender and construct within this year.	GW & RD	Second Approval received
ITEM	**ACTION – REGULAR MEETING OF APRIL 24, 2012**	**WHO**	**STATUS /COMMENTS**
R.Scott School/SD 85 Commercial rentals	Review zoning issues with the upcoming zoning bylaw review	GL	In progress
ITEM	**ACTION – REGULAR MEETING OF MARCH 13, 2012**	**WHO**	**STATUS/COMMENTS**
Sustainability Committee - recommendation for public consultation on neighbourhood zero emission vehicles	Refer to new Community Consultative Committee to do	GL	In progress

MUNICIPAL INSURANCE ASSOCIATION
of British Columbia

390 – 1050 Homer Street
Vancouver, BC V6B 2W9
Phone: 604 683 6266 Fax: 604 683 6244
www.miabc.org
tbarnes@miabc.org

September 14, 2012

Mayor Bev Parnham
Box 68
Port Hardy, BC V0N 2P0

Dear Mayor Parnham,

Re: MIABC Dividend Cheque ($4,700.00)

Enclosed is your dividend cheque for the 2011 fiscal year. The enclosed cheque represents your portion of the dividend based on the size of your Subscriber Account Balance.

The Board declared a $1.23 million dividend at its June meeting, bringing the total dividends distributed over the last five years to $3.9 million. The MIABC first began returning money to its members in 2002 by subsidizing reinsurance costs. By 2006 $7.3 million was returning to members in this way. This was replaced by dividends following the 2005 fiscal year, which have totaled $9.3 million. Two years ago the Risk Management Grant debuted, which has resulted in a further $1.3 million being paid out to members. All told to MIABC members have received $17.9 million back from their liability insurer. This represents a return of 12.8% of the total costs paid by members over the last ten years. During that period the MIABC has grown by 10%, yet its costs have dropped by 3.5%.

The MIABC is continuing to create more value for its members. Our newly expanded Risk Management Department is providing an impressive array of services. A Casual Legal Advice Program will debut later this year. Beyond that, the MIABC is working on a host of new products and services to address our members emerging risk financing challenges.

Yours truly,

Thomas W. Barnes LLB
Chief Executive Officer & General Counsel

Fisheries and Oceans Canada

Pêches et Océans Canada

Regional Director General
Pacific Region
Suite 200 - 401 Burrard Street
Vancouver, British Columbia
V6C 3S4

Directrice générale régionale
Région du Pacifique
Pièce 200 - 401 rue Burrard
Vancouver (C.-B.)
V6C 3S4

RECEIVED
SEP 17 2012

Agenda

Your file *Votre référence*

Our file *Notre référence*
2012-501-00173

SEP 11 2012

Mr. Rick Davidge
Chief, Administrative Officer
District of Port Hardy
7360 Columbia Street
Box 68, Port Hardy, B.C.
V0N 2P0
rickd@porthardy.ca

Dear Mr. Davidge:

Thank you for your correspondence of September 4, 2012, regarding amendments to the *Fisheries Act*.

Fisheries and Oceans Canada (DFO) recognizes the importance of our aquatic resources to the social and economic well-being of Canada's coastal communities. The Department is aware that new regulatory changes are of great concern to municipalities throughout British Columbia.

Our Government is clarifying the rules by identifying and managing real threats to the fisheries, including direct impacts to fish, habitat destruction, and aquatic invasive species. Changes to the *Fisheries Act* will focus on protecting Canada's fisheries and will include measures to:

- manage threats to the sustainability and ongoing productivity of Canada's commercial, recreational and Aboriginal fisheries;
- provide clarity, certainty and consistency of regulatory requirements through the use of standards and regulations; and
- enable enhanced partnerships with agencies and organizations that are best placed to provide fisheries protection services to Canadians.

We have noted your request for information on the changes to the *Fisheries Act*. The Department is working on the engagement strategy and we will keep you informed of the next steps once plans are finalized.

.../2

Canada

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I also note your request for information on the consultation process that the Honourable Keith Ashfield, Minister of Fisheries and Oceans, will hold on the Fisheries Protection Policy. The engagement strategy is currently being developed and more details will be available in the near future. In the interim, information on changes to the *Fisheries Act* can be found on our web site at www.dfo-mpo.gc.ca/media/npress-communique/2012/hq-ac12-eng.htm; the backgrounders at the bottom of the page contain the most current details.

If you have further questions about the amendments to the *Fisheries Act*, you may wish to contact Bonnie Antcliffe, Regional Director of Ecosystems Management, Pacific Region, by telephone at (604) 666-6532, or by email at bonnie.antcliffe@dfo-mpo.gc.ca.

Yours sincerely,

Susan Farlinger
Regional Director General
Pacific Region

Agenda

CITY OF BURNABY
OFFICE OF THE MAYOR
DEREK R. CORRIGAN
MAYOR

2012 August 30

File: 07810 - 01

Union of BC Municipalities
Member Municipalities

Dear Mayor and Council:

Subject: Correspondence from the Canadian Federation of Independent Business

Burnaby City Council, at its Open meeting held on 2012 August 27, received a report from the Director Finance in response to correspondence from the Canadian Federation of Independent Business regarding their annual 2012 property tax report and adopted the following recommendations **AS AMENDED**:

1. "**THAT** this report be received for the information of Council and,

2. **THAT** a copy be forwarded to Shachi Kurl, Director Provincial Affairs, BC & Yukon, Canadian Federation of Independent Business.

3. **THAT** a copy be forwarded to the UBCM, UBCM member municipalities, and Burnaby MLAs."

In accordance with Recommendation No. 3, a copy of the report is *enclosed* for your information.

Yours truly,

Derek Corrigan

Derek R. Corrigan
MAYOR

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4949 Canada Way, Burnaby, British Columbia, V5G 1M2 Phone 604-294-7340 Fax 604-294-7724 mayor.corrigan@burnaby.ca

City of Burnaby

Item	07
Meeting	2012 August 27

COUNCIL REPORT

TO: CITY MANAGER **DATE:** 2012 August 22

FROM: DIRECTOR FINANCE

SUBJECT: **CORRESPONDENCE FROM THE CANADIAN FEDERATION OF INDEPENDENT BUSINESS (CFIB)**

PURPOSE: To provide information to Council regarding the recommendation contained in the correspondence from the CFIB.

RECOMMENDATION:

1. **THAT** this report be received for the information of Council and,
2. **THAT** that a copy be forwarded to Shachi Kurl, Director Provincial Affairs, BC & Yukon, Canadian Federation of Independent Business.

REPORT

Background:

This report is written in response to correspondence dated July 9, 2012 from Shachi Kurl, Director of Provincial Affairs, BC & Yukon, Canadian Federation of Independent Business (CFIB). According to Ms. Kurl's communiqué the CFIB is a "non-profit, non-partisan Canadian business association that seeks to give independent business a greater voice in determining the laws that govern business and the country". The correspondence provides information regarding the results of their 2012 property tax report which focuses on Class 6 Business Property.

The CFIB states that they have been tracking information regarding business property tax since 2003 by measuring and comparing one factor used in calculating property taxes – the tax rate (or mill rate). The CFIB has been reaching out to business members under a slogan "Cap the Gap" to encourage businesses to support a campaign to have Class 6 property tax rates set at a maximum 2:1 ratio to residential property tax rates.

This report provides information about tax rates and services in Burnaby and responds to the CFIB request that the City consider the following four recommendations:

1. Cap the Gap - Municipal governments should cap the property tax gap between businesses and residents at a maximum ratio of 2:1.

2. Municipal governments should provide earlier property tax notices for commercial taxpayers.

3. Municipal governments should allow commercial taxpayers to remit taxes in monthly or quarterly installments.

4. Municipal governments should extend the homeowners' grant to business owners occupying zoned work/lived premises.

Discussion:

CFIB Recommendation 1 – Cap the Gap

Ideal Ratio

In BC responsibility for setting property taxes is shared by cities, the province and regional authorities. The City of Burnaby is one of six taxing authorities that calculate taxes owing based on individual assessed property values by class. The ratios discussed in the CFIB correspondence focus on municipal property taxes by class. The discussion assumes that it is appropriate for all cities in Canada to have the same ratio of Business Class property taxes to that of Residential Class property taxes and that this ratio should be 2:1; a higher ratio is bad and a lower ratio is good. In addition this ratio should stay constant year over year. If this ratio of 2:1 is not to be attained voluntarily by the adoption of council policy at the city level, then provincial rate setting legislation should be used to attain this ideal ratio.

Definitive supporting documentation in support of a 2:1 relationship as the "ideal ratio" is not provided. The Union of BC Municipalities report titled: The Comment on Fiscal Management in BC Municipalities, produced in May 2011, found against the opinion held by the CFIB, that Municipalities were unfairly taxing local businesses. "Tax revenue data from the past 20 years in BC show that the property taxes received from business (Class 6) properties have remained constant as a percentage of overall tax revenue. The proportion of revenue from residential (Class 1) properties has increased".

The Comment on Fiscal Management further notes the two key guiding principles used by Municipalities in setting tax rates:

- *"Fairness, as determined by the benefit each type of property receives from Municipal services, and*
- *Fairness, based on the (perceived) ability of each tax class to pay".*

Business property owners in general have a higher ability to pay property taxes since they use the property to generate income, from which they can deduct the expense of property taxes. In many

cases businesses may also pass on such costs to customers. As such they do not incur the same barrier to offset property taxes as residential taxpayers, for whom, (especially for those living in Greater Vancouver); the bulk of their wealth resides in the value of their property. Therefore it is reasonable and fair to levy a higher tax ratio upon Class 6 properties, given their ability to offset taxes as business expenses and their ability to take measures that reduce the impact of taxation on their personal wealth.

Participation of the Business Community in Local Government

The CFIB notes that "Small business owners are central to our economy, and deserve to be treated fairly".

The City of Burnaby actively participates and supports business development and greatly values business as an important community partner. Burnaby Council is committed to economic, social and environmental sustainability. The City's Economic Development Strategy 2020 focuses on making Burnaby the preferred location for a broad range of business investment. The current redevelopment of the Edmonds area into a Town Centre and the redevelopment of the Brentwood Mall site will strengthen these two business areas in the immediate future to provide more opportunity for continued business growth.

The UBCM[1] noted in its May 2011 report on fiscal management in BC that although businesses cannot vote in local elections, business leaders and business owners can and do stand for election to local office to act for and to help ensure that the needs of the business community are represented at the local government level. The UBCM's survey results showed that a full 72% of mayors own or work for private businesses; the percentage for councilors was 59%. The report also states that "in reality .... A vast majority of elected officials... understand the importance of local businesses to their communities, and understand the need to ensure that local decisions promote rather than hinder business growth and prosperity". Burnaby is an outstanding example of a community that is inclusive of business and values business as important members of our community. As an active participant and supporter of the Burnaby Board of Trade and Tourism Burnaby, Council is closely connected to the business community and provides opportunities for business to speak about their priorities and concerns. The City reached out to all members of the community to participate in the development of the Burnaby Economic Development Strategy in 2007.

Receipt of Services

The assertion by CIFB that business in BC pay more than its "fair share" of municipal taxes, while consuming fewer services than residential property owners ignores the basic premise that: property taxes are not directly related to benefits received; they are an important mechanism, set by Provincial legislation and through policy at both the provincial and local levels, to provide essential and sustainable funding for local governments They are also an important tool that helps to support local government autonomy.

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1 UBCM Comment on Fiscal Management in British Columbia's Municipalities and News Release - 2011 May 16.

If municipalities were to try and set rates based on consumption of services this would entail a very complex system of identification of service consumption and redistribution of the tax burden between different classes, and for that matter (if permitted under the Community Charter) between taxpayers within the same class. It is not possible to state that two households on the same street use the same municipal services.

It is also important to note that a number of services provided by municipalities are mandated by provincial authorities; these services may or may not provide equal benefits to all taxpayers across the municipality. In addition taxes collected for other agencies, such as Provincial school taxes, are also levied across classes with no identification of which taxpayers are in receipt of services provided by the school board. Clearly property taxes are a funding tool that is not directly related to the benefits received.

Annual Property Taxes in Burnaby

Burnaby is fiscally responsible and strives to provide outstanding service to our citizens and community with limited monetary resources. There is a delicate balance between keeping property tax increases to a minimum and continuing to provide sustainable levels of services that support the whole community. City property tax changes result from a need to provide revenues to fund the City services for a fiscal year. New growth increases the base for property taxation and this is taken into account when calculating the need for a tax increase over the prior year. New construction brings in new taxes but it also requires new infrastructure and facilities to service new business and residences in the community. Burnaby's continued investment in public infrastructure such as roads, sewers, and water treatment has facilitated urban expansion which in turn builds the opportunity for business development.

Legislated through the Provincial Government, BC Assessment is responsible for determining property assessment values in British Columbia based on market comparisons. In BC, Provincial legislation also establishes the rules for taxation. There are two key factors that determine the amount of tax to be paid: the assessed value of the property and the amount of money needed to fund City services. Council approves changes to property taxes each year to provide needed funding.

The tax rate is applied to the assessed value of an individual property to determine the amount of taxes owing for each property. The first step in determining the tax rate for a year is to bring the tax base level, with the prior year, by removing the impact of new growth and adjusting the tax rate to account for the change in market valuation. Once this rate has been adjusted, it will provide exactly the same amount of taxes as in the prior year if applied to the current year's assessed values. As the market (assessment) value increases the tax rate is decreased to ensure taxpayers are not taxed on their increasing market value. Once this step is completed, the amount of new funding required to provide for cost increases and new services is determined as the current year's percentage increase in the municipal tax rate.

Assessments, Tax Rates and General Taxes – 2002 Versus 2012

Over the ten year period of the CFIB's studies both Business and Residential Property classes in Burnaby have been treated exactly the same. Both classes have received the same percentage increase in general municipal taxes each year – the general municipal tax ratio was 3.34:1 in 2002 and is 3.34:1 in 2012.

Yet the change in the tax rate ratio or the "Gap" that is quoted by the CFIB has gone up. This is the result of the difference in the percentage change in market values between residential and business properties. The CFIB's analysis ignores the impact of property value changes, however when the impact of property value changes are considered in the analysis it is evident that the business to residential tax ratio for general municipal taxes has remained constant between the two property classes, and has not increased during this period of time.

Factoring out the impact of new growth (or non-market change), the ratio of average business tax to average residential tax remained constant at a ratio of 3.34:1 over the ten year period 2002 to 2012.

The change in assessment values over this same ten year period of time was very significant. The cumulative average residential property assessment value increased by 152% as compared to 86% for business properties; therefore, the tax rates for both Residential and Business Classes declined. To put this into dollar terms, a business and residential property, both worth the same amount of $500,000 in 2002 would have increased to $930,050 and $1,260,385 respectively in 2012. The substantial difference in the amount of assessment increase – 152% compared to 86% caused the shift in tax rate ratios. Because the assessment increase was higher for residential properties the tax rates decreased more for residential properties than for business properties resulting in a tax rate ratio increase from 3.3:1 to 4.5:1 as shown in the following chart.

	2002			2012		
	Residential	Business	Ratio	Residential	Business	Ratio
Average Cumulative Assessment Increase since 2002				152%	86%	
Tax Rate ($ of Tax Per $1000 of Assessed Value)	3.9894	13.2166	3.33	2.2326	10.0000	4.52
General Municipal Tax	1,995	6,658	3.34	2,814	9,374	3.34

Setting and maintaining a CAP for a 2:1 ratio between Business and Residential Classes as proposed by the CFIB would mean a significant increase in the residential homeowner taxes and

perhaps other property classes to compensate for the tax loss from the Business Class. As a result, the tax burden (in terms of total $) would shift dramatically.

In 2012 residential property taxes represent 48.01% of taxes paid and business property taxes represent 40.39%; all others 11.6%.

Burnaby is similar to other areas of the Province. An increase in the burden of residential taxation would most likely impact those on fixed income the most. Research by the Federation of Canadian Municipalities[2] revealed that low income residents already pay a disproportionately large percentage of their pre-tax income on property taxes relative to high income residents. Such low income households may also be at greater risk of financial hardship than many businesses, as they may not have a means of offsetting any increase in property taxes. The redistribution of the property tax burden to provide a 2:1 business/residential tax rate ratio would have increased the average residential property taxes in Burnaby by 34.8% in 2012, assuming that the total tax for all other classes remain unchanged. This is simply not acceptable, nor equitable.

CFIB Recommendation – 2

CFIB request that municipal governments provide earlier property tax notices for commercial taxpayers to enable costs to be staggered throughout the year as property taxes for some represent a substantial onetime payment.

Provincial Legislation dictates when taxing authorities and local governments must submit annual budgets and tax requisitions and when tax due date is. Cities must wait for other taxing authorities to prepare their bylaws and advise Burnaby of the taxes to be collected on their behalf. This information is generally received by Burnaby in mid April for Municipal Finance Authority, BC Assessment, GVRD and Translink. Provincial School Tax information is usually received in late April to early May. The City mails bills about two weeks after receipt of the all information. However as noted in recommendation three, the City does estimate property taxes for businesses each year based on the prior year and accepts payments on account throughout the year enabling payments to be staggered throughout the year.

CFIB Recommendation – 3

CFIB suggested that commercial taxpayers be allowed to remit taxes in monthly or quarterly installments providing greater flexibility.

The City of Burnaby already provides preauthorized payment options to all property owners including businesses, from August through to May of the new tax year. Payments on account are permitted at any point throughout the year. Such funds are held in an interest bearing account and used to offset Utility and Tax bills as well as property tax payments.

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2 *UBCM Comment on Fiscal Management in British Columbia's Municipalities and News Release - 2011 May 16.*

CFIB Recommendation – 4

Municipal governments should extend the homeowners' grant to business owners occupying zoned live/work spaces.

The Home Owner Grant program is a Provincial program administered by local governments on behalf of the Province of BC. Home Owner Grants are eligible for property owners who own live/work units. The stipulation is that the property must be registered in the owner's name, not in a business name.

Conclusion

The City of Burnaby is fiscally responsible and strives to provide outstanding service to our citizens and community with limited monetary resources. In Burnaby the business community is a very important and active contributor to the success of the City, and a valued member of our community. In fact, three of the four recommendations of the CFIB are already in place in Burnaby to better serve business owners.

The City has fostered relationships with citizens, business and volunteers to build a community that reflects their needs based on the principles of economic, social and environmental sustainability. There is a delicate balance between keeping property tax increases to a minimum and continuing to provide sustainable levels of services that support the whole community and provide for the future of our City. Council works to hard attain these objectives.

The four recommendations of the CFIB have been reviewed and considered. Three of the four recommendations are already implemented in Burnaby. The recommendation to Cap the business to residential tax rate at a ratio of 2:1 would increase the burden on the average Burnaby residential property owner by over 34%. It is neither feasible nor advisable for the City to implement this recommendation.

Recommendation

That Council receive this report for information and that a copy of the report is forwarded to Shachi Kurl, Director Provincial Affairs, BC & Yukon, CFIB.

Denise Jorgenson,
Director Finance

Attachment: CFIB Correspondence

CFIB
CANADIAN FEDERATION OF INDEPENDENT BUSINESS

625 Howe Street, Suite 1430
Vancouver, British Columbia V6C 2T6

CLERK'S FILE: 07810-01

July 9, 2012

Mayor Derek Corrigan
4949 Canada Way
Burnaby, British Columbia
V5G 1M2

Dear Mayor and Council:

As you may know, the Canadian Federation of Independent Business (CFIB) is a non-profit, non-partisan business association that seeks to give independent business a greater voice in determining the laws that govern business and the country. With 109,000 members across Canada, 10,000 of which are located in BC, and 289 in your community, we are the largest organization exclusively representing the interests of small- and medium-sized businesses (SMEs) to all levels of government.

I would like to take this opportunity to share with you the results of our annual 2012 property tax report: "*Stalled Progress for Small Business in BC,*" which compares the municipal property tax rates applied to business and residential class properties—the "tax gap." Additionally, we are inviting your office to issue an official response to our findings.

Small business owners are central to our economy, and deserve to be treated fairly. Small businesses pay tax at far higher rates than residential owners, but they do not consume municipal services at the same rate. This can create a political temptation to increase service and spending levels funded by increasing property taxes, which creates a disproportionate burden on small business taxpayers to the short-term apparent benefit of residents. Since releasing our first property tax report in 2003, CFIB has seen little progress across the province in narrowing the gap.

Our 2003 report showed that businesses in Burnaby paid 3.62 times the municipal property taxes that a homeowner paid on the same value property. In 2011, the municipal gap increased and businesses in Burnaby paid 4.22 times the property taxes that a resident paid. Based on this gap, on a $798,114 property (the average residential property value in Burnaby), a resident would pay $1,897, while a business would pay $8,006 in municipal taxes alone. Our 2011 report showed that your municipality was ranked number 6 in the province based on the municipal portion of tax gap (1 being worst and 161 being best).

In our report, you will find a comprehensive study of property taxes and their negative effects on small businesses. The following recommendations, which can be found in our report, should be taken into consideration:

1) Municipal governments should cap the property tax gap between businesses and residents at a maximum of 2 to 1. As long as municipalities continue to move in the right direction, CFIB proposes this be a voluntary commitment, rather than having the provincial government legislate a cap, and proposes local governments set a timeline of a decade to achieve a gap of 2 to 1. In recognizing the importance of small business, similar commitments have been made by Saskatoon and Toronto, which have achieved fairer property tax gaps.

COPY: CITY MANAGER
DIR. FINANCE
-For report

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2) Municipal governments should provide earlier property tax notices for commercial taxpayers. Unlike other major business costs staggered throughout the year, property taxes represent a major one-time payment that for some small business owners may be in the tens of thousands of dollars. Earlier notice for these taxpayers allows more time to make financial arrangements.

3) Municipal governments should allow commercial taxpayers to remit taxes in monthly or quarterly installments. Greater payment flexibility eases the financial burden on small business owners facing large tax bills.

4) Municipal governments should extend the homeowners' grant to business owners occupying zoned live/work spaces. At present, there appears to be no consistent policy across communities for small business owners who live and work out of the same building. While municipalities allow for the zoning of these spaces, CFIB members report a patchwork of approaches when it comes to their ability to claim the grant. For the sake of certainty, small business owners in zoned work/live premises should be allowed to claim the homeowners grant.

Since first reporting on this issue in 2003, we have received feedback from business owners who would like to know why the gap between business and residential properties is so high. At CFIB, we recommend a tax gap cap of 2 to 1, but the provincial average is 2.78.

As your municipality has a gap well over both our recommended ratio and the provincial average, CFIB asks that you review the Property Tax Report and respond to this letter within 30 calendar days. As this is the amount of time municipalities often allot for businesses to remit their yearly property tax, we believe that this should be a sufficient time frame for your response. CFIB will endeavour to make public the responses from municipalities. We would be pleased to further discuss how to make your municipal property tax policies more business-friendly.

I look forward to receiving a written response from you regarding the inequities in the property tax system in your municipality. Please do not hesitate to call if you have any questions.

Sincerely,

Shachi Kurl
CFIB Director of Provincial Affairs, BC & Yukon

CFIB – Powered by Entrepreneurs

COMMUNITY LIVING
BRITISH COLUMBIA

Agenda

Community Living BC (CLBC), a provincial crown agency, engages people and organizations to create safe and welcoming communities for adults with developmental disabilities. CLBC is pleased to provide you with information and materials about our "Start with HI 2" Initiative.

START WITH HI 2

The **Start with HI 2** initiative builds on the successful Start with Hi program first introduced in 2009, by reinforcing the original key messages while adding information about why starting with "Hi" is important and what we can all achieve with this simple greeting.

The **Start with HI 2** initiative is about helping people to understand that small actions like saying "Hi" can be the first step toward making a connection. This connection can give people with developmental disabilities a greater sense of safety, belonging and welcome in community. The poster message ask all British Columbians to say "Hi", as it is a great starting point; then a smile; a greeting; and a short conversation can often follow. These efforts of inclusion make our communities safer for people with developmental disabilities.

> ***"Just like you, when someone greets me, I feel good. So start a good feeling with hi," says Amy, who is one of the six self-advocate spokespeople for the initiative.***

Please join in and help raise awareness about how to build safe, welcoming communities for people with developmental disabilities. The call to action for **Start with HI 2** is:

1) To ask British Columbians to acknowledge people with developmental disabilities in our communities with a simple greeting.
2) To raise awareness so that all British Columbians can increase the safety and sense of belonging for a person with developmental disabilities by simply saying "HI".
3) To encourage British Columbians to visit the **Start with HI 2** website www.startwithHI.ca to learn more about the initiative and contribute to the list of things; that we can all start a "hi".

WHY WE ARE DOING THIS INITATIVE

- Many British Columbians see people with developmental disabilities in their daily lives. However, many people may not be aware that very simple actions could enhance the lives and feeling of belonging for individuals with disabilities and their families.
- **Start with HI 2** addresses the need for informal safeguards (the connections we all have and use to help us feel safe and secure) in the lives of individuals with disabilities. When people regularly acknowledge someone with a developmental disability, it can help them to identify certain people as a "safer" person to talk to if they ever feel confused, afraid or threatened by others.

Please turn over

HOW YOU CAN PARTICIPATE

1. Place a poster in your office or facility in a visible location.
2. Copy and distribute this letter to your co-workers and colleagues.
3. Take a poster to an office or facility that you and others regularly visit (e.g. doctor, dentist, bank, or even your hair dressers).
4. Take time to talk with someone whom you may see reading the poster and discuss with them the message in this initiative. (see the key messages below)
5. Visit the website and Facebook page, watch the videos and **participate** by making your own poster message. Distribute the website address to friends and family or other people you may think would be interested.

KEY MESSAGES

1. **We are all responsible.** – We all have a role in the safety of our fellow citizens who live with developmental disabilities. Bus drivers, bank tellers, store clerks, letter carriers, neighbours and others who might encounter the same person regularly, have a particularly important role to play.

2. **A small action can have a big impact.** – By simply acknowledging an individual with developmental disability, it can help to make that person feel included and therefore safer when they are in the community.

3. **Start something with hi.** – Don't worry about saying the "right thing" to someone with a developmental disability. Just start with hi. You might find that you will start a good day for someone with hi, or start being a good neighbour with hi, or even start a feeling of belonging with hi.

If you have any questions about this initiative, please contact Jule Hopkins, CLBC Director of Service Accountability and Safeguards at: jule.d.hopkins@gov.bc.ca

Thank you for placing the posters in your facility and distributing this important information. We appreciate your help in supporting CLBC's goal toward inclusive and welcoming communities for all British Columbians.

Agenda

Gloria Le Gal

From: Datoo, Hayley C ENV:EX [Hayley.Datoo@gov.bc.ca]
Sent: Thursday, September 13, 2012 8:48 AM
To: 'glegal@porthardy.ca'
Subject: Draft Conservancy Management Plan provided for information to District of Port Hardy
Attachments: Burdwood_Group_April 2012.pdf

Hello Gloria,

BC Parks recently referred the draft Burdwood Group Conservancy Management Plan to the Regional District of Mt. Waddington (RDMW) for review. At the request of the RDMW, we are contacting municipal governments within the RDMW to provide information on this draft management plan.

I am attaching the draft Burdwood Group Conservancy Management Plan for your information. Please feel free to contact me if you have any questions about the plan.

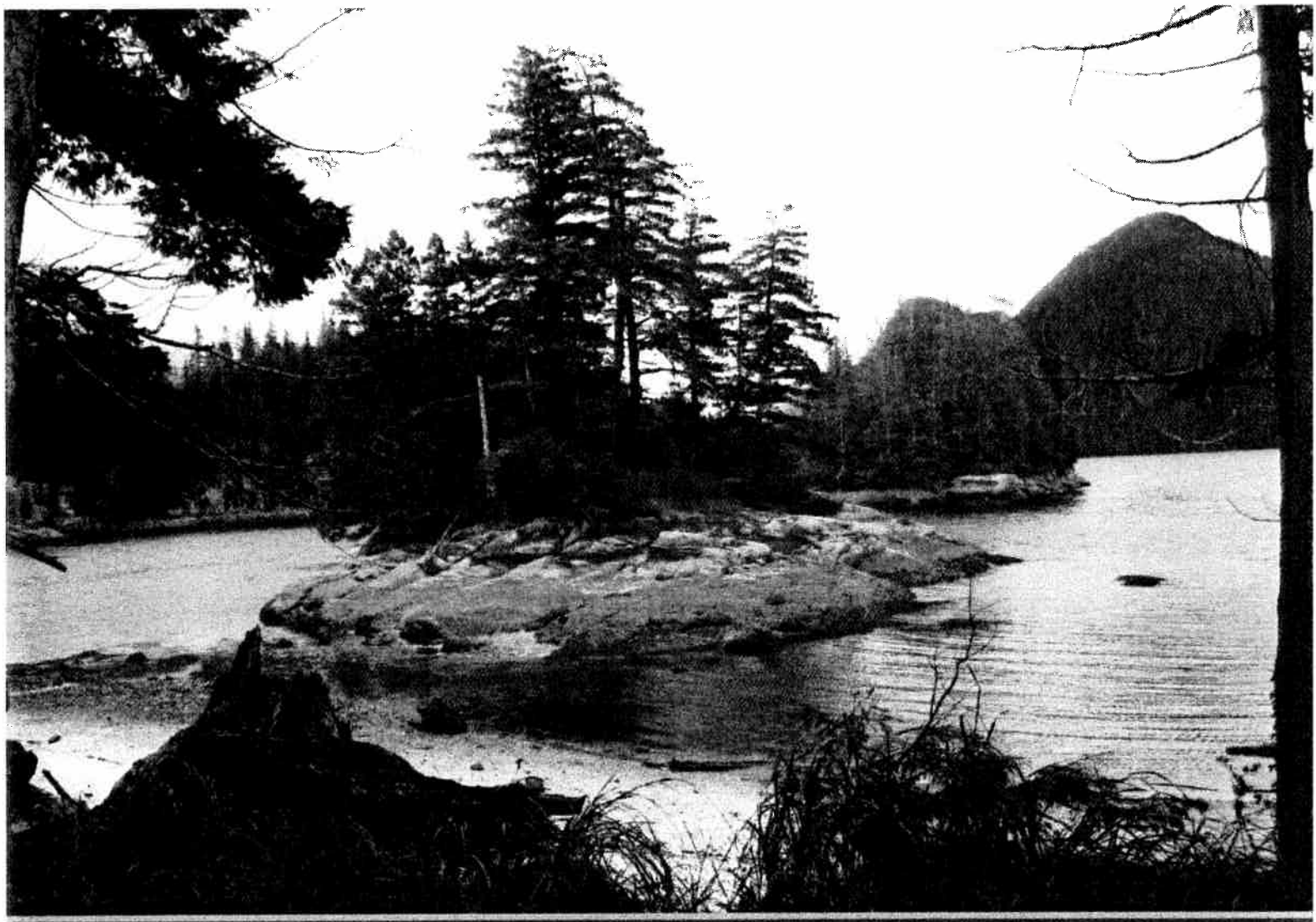
Thank you,

Hayley.

****

Hayley Datoo
Planning Officer
BC Parks, Ministry of Environment
1812 Miracle Beach Dr. Black Creek, BC V9J 1K1
Phone: (250) 337-2415 Fax: (250) 337-5695
Email: hayley.datoo@gov.bc.ca

BRITISH COLUMBIA BC Parks



Burdwood Group Conservancy

Management Plan

April 2012
Public Review
Draft

Mamalilikulla - Qwe'Qwa'Sot'Em First Nation

BRITISH COLUMBIA

BC Parks

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Burdwood Group Conservancy Management Plan

Approved by:

_____ Date: _____

Chief Harold Sewid
Hereditary Clan Chief
Mamalilikulla-Qwe'Qwa'Sot'Em First Nation

_____ Date: _____

Don Cadden
Regional Director, West Coast Region
BC Parks

_____ Date: _____

Brian Bawtinheimer
Executive Director, Parks Planning and Management Branch
BC Parks

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Acknowledgements

Preparation of this management plan for Burdwood Group Conservancy would not have been possible without the involvement of the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation. The traditional knowledge provided by the Ninogads (knowledgeable ones), Chief H. Robert J. Sewid, Chief Adam Dick and Daisy Sewid-Smith, was invaluable in developing this management plan. Planning documents were jointly prepared by Scott Harris, Planner for the Nanwakolas Council, and BC Parks staff.

Table of Contents

1.0 Introduction

1.1 Management Plan Purpose

This management plan sets out the long-term, strategic direction for Burdwood Group Conservancy and provides guidance for how the Conservancy will be managed.

In 2006, the provincial government and First Nations across the province initiated a new relationship. On the Central Coast, a collaborative approach has been taken with regards to management planning and the operation of protected areas. This management plan is the result of a collaborative planning process between the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation and the Ministry of Environment (BC Parks).

This management plan describes Burdwood Group Conservancy's important cultural heritage, natural, and recreational values and presents a vision for the future of the Conservancy. In addition, this management plan:

- addresses current issues affecting the long-term vision for the Conservancy;
- guides day-to-day management for the protection of cultural heritage, natural and recreational values;
- identifies appropriate types of recreational activities;
- identifies zones; and,
- provides management direction related to appropriate activities and acceptable uses of the Conservancy's natural resources.

1.2 Planning Area

Burdwood Group Conservancy is a cluster of islands, including Denham Island, Walker Islet and several other unnamed islands and islets, situated between Gilford and Broughton islands at the entrance to Tribune Channel in the southern Central Coast of British Columbia (Figure 1 and Figure 2). The Conservancy is 48 km northeast of Port McNeill on Vancouver Island and 290 km northwest of Vancouver. The Conservancy is within the traditional territory of the Mamalilikulla-Qwe'Qwa'Sot'Em and other First Nations of the area. The Burdwood Group Conservancy islands and islets comprise a total land area of 121 ha. This management plan recommends that an additional 444 ha of marine foreshore surrounding the islands be included in the Conservancy.

1.3 Legislative Framework

Conservancy Establishment

Burdwood Group Conservancy was established on March 13, 2009 pursuant to the *Protected Areas of British Columbia (Conservancies and Parks) Amendment Act, 2008*. The Conservancy is included in Schedule E of the *Protected Areas of British Columbia Act* and is administered under the *Park Act*.

Purpose of Conservancies

Conservancies are set aside for four main purposes:

a) The protection and maintenance of their biological diversity and natural environments;
b) The preservation and maintenance of social, ceremonial and cultural uses of first nations;
c) The protection and maintenance of their recreation values;
d) To ensure that development or use of their natural resources occurs in a sustainable manner consistent with the purposes of paragraphs (a), (b) and(c).

Section 8 of the *Park Act* directs that any interest in land in a conservancy must be authorized by a park use permit. Section 9 directs that most uses of a natural resource in a conservancy must be authorized by a park use permit. A park use permit can only be issued if the use or activity will not hinder, restrict, prevent or inhibit the development or use of the conservancy in accordance with the four abovementioned reasons for setting it aside.

1.4 Management Commitments

Collaborative Management

A Collaborative Management Agreement (CMA) between the Mamalilikulla-Qwe'Qwa'Sot'Em and BC Parks outlines the relationship that the Mamalilikulla-Qwe'Qwa'Sot'Em and the Province have in the planning and management of protected areas within Mamalilikulla-Qwe'Qwa'Sot'Em Traditional Territory. The CMA commits the parties to plan, manage and use these protected areas in a manner that:

- recognizes and affirms aboriginal rights and provides the First Nation with continued access to land and resources necessary to exercise these rights, subject to measures necessary for conservation and public safety;
- protects natural, cultural and recreational values for future generations;
- provides the First Nation with enhanced access to economic opportunities in the protected areas that are compatible with the protection of natural, cultural and recreational values;
- integrates ecosystem-based science and traditional ecological knowledge;
- builds capacity and provides opportunities for the First Nation to be involved in the planning, management and use of the protected areas;
- promotes communication between BC Parks and the First Nation; and,
- makes the protected areas available for the use, recreation and enjoyment of all British Columbians.

Land Use Planning Commitments

In the 2006 Land Use Planning Agreement-In-Principle (AIP) between the Province and the First Nations of the southern Central Coast, the parties agreed on the primary roles for Burdwood Group Conservancy: cultural heritage use and habitat conservation/protection. Ecosystem representation was identified as a secondary role. The AIP also listed recreation as a role for the Conservancy, but indicated that this role is to be limited by the

Conservancy's primary roles. At the time the Central Coast conservancies were announced, the Minister of Environment also made a commitment that existing, tenured uses would continue in these conservancies.

In 2004, the Central Coast Land and Resource Management Plan (CCLRMP, 2004) identified this area for protection and recommended that the principles of Ecosystem Based Management (EBM) be applied to land management throughout the Central Coast, including conservancies. The two overarching goals of EBM are to: 1) maintain the ecological integrity of terrestrial, marine and freshwater ecosystems; and, 2) achieve high levels of human wellbeing.

The CCLRMP recommended that backcountry tourism and recreation be a primary role for the Burdwood Group, and that these activities be low-impact and sensitive to the marine environment. The marine area adjacent to Burdwood Group Conservancy was also included within an earlier planning unit in the North Island Straits Coastal Plan (NISCP, 2002), which identified this area as a candidate for marine protection, and recommended that public and commercial recreation be managed to support marine conservation, and avoid impacts to First Nations cultural heritage values and archaeological sites. In this management plan, the roles for Burdwood Group Conservancy have been adopted from the more recent AIP, with consideration given to the recommendations in the CCLRMP and NISCP.

1.5 Adjacent Land Uses and Marine Activities

There are a number of small communities in the vicinity of the Conservancy, including a First Nations community at Health Bay on Gilford Island, and communities at Echo Bay, Scott Cove, and Shoal Harbour.

Across Hornet Passage from the Conservancy is Viner Sound on Gilford Island. This area is the place of the Gilgalis, a key feature in the Qwe'Qwa'Sot'Em flood story. This Gilgalis refers to the legend of the first man who survived and walked the earth after the flood. This area is a place of origin for the Qwe'Qwa'Sot'Em who are now living with the Mamalilikulla (Mamalilikulla-Qwe'Qwa'Sot'Em First Nation).

There are also a number of marine activities in the vicinity of the Conservancy. These include a salmon aquaculture facility near Raleigh Point on the largest island in the Burdwood Group,[1] as well as commercial troll and seine salmon fisheries, sport salmon and commercial prawn, crab and clam fisheries. The marine channels adjacent to the Conservancy are also travel corridors for commercial vessels, kayakers and pleasure boaters.

Other protected areas in close proximity to Burdwood Group Conservancy include Broughton Archipelago Marine Park, Broughton Archipelago Conservancy and Hunwadi/Ahnuhati-Bald Conservancy (Figure 1 and Figure 2).

[1] Adjacent to the portion of this island that is excluded from the Conservancy.

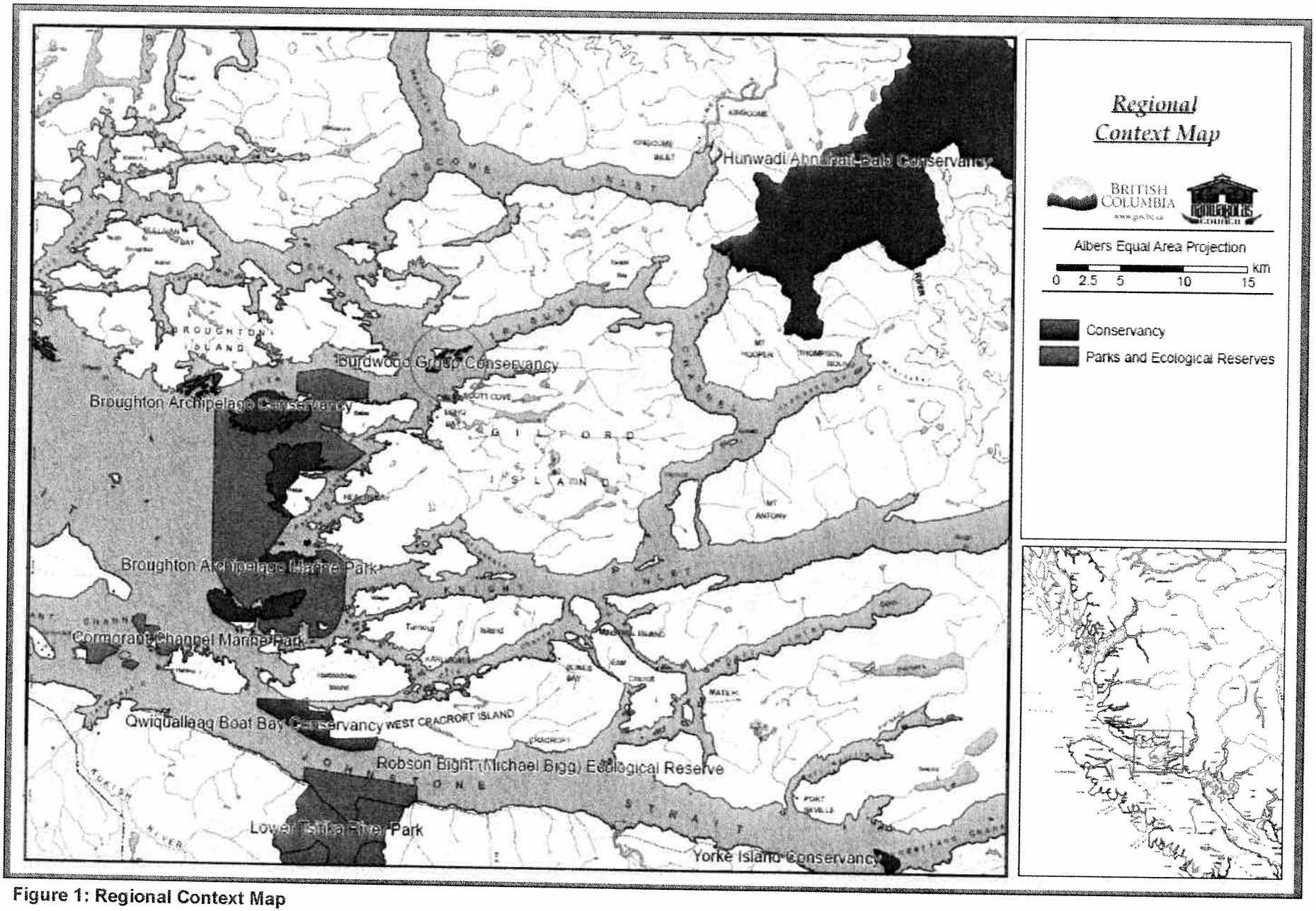

Figure 1: Regional Context Map

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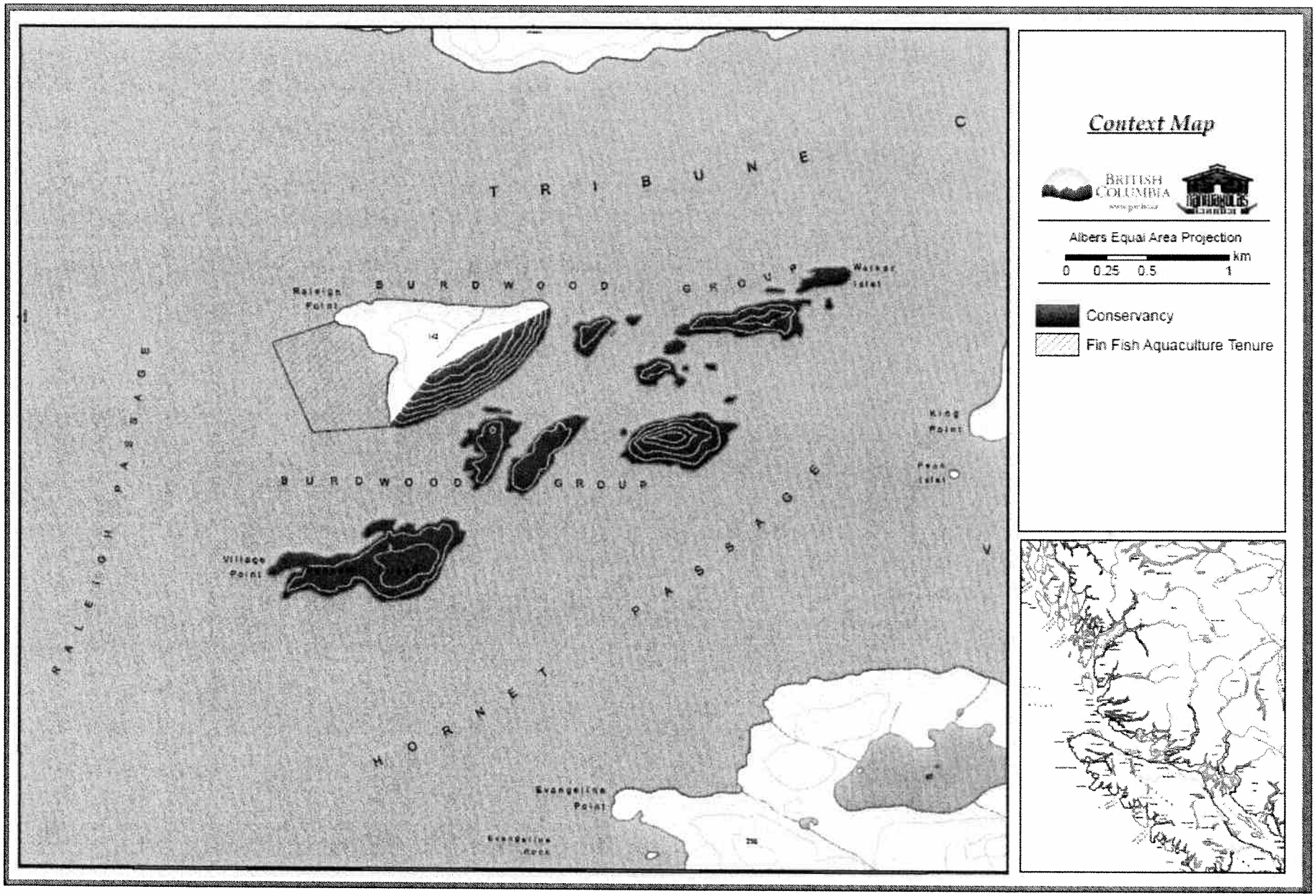

Figure 2: Conservancy Context Map

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2.0 Roles and Values of the Conservancy

This section describes the key cultural heritage, natural, recreational and resource values in the existing terrestrial component of the Conservancy, as well as intertidal and marine values in the recommended foreshore addition.

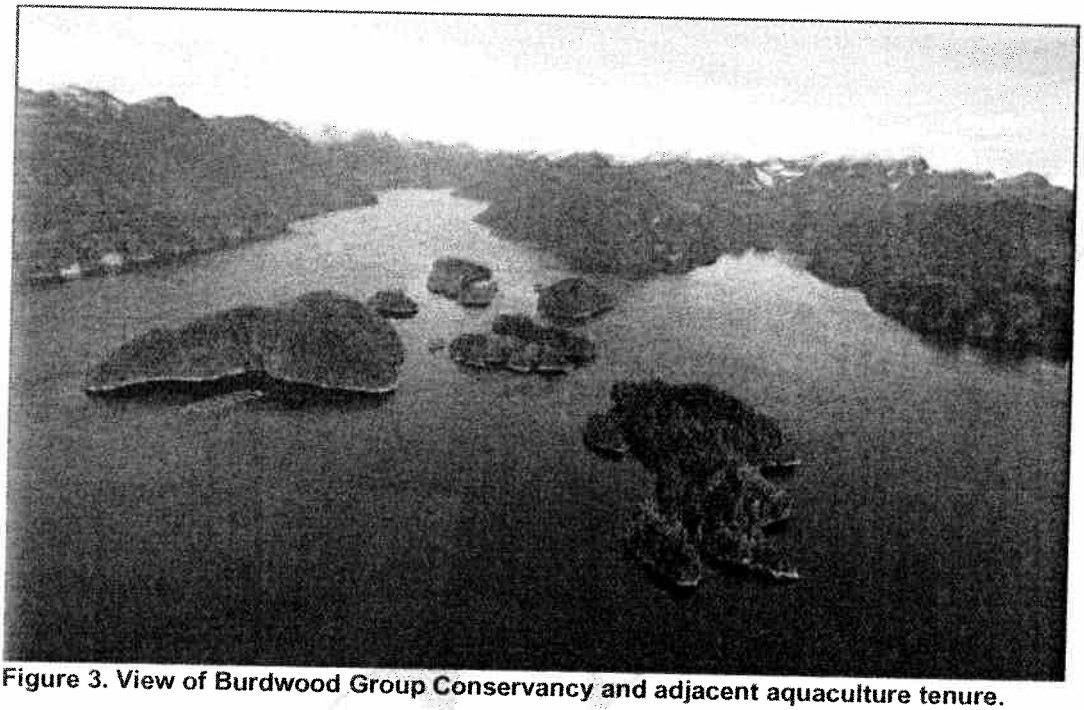

Figure 3. View of Burdwood Group Conservancy and adjacent aquaculture tenure.

2.1 Significance in the Protected Areas System

The primary roles of Burdwood Group Conservancy are cultural heritage use and habitat conservation/protection. The Conservancy is significant in the provincial parks and protected area system because it:

- Protects culturally significant sites and traditional use areas of the Mamalilikulla-Qwe'Qwa'Sot'Em and other First Nations in the area. In particular, the Conservancy foreshore protects culturally significant shell middens and intertidal clam gardens, or *loxwiwe*; and,

- In combination with the recommended foreshore addition, it protects a moderately sized kelp bed, as well as habitat for coastal bird species, marine mammals, salmon, and intertidal species, including productive Butter Clam and Littleneck Clam populations.

2.2 Cultural Heritage

Values

The Mamalilikulla and Qwe'Qwa'Sot'Em are two distinct First Nations who were amalgamated by the federal government in the 1900s. The Qwe'Qwa'Sot'Em first came to live with the Mamalilikulla on Village Island in 1856, following a massacre[2] which drove surviving Qwe'Qwa'Sot'Em families to leave their former village on Gilford Island. The Mamalilikulla-Qwe'Qwa'Sot'Em First Nation describes the relationship between these two amalgamated First Nations as "the Qwe'Qwa'Sot'Em who are living among the Mamalilikulla".

The First Nation's name for the Burdwood Group is "Na-na-wa-lakw", meaning "supernatural ones". Na-na-wa-lakw is in the traditional territory of the Qwe'Qwa'Sot'Em. Na-na-wa-lakw has played a significant role in the resource gathering cycle of the Mamalilikulla-Qwe'Qwa'Sot'Em since before the time of the Gilgalis.[3] Abundant marine resources, including clams, ducks and ground/rock fish, were harvested in the marine waters adjacent to the Conservancy, and then processed at the seasonal village site located on the islands. Families with harvesting rights to Na-na-wa-lakw harvested and processed these marine resources for sustenance, trade and distribution at winter ceremonies.

Clam Gardens

Evidence of First Nations clam gardens can be found up and down the coast, even in the smallest, suitable beach locations. Na-na-wa-lakw has a number of small beaches that are ideal for creating clam terraces, or loxwiwe (place of rolling rocks together), for small but productive clam gardens. Clam gardens were formed by rolling rocks to the lowest tide mark to create terraces. These terraces allowed silt and sand to build up and form a garden-like area that provided ideal clam habitat. Several species of shellfish thrived in the clam gardens, including Butter Clams, Littleneck Clams and cockles.

Although the loxwiwe in Na-na-wa-lakw were small, the Elders have suggested that they were highly productive and critical for the subsistence of the Mamalilikulla-Qwe'Qwa'Sot'Em and other First Nations in this area. This productivity is further evidenced through the archaeological record, in particular the prolific shell middens in Burdwood Group Conservancy and many other locations throughout Mamalilikulla-Qwe'Qwa'Sot'Em traditional territory.

The productivity of clam gardens was carefully monitored and managed. To maintain the clam gardens, the sand must be turned over every year or the clams at the bottom will die. The smell of a clam garden is an indicator that is used to tell when a clam garden has not been turned over and properly maintained. In the past, there was also a guardian for each

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[2] For further accounts of this event, refer to: Alfred, A. 2004. *Paddling to Where I Stand: Agnes Alfred, Qwiqwasutinuxw Noblewoman.* Translated by Daisy Sewid-Smith. Edited and annotated by Martine J. Reid. UBC Press, Vancouver, BC.

[3] This Gilgalis refers to the legend of the first man who survived and walked the earth after the flood in Mamalilikulla-Qwe'Qwa'Sot'Em oral tradition.

species of shellfish. If a shellfish bed was severely depleted, the guardian would post a ceremonial copper to warn others not to harvest from this bed.

For some time, the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation has not maintained the clam gardens in Burdwood Group or elsewhere in the traditional territory using the traditional practices required to sustain their productivity. Restoration and stewardship of the clam gardens in Burdwood Group Conservancy is important to the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation. The First Nation is interested in applying traditional management practices to restore the productivity of these clam gardens, and enable future harvesting of shellfish from these beds.

The Legend of the Gilgalis

Na-na-wa-lakw is also important culturally and spiritually to the Mamalilikulla-Qwe'Qwa'Sot'Em because of its proximity to Viner Sound, or Meetup, on Gilford Island just east of the Burdwood Group Conservancy. Viner Sound was a former Qwe'Qwa'Sot'Em village site. This entire area, which surrounds the mountain known now as Mt. Read, is part of a key legend told of the Gilgalis at the time of the flood.

The legend of the Gilgalis in the following paragraph was transcribed by Chief Harold Sewid of the Mamalilikulla-Qwe'Qwa'Sot'Em to inform the public of the importance of Na-na-wa-lakw and the surrounding traditional territories. Chief Sewid begins the Gilgalis legend as follows:

> *Tseqamay was a powerful clan chieftain living at what is now known as Viner Sound. He was told by a spirit being that a great flood was coming. He was to prepare for this great flood. He was also told to look for a giant cedar tree and to hollow it out for his wife, four sons and his daughter. He was told that the bumble bees would protect them, because other people would try to enter the cedar tree when the great flood came, but the bumble bees would sting them and prevent them from entering.*
>
> *When the flood waters receded, Tseqamay and his family came out of the tree. Tseqamay was chanting his sacred song, a chant that is still used today at potlatches. We also dance the bumble bee dance in our potlatches and it is an important part of our family history.*
>
> *When Tseqamay and his family came out of the tree, they heard a thunderous sound on the top of a nearby mountain. Tseqamay sent his four sons to find out what the noise was. When his sons returned, they told Tseqamay of a huge Quolos (Thunderbird) on the top of mountain. He sent his four sons back up to the top of mountain to ask the Quolos to come down and meet with him. When the Quolos came down he slid and created a large crack on the mountain face called K'axadaxw (parted hair) which is still visible today, as no vegetation has ever grown back there. When Tseqamay met the Quolos, he told him that it was too bad he wasn't a human. He would have given him his daughter in marriage. The Quolos then came out of his Quolos regalia and stepped out as a human.*
>
> *Tseqamay gave the Quolos his daughter in marriage. He then sent the Quolos back to the heavens and he told the Quolos he was only to return when one of his descendants passed away and the Quolos was to bring his descendant's spirit to the heavens (spirit world).*

When my grandfather passed away in May of 1988, he told his neighbour in his hospital room, "I am going home today, the Thunder bird (Quolos) is going to fly today".

This legend has been passed down for many generations, illustrating the importance of this area to the Qwe'Qwa'Sot'Em First Nation living with the Mamalilikulla.

Archaeological Sites

Burdwood Group Conservancy contains seven recorded archaeological sites and the Elders have identified additional, important sites, place names and stories in this Conservancy. By protecting the archaeologically and culturally important sites in Na-na-wa-lakw, the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation and BC Parks are working collaboratively toward ensuring that future generations will be able to be told the legends of their homelands by their Elders, and witness the places referred to in these legends.

Mamalilikulla-Qwe'Qwa'Sot'Em Oral History

The oral history of the Qwe'Qwa'Sot'Em living with the Mamalilikulla illustrates the importance of the entire territory, including the Conservancy, as well as nearby Broughton Archipelago Marine Park and Broughton Archipelago Conservancy. Chief Sewid completes his transcription of the Gilgalis legend and the more recent oral history of the First Nation in the following paragraphs, describing the way in which the descendents of Tseqamay came to establish villages throughout the traditional territory and the aftermath of the 1856 massacre:

The powerful Chief Tseqamay had four sons. The eldest was Ninalby. Tseqamay took him to Wotwo (Thompson Sound). Only one member of this clan survived the Gilford Island massacre, and that was 14 year old Tlaliskasoo, the ancestor of the Scows. He went to live in Kingcome inlet.

Tseqamey's second son was Baxbakwallnuxsiway. Tseqamay took his second son to Sewagextoway or Insect Island. Only one member of his family survived the massacre at Gilford Island. That was Olsewidi's cousin, 15 year old Caxwid, the ancestor of the Coons. He went to live in Kingcome Inlet.

Tseqamey's third son was Naxnaxwalla. Tseqamay took this son to Gwayasdums (Gilford Island). Olsewidi and several of his family and clansmen survived the Gilford Island massacre. Olsewidi was in his late 30's. They went to live with the Mamalilikulla. His cousin Quthtallas was one of the Mamalilikulla clan chiefs and his mother was from Gilford Island. Olsewidi was clan chieftain of the Mamalilikulla – wioomasgum.

Tseqamay's fourth son was Tlatlaxwas or T'isamx?id (stone body). He refused to leave his brother Naxnaxwalla so he also stayed at Gilford Island. He had no descendants because he was killed. The only human part of him was his throat and he was speared in this area, killing him, during the massacre at Gwayasdums.

The descendents of Tseqamay that survived the massacre still live today and are working towards bringing back important cultural traditions and practices. Protection of Na-na-wa-lakw (Burdwood Group Conservancy) will support the efforts of the Qwe'Qwa'Sot'Em living with the Mamalilikulla to pass on their legends, traditions and values to future generations.

Role

A primary role of the Conservancy is to protect cultural values and support cultural heritage uses of the Mamalilikulla-Qwe'Qwa'Sot'Em and other First Nations in the area. In particular, the Conservancy foreshore protects culturally significant shell middens and intertidal clam gardens, or *loxwiwe,* associated with a seasonal village/resource processing site. The Conservancy also provides opportunities for the Mamalilikulla-Qwe'Qwa'Sot'Em and other First Nations of the area to engage in cultural activities and pass on cultural traditions to future generations.

2.3 Biological Diversity and Natural Environment

Values

Burdwood Group Conservancy protects a unique cluster of forested islands and islets in the protected waters at the entrance to Tribune Channel between Gilford Island and the mainland. The Burdwood Group of islands protects largely undisturbed forested upland habitats within a rich and diverse marine environment.

Productive Intertidal Zone

Intertidal clam beaches (clam gardens) form an ecologically and culturally significant feature in the Burdwood Group Conservancy foreshore, supporting particularly productive Butter Clam and Littleneck Clam populations.

Kelp Gardens

A moderately sized kelp bed (approximately 7 hectares), located off the southern shore of Denham Island, forms another ecologically important feature in the marine foreshore. Kelp beds provide important areas for juvenile fish and support a diverse food web involving invertebrates, fish, birds and marine mammals.

Marine Birds

The Conservancy and adjacent foreshore also overlap with a Marine Bird Area of Interest (MBAOI) identified by the Canadian Wildlife Service (CWS). This MBAOI is associated with observations of the following species: Barrow's Goldeneye, Common Goldeneye, Rhinoceros Auklet, Red-throated Loon, Marbled Murrelet and Western Grebe.[4] Marbled Murrelet and Western Grebe are provincially red-listed species.[5]

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[4] Canadian Wildlife Service. British Columbia Marine Bird Areas of Interest Database. May 2007. Note: a "Marine Bird Area of Interest" is an area identified as requiring special attention during marine planning processes because of its ecological value for marine birds. Marine bird observations from various surveys are documented in the B.C. MBAOI database.

[5] Species and ecological communities are assigned to the red or blue list on the basis of the provincial conservation status rank (SRANK) assigned by the B.C. Conservation Data Centre. The red list includes species/ecological communities that are extirpated, endangered or threatened. The blue list contains species/ecological communities that are considered to be of special concern.

Marine Mammals

The marine channels surrounding the Conservancy also support a variety of mammals. These waters are a summer feeding and winter resting area for Resident and West Coast Transient populations of Killer Whales, which are provincially red-listed species. The marine environment is also important for Pacific White-sided Dolphins and Harbour Porpoises (a blue-listed species).

Holding Areas for Salmon

The marine area surrounding the Conservancy is a holding and migration route for juvenile and adult salmon, particularly Chum Salmon migrating to spawn in the Viner River on nearby Gilford Island.

Ecosystem Representation

Burdwood Group Conservancy makes a small contribution (56 ha, or 0.65%) to filling a gap in the representation of the Coastal Western Hemlock submontane very wet maritime biogeoclimatic variant (CWHvm1) within the Outer Fjordland *Terrestrial* Ecosection (Table 1). At present, only 3.6% of this ecosection/biogeoclimatic variant combination is protected in the province. The Conservancy also makes a small contribution (65 ha, or 7.6%) to the representation of the Johnstone Strait (JOS) *Terrestrial* Ecosection/CWH vm1 biogeoclimatic variant combination, which is well-represented within the protected areas system at 22.3%.

The recommended marine addition to the Conservancy falls within the Johnstone Strait *Marine* Ecosection. The addition of the recommended marine component to this Conservancy would make a further contribution of 444 ha (or 4.2%) to the existing marine protected area within the Johnstone Strait *Marine* Ecosection (10,221 ha).

Due to its small size, the Conservancy is vulnerable to environmental risks (e.g. climate change, rising sea levels), which may impact its contribution to ecosystem representation.

Table 1: Ecosection and Biogeoclimatic Zone Representation

Ecosection/ Biogeoclimatic (BEC) Variant Combination	Total Area of Terrestrial Ecosection/ BEC Variant Combination or Marine Ecosection in B.C. (ha)	Total Area of Terrestrial Ecosection/ BEC Variant or Marine Ecosection in Protected Areas (ha)	Percent of Terrestrial Ecosection/ BEC Variant Combination or Marine Ecosection in the Province that is Protected	Total Area of Ecosection/ BEC Variant Combination in this Conservancy (ha)	Percent of Province-wide Protection of Ecosection/ BEC Variant Combination in this Conservancy
OUF *Terrestrial* Ecosection/ CWHvm1	240,572	8,634	3.59%	56	0.65%
JOS *Terrestrial* Ecosection/CWHvm1	3,839	856	22.29%	65	7.59%
JOS *Marine* Ecosection	240,733	10,221	4.25%	444*	4.2%*

*This area is within the recommended foreshore addition and is not yet included in the Conservancy.

Role

The habitat conservation/protection role of the Conservancy and recommended foreshore addition is to protect coastal bird species, marine mammals, a productive intertidal zone (including clam beaches and First Nations clam gardens), holding areas for chum salmon, and a moderately sized kelp bed. The Conservancy fulfills its secondary role in ecosystem representation by making a small contribution (56 ha) to protection of the under-represented Coastal Western Hemlock submontane very wet maritime biogeoclimatic variant (CWHvm1) within the Outer Fjordland *Terrestrial* Ecosection.

2.4 Recreation

Values

Kayaking and Boating

The Conservancy's scenic values, sheltered sandy beaches, protected anchorages, and proximity to other protected areas in the Broughton Archipelago attract kayakers and pleasure boaters. There is one campsite on a small island in the Burdwood Group Conservancy that is frequented by recreational users (Figure 5). This campsite has high scenic value and offers good access for kayaks and small boats. The site is undeveloped with no BC Parks facilities in place. There is a short, unmaintained walking route from this location to a lookout on the opposite shore of the island.

There is one park use permit for guided kayaking in the Conservancy.

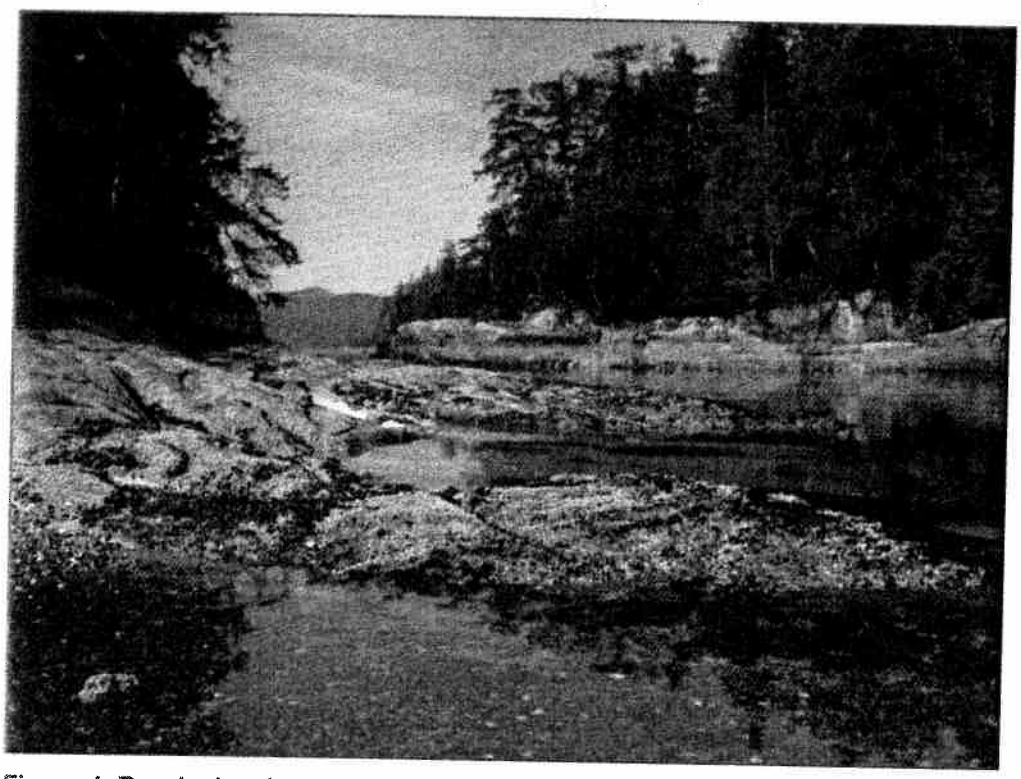

Figure 4. Beach view from one of the smaller islands in Burdwood Group Conservancy.

Shellfish Harvesting and Fishing

Other marine-oriented recreational activities in the Conservancy and surrounding waters include shellfish harvesting[6] and sport fishing for salmon and shrimp.

Cultural Tourism and Marine Wildlife Viewing

With the exception of the one guided kayaking opportunity, there are currently no other operators with park use permits in the Conservancy. Given the Conservancy's rich cultural heritage values, there is potential for development of a cultural tourism opportunity to provide visitors with a guided cultural interpretation and education experience. This opportunity may also incorporate a marine wildlife viewing component.

Role

A secondary role of the Conservancy is to provide recreational opportunities that are consistent with the primary roles of cultural heritage use and habitat conservation/protection. The Conservancy offers sheltered sandy beaches, protected anchorages and picnic/camping opportunities on a popular kayaking and pleasure boating route, as well as the potential for development of cultural tourism and marine wildlife viewing opportunities.

2.5 Resource Use

Values

The Conservancy and recommended foreshore addition currently provide opportunities for recreational resource uses, specifically shellfish harvesting and fishing, as well as opportunities for First Nations cultural, social and ceremonial uses of traditional marine and terrestrial resources.

The stewardship, cultivation and harvesting of clam gardens is a culturally significant, sustainable resource use that has not been practiced in recent years. With the recommended foreshore addition, the Conservancy provides an opportunity to renew the application of traditional management practices and restore the loxwiwe (clam gardens) in the intertidal zone.[7]

Role

Conservancies can play a role in the sustainable use or development of natural resources, provided that this activity is consistent with the protection of natural, cultural and recreational values. Sustainable management of the culturally significant loxwiwe (clam gardens) is one example of a resource use opportunity that would support the Conservancy's primary role in cultural heritage use.

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[6] Note: Tide water sport fishing closures may be in effect for shellfish or finfish. Contact Fisheries and Oceans Canada (DFO) for updated information on closures.

[7] BC Parks will work collaboratively with the Mamalilikulla-Qwe'Qwa'Sot'Em and Fisheries and Oceans Canada (DFO) to manage the clam gardens (loxwiwe).

3.0 Management Direction

3.1 Vision

The cultural heritage values, archaeological sites, and biologically important species and habitats in the Burdwood Group Conservancy are protected. The culturally significant clam gardens are protected and restored, and fisheries resources are thriving in the marine foreshore. The collaborative relationship between the Mamalilikulla-Qwe'Qwa'Sot'Em and BC Parks is strong and capacity is being built within the Mamalilikulla-Qwe'Qwa'Sot'Em to diversify participation in all aspects of protection and management. The parties strive to ensure the Conservancy is managed into the future for the benefit of all visitors.

3.2 Recommended Marine Boundary

Protected area recommendations from the Central Coast Land Use Decision that led to the creation of the Conservancy did not address the marine environment. A subsequent agreement between the First Nation and the Province directed that management plans for conservancies make recommendations respecting the extension of each Conservancy into the marine environment. Other provincial government agencies were also consulted on the development of the recommended marine boundary for this Conservancy.

This management plan recommends expansion of the original Conservancy boundary to include the marine component illustrated in Figure 5. The proposed boundary protects marine values extending approximately 200 metres from the high water mark, including intertidal clam gardens, archaeological sites (shell middens) and a 7 hectare kelp bed. The addition of the marine component to Burdwood Group Conservancy is particularly important for the protection of the culturally significant clam gardens in the intertidal zone. This recommended marine foreshore addition has a total area of 444 hectares.

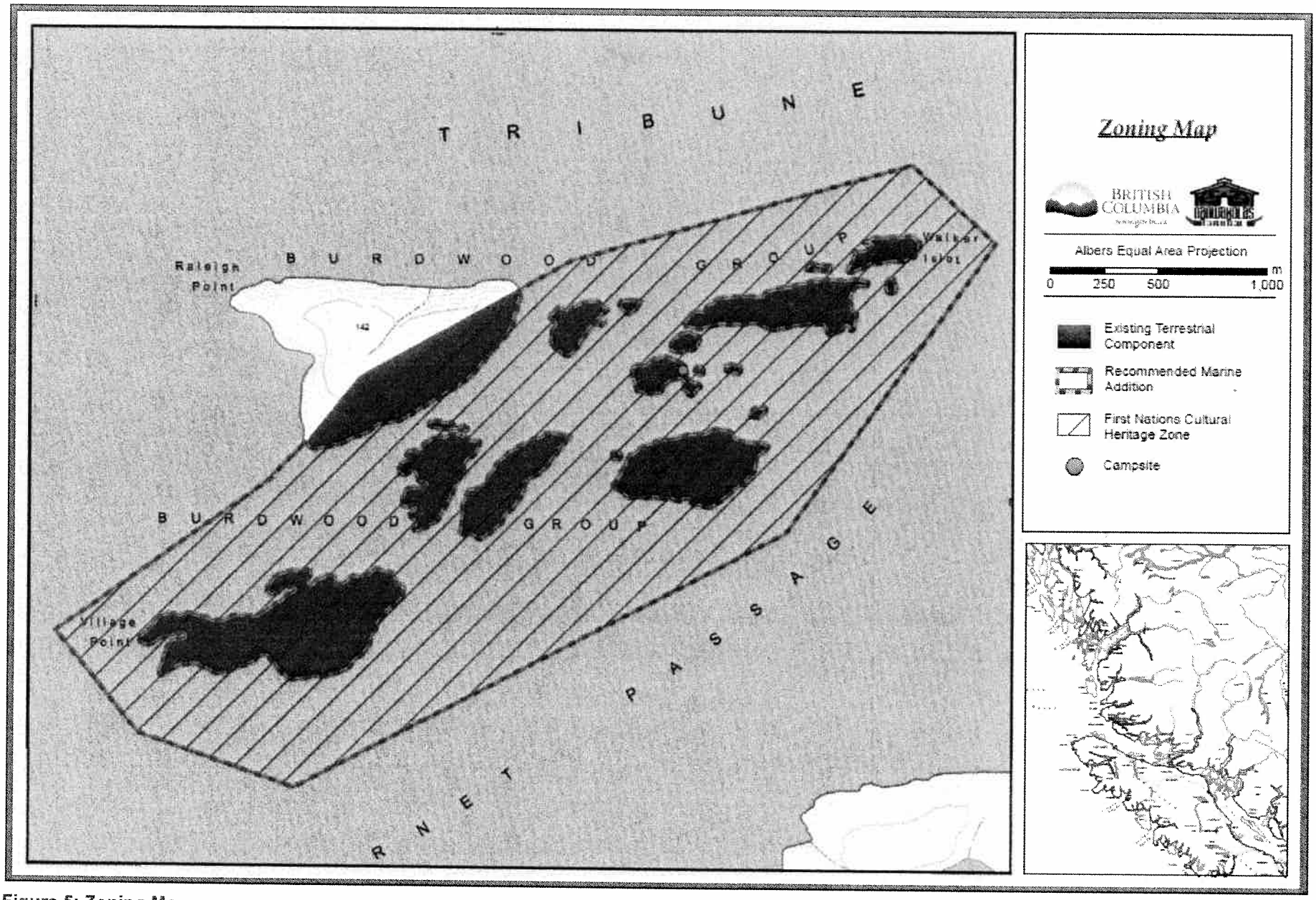

Figure 5: Zoning Map

3.3 Management Objectives, Issues and Strategies

Five broad management objectives have been identified for Burdwood Group Conservancy. The following tables list key management issues related to each objective, as well as management strategies to address these issues in the Conservancy.

Objective 1: Respect and protect First Nations social and cultural heritage values.	
Issues	Strategies
Recreationists and other Conservancy users may be inadvertently impacting cultural heritage sites or uses. Lack of visitor awareness of the significance of this Conservancy to the Mamalilikulla-Qwe'Qwa'Sot'Em may contribute to inadvertent impacts on cultural heritage values.	Develop signage/communication materials to educate the public about the cultural heritage values in the Conservancy. Encourage visitors to contact the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation Office to learn about cultural heritage values and cultural protocols in the Conservancy. Provide contact information for the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation on the BC Parks website.
Vandalism has been a problem at archaeological and cultural heritage sites throughout the Mamalilikulla-Qwe'Qwa'Sot'Em traditional territory.	Develop a collaborative approach to monitoring, compliance and enforcement activities in the Conservancy (i.e., between Mamalilikulla-Qwe'Qwa'Sot'Em Guardian Watchmen, BC Parks Rangers, and other relevant provincial and federal agencies). Develop collaborative procedures for reporting potential incidents involving disturbance of First Nations cultural heritage and archaeological sites to the appropriate authorities.
Without the marine foreshore component being added to the Conservancy, the clam gardens may be negatively impacted.	Recommend that the conservancy boundary be amended to include the marine addition.
Productivity of the clam gardens has declined because First Nations traditional management techniques have not been applied in recent years.	Work with the Mamalilikulla-'Qwe'Qwa'Sot'Em First Nation and relevant federal and provincial agencies to support the application of traditional ecological knowledge and stewardship practices to the restoration and sustainable management of the clam gardens.
The shell middens and clam gardens are vulnerable to sea level rise associated with climate change.	Develop a sea level rise risk assessment for these archaeologically and culturally important sites. Work with the Mamalilikulla-Qwe'Qwa'Sot'Em to develop appropriate response strategies.

Objective 2: Protect biological diversity and natural values.	
Issues	Strategies
The Burdwood Group islands are not protected in their entirety due to the omission of the western Crown land portion of the largest island from the Conservancy.	Investigate the desirability and feasibility of amending the Conservancy boundary to add all or part of the western portion of the largest island.
The lack of a marine boundary impedes the ability of BC Parks to protect marine values.	Recommend that the conservancy boundary be amended to include the marine addition.
Lack of information on species and habitats at risk may impact protection of biological diversity in the Conservancy.	Encourage inventories of species at risk and habitats, focusing on species at risk that have been observed in the Conservancy (e.g., Marbled Murrelet, Western Grebe). Work collaboratively with Fisheries and Oceans Canada (DFO) on specific marine habitat restoration or species recovery projects (e.g., abalone).
The Conservancy's sensitive intertidal and marine values are vulnerable to environmental emergencies (e.g., oil spill).	Engage with the appropriate federal and provincial agencies to understand environmental emergency procedures, and facilitate communication and engagement between Mamalilikulla-Qwe'Qwa'Sot'Em and these agencies.

Objective 3: Manage marine-based backcountry tourism and recreation opportunities to protect natural and cultural heritage values.	
Issues	Strategies
Ongoing camping use and lack of designated campsites in Budwood Group may result in impacts to natural and cultural values.	Continue to accommodate camping at the most frequently used campsite (shown in Figure 5), which holds considerable scenic value and offers good access for kayaks and small boats. Do not designate any other campsites at this time. Revisit alternate camping locations, as necessary, if use levels increase.

Objective 3: Manage marine-based backcountry tourism and recreation opportunities to protect natural and cultural heritage values.	
Issues	Strategies
Because the main campsite in Burdwood Group is situated on an archaeological site (shell midden), cultural heritage and archaeological values may be impacted. Examples of impacts currently evident, as observed by a professional archaeologist: • considerable natural erosion of shoreline from storm activity; • disturbance of midden from user-created walking trails and tenting use; • removal of driftwood that may have formerly contributed to shoreline stability for user-created furniture; and, • removal of rocks from midden for user-created campfire rings. Collection of shells by recreational users may also occur.	Work with the provincial government agency responsible for archaeology to develop and implement site specific management strategies to mitigate potential impacts to this archaeological site from camping use and natural erosion. Examples of on-site mitigation strategies to be considered in consultation with the provincial agency responsible for archaeology include, but are not limited to: • shoring along high tide line with existing driftwood to slow natural erosion; • controlling foot traffic and minimizing impacts by creating wood chip trails or stairs on user-created trails where erosion is evident; • planting native shrubs to keep visitors out of eroded or sensitive areas; • constructing wooden tent platforms; • installing a fire ring with an underlay to protect the midden from heat; and, • developing and implementing a strategy to educate recreational users on the importance of the shell middens and the prohibition of disturbance to such archaeological sites.
Changes in recreational use patterns over time may result in unforeseen impacts to natural and cultural values in the terrestrial or marine environment.	Monitor recreational use, using the BC Parks Backcountry Recreation Impact Monitoring (BRIM) process, and manage accordingly to protect natural and cultural values. If needed to protect sensitive intertidal and marine values from disturbance, consider anchorage infrastructure (e.g., mooring buoy) at a designated site. If needed to protect natural and cultural values, conduct an assessment of carrying capacity and place limits on the number of recreational users in the Conservancy.

Objective 4: Ensure economic opportunities in the Conservancy contribute to broader goals of human well-being in the Central Coast.[8]	
Issues	Strategies
Lack of participation of Mamalilikulla-Qwe'Qwa'Sot'Em First Nation in economic opportunities in the protected areas in their traditional territories.	Implement Collaborative Management Agreement commitments to provide the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation with enhanced access to economic opportunities in the protected areas.

[8] Adapted from the Ecosystem Based Management goal to achieve high levels of human well-being in the central coast. See 2004 Central Coast Land and Resource Management Plan Completion Table Recommendations (p.17) at http://archive.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/cencoast/docs/table_rec/final_report_may20_04.pdf

Objective 5: Ensure public safety.	
Issues	Strategies
Due to the Conservancy's small size and moderate level of recreational use, hunting may pose a risk to public safety.	Recommend regulatory changes to prohibit hunting in the Conservancy.

3.4 Conservancy Zoning

Introduction

This management plan uses zoning to assist in the planning and management of the Conservancy. In general terms, zoning divides an area into logical units to apply consistent management objectives for cultural heritage, conservation, recreational and resource values. The zones reflect the intended land use, existing patterns of use, the degree of human use desired, and the level of management and development required.

The entire Conservancy and recommended marine addition are designated as a First Nations Cultural Heritage Zone (Figure 5).

First Nations Cultural Heritage Zone

The First Nations Cultural Heritage Zone includes each of the Burdwood Group islands, as well as the recommended marine component of the Conservancy. The purpose of this zone is to protect and enhance the stewardship of the culturally significant features and archaeological sites in the Burdwood Group, specifically the clam gardens, shell middens, and former seasonal village/resource processing site. Stewardship and harvesting of these intertidal clam gardens by First Nations is a potential future use in this zone.

This zone also protects natural terrestrial and marine values in this cluster of islands and provides opportunities for remote, low-impact backcountry recreation activities, including kayaking, picnicking and overnight camping. As well, cultural tourism will be considered as a possible, future use in this zone. Small scale, sustainable commercial resource uses may also be considered if these activities do not impact on the primary purposes of this zone.

Appendix A provides further information on appropriate uses in this Conservancy.

4.0 Plan Implementation

An adaptive approach will be applied to management of this Conservancy. Adaptive management involves a five-step process of planning, action, monitoring, evaluation and revision of management strategies to reflect lessons learned. Adaptive management is flexible, collaborative, and responsive to public input.

The effectiveness of the management strategies identified in this management plan at achieving the objectives for Burdwood Group Conservancy will be monitored and evaluated by the Mamalilikulla-Qwe'Qwa'Sot'Em First Nation and BC Parks. Collaborative management strategies and actions may change over time to reflect new circumstances, information gained and other provincial/regional policies and guidelines. This includes items such as: BC Parks' policies on permitting and impact assessment processes, government commitments to reduce greenhouse gas emissions and the implementation of broader objectives of Ecosystem Based Management in the Central Coast. [9]

Priority Strategies

The following strategies have been identified as high priorities for implementation:

- Recommending that the conservancy boundary be amended to include the marine addition;
- Developing a collaborative approach to monitoring, compliance and enforcement activities in the Conservancy (i.e., between Mamalilikulla-Qwe'Qwa'Sot'Em Guardian Watchmen, BC Parks Rangers, and other relevant provincial and federal agencies);
- Working with the Mamalilikulla-'Qwe'Qwa'Sot'Em First Nation and relevant federal and provincial agencies to support the application of traditional ecological knowledge and stewardship practices to the restoration and sustainable management of the clam gardens;
- Working with the provincial government agency responsible for archaeology to develop and implement site specific management strategies to mitigate potential impacts to the archaeological site at the designated campsite from camping use and natural erosion (refer to examples on page 16).

The implementation of the latter four priority strategies is dependent on the availability of BC Parks' and Mamalilikulla-Qwe'Qwa'Sot'Em financial and staff resources. Approval of this management plan does not constitute approval of funding for implementation. The Parties will seek project-specific funding and partners to implement high priority strategies. Specific projects will be evaluated for priority in relation to the overall protected area system.

[9] Information on the definition and implementation of Ecosystem Based Management is available at http://www.ilmb.gov.bc.ca/slrp/lrmp/nanaimo/central_north_coast/index.html

Appendix A – Appropriate Uses Table

The following table lists existing and potential future uses in Burdwood Group Conservancy. This is not an exhaustive list of uses that may be considered in this protected area.

The table is provided to summarize the uses which the management planning process has confirmed are not appropriate in Burdwood Group Conservancy. The table also gives a general indication of the management direction for other uses. The table must be reviewed in conjunction with the other sections of the management plan, including the role descriptions, vision, objectives and strategies.

Legend		
N	**Not an appropriate use in this zone**	• It has been confirmed during the management planning process that this use is not appropriate in this zone. • This may be an existing use which the management planning process has determined is no longer an appropriate use in this zone. The management plan details strategies for addressing this inappropriate use (e.g., phasing out, closing).
Y	**May be an appropriate use in this zone**	• This indicates that some degree or scale of this use may be appropriate. • For existing uses, the management plan will provide guidance on the appropriate level or scale of this use (e.g., direction to reduce, restrict or increase the current level of this activity) and may address specific restrictions or enhancements (e.g., capacity, appropriate sites, designated trails, purposes, party size, time of year, etc.). • For new or expanded uses, this does not constitute approval. This indicates that the use may be considered for further evaluation and possible approval (e.g., park use permit adjudication, completion of a review as part of the BC Parks' Impact Assessment Process). In some cases the appropriateness may not be confirmed until further assessments are completed.
N/A	**Not an applicable use in this zone**	• This is applied where it is not feasible for the use to take place in this zone (e.g., mooring buoys in a terrestrial zone).

Activities	**First Nations Cultural Heritage Zone**
Cultural Tourism	Y
Wildlife Viewing (marine-oriented)	Y
Camping	Y
Boating (motorized)	Y
Boating (non-motorized)	Y
Hunting	N
Recreational Fishing (Saltwater)	Not regulated by BC Parks.
Commercial Fishing (Saltwater)	Not regulated by BC Parks.
Marine Habitat Restoration and Species Recovery (e.g., shellfish, abalone)	Y[10]
Facilities/Infrastructure	**First Nations Cultural Heritage Zone**
Camp Sites (boat accessed)	Y
Lodges	N
Information and Interpretation Buildings/Centres	N

[10] BC Parks will work collaboratively with the Mamalilikulla-Qwe'Qwa'Sot'Em and DFO on specific marine habitat restoration or species recovery projects.

Activities	First Nations Cultural Heritage Zone
Cabins/Yurts/Huts	N
Shelters	N
Mooring Buoys	Y
Interpretive Signage	Y
Trails	Y

Agenda
7334

FCM FEDERATION OF CANADIAN MUNICIPALITIES FÉDÉRATION CANADIENNE DES MUNICIPALITÉS

September 24, 2012

Her Worship Mayor Bev Parnham
District of Port Hardy
P.O. Box 68
7360 Columbia Street
Port Hardy, BC, V0N 2P0

Dear Her Worship Mayor Parnham:

The Diamond Jubilee marks the 60th anniversary of Her Majesty Queen Elizabeth II's accession to the Throne as Queen of Canada. The Medal Program is the centrepiece of a year-long series of Jubilee year celebrations organized by the Government of Canada. It is anticipated that some 60,000 deserving Canadians will be recognized with a Jubilee medal.

Now, in consultation with the Government of Canada, we are launching a second round of nominations with a new deadline in order to open this honour to more Canadians. All members of council and all municipal officials may nominate as many additional candidates as they consider deserving of the Queen's Diamond Jubilee Medal.

Nominations already submitted are unaffected. In addition, those nominated as alternates will also receive a medal, providing they meet the criteria which can be found at www.fcm.ca/eligibility. If you have any objections to your alternate candidate receiving a medal, please contact FCM at diamondjubilee@fcm.ca.

The new deadline for nominations is December 31, 2012. I urge you to advise all members of council and all municipal officials of this expanded opportunity to honour deserving members of your community.

Nominations are made by completing the nomination form at www.fcm.ca/jubilee. To learn more about the Jubilee Medal Program, please visit the Governor General's website using this link: www.fcm.ca/diamondjubilee.

Sincerely,

Karen Leibovici

Karen Leibovici
President, FCM
Councillor, City of Edmonton

The Great Pumpkin Patch Walk 2012

September 28, 2012

District of Port Hardy
Attention: Port Hardy Council
PO Box 68
Port Hardy, BC V0N 2P0

Dear Port Hardy Council

The Port Hardy & District Chamber of Commerce on behalf of the 2012 Great Pumpkin Patch Walk committee would like to request the use of the seawall from Rotary Park to the Kinsmen Pavilion. This venue allows easy access for the entire community to enjoy the festivities.

Plans are currently under way to invite the Port Hardy Lions to offer free hot chocolate and hot dogs. The Fire Department will be invited to look after the fires. The Port Hardy Grads will be invited to assist in the Pumpkin collection and clean up.

The Pumpkin Patch Committee would like to request that the lights be turned out along the seawall walk. The walk will be lit by pumpkins and Christmas lights. The committee will be responsible for the clean up and removal of pumpkins and garbage on the evening of the event.

Thank you for your consideration and if you need any more information, please call me at 250-949-7622.

Thank you,

Yana Hrdy

Yana Hrdy, Executive Director
Port Hardy & District Chamber of Commerce

Event Date: November 1, 2012

Agenda

The Great Pumpkin Patch Walk 2012

September 28, 2012

District of Port Hardy
Gloria LeGal, Director of Corporate Services
Port Hardy, BC V0N 2P0

Dear Gloria,

Please accept this email as an additional request for the Great Annual Pumpkin Patch Walk.

Each year, the Pumpkin Patch Walk Committee invites the schools to participate in the walk for prizes. We would like to offer the use of the community's facilities including the swimming pool to educate children on the many things there are to do in Port Hardy on a rainy day.

For your consideration, we are asking if the District would be able to donate a free swim at the Don Cruickshank Memorial Arena for a school class.

If you need any more information please call me at 949-7622.

Thank you on behalf of the Pumpkin Patch Committee,

Yana Hrdy

Yana Hrdy,
Executive Director
Port Hardy & District Chamber of Commerce

Event Date: November 1, 2012
2011 Donation: 30 recreational child passes and one adult pass. Council motion 2011-152

"Service Above Self"

Rotary Clubs of Port Hardy and Port McNeill

PO BOX 1890, PORT HARDY, BC V0N 2P0

DISTRICT 5020

September 19, 2012

DISTRICT OF PORT HARDY
BOX 68
PORT HARDY, BC V0N 2P0

Dear Valued Supporter:

It is with great pleasure that we inform you of the upcoming 26th Annual Rotary Radio Auction, which will be held on November 3 & 4 at the Thunderbird Mall in Port Hardy. Once again, this Auction is a joint effort between the Rotary Clubs of Port Hardy and Port McNeill and will be broadcast live on The Port 1240 radio as well as on Keta Cable Channel 10 (in Port Hardy).

Your past generosity has enabled us to undertake many projects in the North Island. For example, the Rotary Pavilion at Storey's Beach, the Seniors Housing Complex in Port Hardy, the newly completed Rotary Trail in Port McNeill, the boat launches in Port Hardy, the jointly funded senior's housing complex in Port McNeill, the North Island Born to Read Program, the emergency generator in Port McNeill, many parks, playgrounds, bus shelters, and other projects too numerous to mention. One of our newer projects is the newly opened "Family Fishing Park" off of the Seagate wharf which is a hit with fishers of all ages. The North Island is also renowned for our support of the Rotary Youth Exchange Program, where we host foreign students in our homes and send local students from the North Island for one year stays in other countries.

All of these projects and services are supported by our fundraisers, the largest of which is the Annual Rotary Radio Auction. For twenty-five years this event has helped to generate funds which support important projects on the North Island and around the world.

We are again asking for your support by donating an item to the Auction. Your donation will receive valuable advertising through the North Island Gazette and by being featured during the live auction at the Thunderbird Mall, on Keta Cable, The Port 1240 radio and now live worldwide on www.ThePort.ca.

You will be contacted shortly by a local Rotarian. If you have any questions, please contact Dale Dorward during business hours at 250-949-8442.

Thank you in advance for your continued support.

Yours truly,

Meagan Cadwallader
Auction Chairperson
Rotary Club of Port Hardy

Sandra Masales
President
Rotary Club of Port Hardy

Bill Velie
Auction Chairperson
Rotary Club of Port McNeill

Kathy Nelson
President
Rotary Club of Port McNeill

DISTRICT OF PORT HARDY
INTEROFFICE MEMORANDUM

TO: Rick Davidge, CAO

FROM: Allison McCarrick, Acting DFS

SUBJECT: Policy CP2.7 Fee for Service / Honorariums / Grants-in-aid

DATE: October 3, 2012

The Rotary Clubs of Port Hardy and Port McNeill have a request for a donation to the Annual Rotary Radio Auction.

The Port Hardy and District Chamber of Commerce have a request for a donation to the Great Pumpkin Patch Walk 2012

Section B of Council Policy CP2.7 does allow for consideration of late Grant in Aid applications.

Rotary Club Auction
In 2011 the District of Port Hardy donated one Harbour Annual Pass, which had a value of 80.00 and two Adult punch cards from the Recreation department, which had a value of 87.00. This totalled a 167.00 donation.

Dave Pratt has suggested donating two Annual Resident Launch and Parking passes this year, which would value 160.00.
Melinda has suggested donating one adult punch card and one child punch card which has a value of 72.00.
Gord has suggested donating a one hour adult ice rental which has a value of 99.00.
This would make the 2012 donation a total of 331.00.

Pumpkin Walk
In 2011 the District of Port Hardy donated 30 recreational child passes and one adult pass; this carried a value of 88.00. This same donation for 2012 would have a value of 89.00.

The Grant in Aid budget for 2012 is over by 1,000.00.

Respectfully submitted,

Allison McCarrick

DISTRICT OF PORT HARDY
DOWNTOWN REVITALIZATION
A COMMUNITY FIRST INITIATIVE

MINUTES OF THE SPECIAL MEETING HELD SEPT. 18, 2012

Call to Order: Councillor Janet Dorward Time: 10:03 am

Present: Mayor Parnham
Councillors Dorward, Hemphill and Marcotte
Patti Smedley - District of Port Hardy, Ec Dev/Community Coordinator
James Emerson - Chamber of Commerce
Lyn Barton - Chamber of Commerce
Rob Salter - Youth Hostel
Yana Hrdy - Chamber of Commerce
Sandra Masales - Chamber of Commerce / Rotary
Alfons Bauer - Community Member

Regrets: Tara McCart - Chamber of Commerce / Rotary
Ross Hunt - Kwakiutl First Nation

Guests: Gloria LeGal, District of Port Hardy, Corporate Services Director

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1. Acceptance of the Minutes for the Special Meeting held June 19, 2012.

THAT the minutes for the meeting held June 19, 2012 be accepted as presented.

Marcotte/Hemphill Carried

2. Review of bylaws for vacant properties and unsightly premises

Gloria LeGal provided an overview of the bylaws for vacant properties and unsightly premises, including information on how to utilize the bylaw for downtown revitalization. She provided an example of how the bylaw would work in the case of a fire (e.g. owner's responsibility to secure the premises, for example). It was further discussed that, typically, the District would utilize the Unsightly Premises Bylaw and, if that did not work, would enforce the Vacant Properties Bylaw. All monies expended by the District to remediate a property would go onto the property owners taxes. This way, the District would eventually recover the cost of the required remediation.

Committee members discussed specific examples for use of the bylaw. Lynn Barton posed the question of how bylaws are enforced. Gloria LeGal explained that bylaws are complaint driven and outlined the basic process for how the District responds to a complaint.

Committee members then discussed the role of the Committee in identifying derelict or vacant properties. Gloria advised that the Committee was always welcome to make a recommendation to Council regarding a property requiring remediation.

The Committee also discussed the problem around squatters in the downtown core and how the Vacant Properties Bylaw might be used to address this challenge. The subject of rodents was also brought up as there seems to be an upswing in the rat population along the Seawalk and behind the homes on Mayor's Way.

Mayor Parnham advised the Committee that the District regularly hires pest control services to help minimize rodent challenges in the downtown core.

3. Presentation on Downtown Development Areas and what that means - how we can use this as a tool in downtown revitalization.

Gloria LeGal went over colour schemes that had previously been presented as part of planning for the Seagate property. These colours support the marine-environment theme as discussed in the Official Community Plan (OCP). She also discussed when a development permit is needed and when it is not called for. The Committee also discussed the value of graphic standards and developing an identity or "brand" for the town.

Committee members expressed frustration over the lack of people fixing up their buildings locally; in making money in Port Hardy, but spending it elsewhere. Jessie Hemphill discussed the value to determining who we are as a community, presenting a vision that excites people so that we don't lose the next generation to outmigration.

Committee members expressed support for the current colour swatches as they believe they reflect the results of the community consultation of who we are as a community as expressed during the OCP process.

Lynn Barton said that people choose Port Hardy because of our wildlife, maritime experience and access to the great outdoors. She would like to see this emphasized in the downtown core.

RECOMMENDATION

THAT the current colour swatch be adopted as the guideline for acceptable colour schemes in the Downtown Development Area.

Hemphill/Emerson Carried

Committee members also discussed the importance of incorporating heritage and culture into murals and themes.

James Emerson discussed the value of the mural currently being donated by Mehran "Raz" Razmpoosh. The Committee then discussed the idea of waiving development permit costs for murals and other aesthetic projects in the community to encourage small business to remediate

their properties. Gloria LeGal told Committee members that there are several exceptions already included in the Development Permit Area guidelines that might address some of these concerns.

P. Smedley discussed the value of tying education to information on the exemptions to help the community to better understand Development Permit Areas and when permitting is needed.

Gloria LeGal provided some examples of exemptions that are already included in the Development Permit Area guidelines.

RECOMMENDATION

THAT Council review all current rates and fees to determine where opportunities exist to support downtown revitalization initiatives.

Hemphill/Masales Carried

Lyn Baron then asked the Committee to backtrack to the discussion around maritime versus natural beauty as a theme. She believes that the feedback from the OCP process was not saying that we should have a maritime theme, but that they were interested in natural beauty of which marine is a part of that beauty. There should be a pleasing combination of culture, maritime, resource-based history that is all part of our natural beautiful surroundings.

Committee members asked James Emerson and Rob Salter to describe the current mural being planned for the side of the Captain Hardy's building. They stated that the mural will mostly be in black and white and feature a historic fishing vessel.

The Committee voted unanimously to move forward on the mural.

4. Overview of map featuring properties identified as visual "eyesores" in the downtown core (including buildings and vacant lots).

Rick Marcotte provided an overview of the map which was based on a walk-about he conducted late this summer. He explained that it's a slightly older map, but serves the purpose of identifying these properties.

The Committee discussed the value of sending letters to businesses owners whose properties are identified on the map as requiring remediation. Gloria LeGal suggested that, due to the limited number of business owners in our community, that we send a letter to all owners to assist in their understanding that:

A. We have a Downtown Revitalization Committee
B. The business owner's storefront is in the Development Permit Area
C. There are "graphic standards" as relates to colour schemes for buildings in this area
D. The District is considering incentives and will introduce "quarterly" communication with the business owners around Downtown Revitalization goals and progress.

Lyn Barton also suggested that the letter could ask business owners for their input on how to improve the downtown, attract additional tenants and better meet the needs of the business community.

Gloria LeGal also added that the letter could recognize business owners who have made upgrades to their properties.

RECOMMENDATION

THAT Council write a letter to business owners to include information about the committee, the scope of its work, educational materials around Development Permit Areas and any incentives, a sample of the colour schemes, a thank you to businesses who have already made improvements, and a request for business owners to provide feedback with their ideas.

Marcotte/Hemphill Carried

5. The next meeting is slated for Tuesday, Oct. 16, at 10 a.m.

6. Motion to adjourn

Hemphill/Barton Carried

Adjournment Time: 11:50 a.m.

DISTRICT OF PORT HARDY
INTEROFFICE MEMORANDUM

TO: Rick Davidge, CAO

FROM: Gloria Le Gal, DCS

SUBJECT: Recommendations of Downtown Revitalization Committee

DATE: 26 September, 2012

Mayor Parnham requested that I prepare a report to address the recommendations of the Downtown Revitalization Committee.

Committee Recommendation
That the current colour swatch be adopted as the guideline for acceptable colour schemes in the Downtown Development Area.

The Official Community Plan s 7.10.4 Development Permit Area #1 – Downtown: Colour a) "light 'modern' colours indicative of the Maritime theme are encouraged; and b) colour contrast between adjacent buildings is suggested.

The colour swatch presented to the Committee was included in a presentation to the Advisory Planning & Harbour Commission during the Seagate Wharf revitalization. The Committee was encouraged to review colours schemes and consider completing a similar board of colours as a guideline to assist property owners and District staff. They opted, instead, to recommend adopting the colours as presented.

A copy of the colour swatch is attached.

Committee Recommendation
That Council review all current rates and fees to determine where opportunities exist to support downtown revitalization initiatives.

The Committee is concerned that fees for Development Permits may be a detriment for some property owners who would otherwise consider revitalizing their property. Discussion also centred on the proposal by James Emerson and Rob Salter that murals be painted on some of the buildings in the Downtown centre and the approval process for the art work.

<u>Development Permit Applications</u>

- <u>OCP s 7.10.3</u> Exemptions to Development Permit Applications applicable in the Downtown Development Permit
    - value of the proposed construction is less than $50,000;

.../2

- planting or replanting of native trees, shrubs or ground cover for slope and soil stabilization, habitat improvement, erosion control and beautification;
- structural alteration of legal or legal, non-conforming buildings and structures within the existing footprint;
- construction within a building that does not require exterior alterations;
- replacement of exterior finishes using the same or similar materials and colours;
- emergency procedures to prevent, control or reduce erosion or other immediate threats to life and property.

- Rates Bylaw – Cost for a Development Permit Application: $250 for processing and inspection of application plus Land Title Office fees $72.50 plus legal fees for filing of notice in LTO (legal fees can be deleted if staff is trained in e-filing with LTO)
- *Community Charter* s 25(1) Unless expressly authorized under this or another Act, a council must not provide a grant, benefit, advantage or other form of assistance to a business, including (b) an exemption from a tax or fee.

It is my opinion that Development Permits would not be required for moderate alterations to the exterior of a building or for painting buildings if they used either the same colour as they currently have or within the "light modern colours indicative of the Maritime theme". For our purposes, Council could adopt the colour scheme proposed by the Downtown Revitalization Committee as a guideline. It is important to note that these colours are offered as only a guideline and are not intended to restrictive to the twelve colours shown.

The Downtown Revitalization Committee does support the proposal for painting a limited number of murals on buildings within the downtown core. I suggest that the Committee vet all proposed art, rather than requiring a Development Permit application for the murals.

Committee Recommendation
That Council write a letter to business owners to include information about the committee, the scope of its work, educational materials around Development Permit Areas and any incentives, a sample of the colour schemes, a thank you to businesses who have already made improvements and a request for business owners to provide feedback with their ideas.

Draft letter is attached for your review.

Respectfully submitted,

Gloria Le Gal, DCS

I agree with the recommendations.

Rick Davidge, CAO

District of Port Hardy

7360 Columbia Street • PO Box 68
Port Hardy BC V0N 2P0 Canada
Telephone: (250) 949-6665 • Fax (250) 949-7433
Email: general@porthardy.ca • www.porthardy.ca

<Date>

To All Downtown Property Owners

Dear Sir or Madame:

Port Hardy Council has formed a Downtown Revitalization Committee. The Terms of Reference for the Committee state the mandate as follows:

The Committee will develop a Port Hardy Downtown Revitalization plan for the consideration of Council that addresses the following:

i) Establishes a vision for the waterfront;
ii) Identifies appropriate land uses;
iii) Ensures public access to the waterfront;
iv) Creates a concept for a comprehensive plan with attention to creating public spaces which are open, accessible, functional and beautiful;
v) Identifies, protects and enhances heritage features;
vi) Designs characteristics for new buildings and structures;
vii) Develops a transportation strategy which includes parking;
viii) Implements "green" amenities when possible into project design and implementation;
ix) Embraces heritage components which recognize our rich and diverse cultural heritage; and
x) Explores guidelines for revitalization of existing and vacant buildings (within the devised theme and standards).

The Committee has identified several areas where they feel information has not been available to property owners and they have requested that we introduce the Committee to you and provide information on Development Permit Areas.

Development Permit Areas

The *Local Government Act* permits a Council, in their Official Community Plan, to designate certain areas as Development Permit Areas. Any proposed building and subdivision with a Development Permit Area (DPA) requires the issuance of a Development Permit. The purpose of a DPA may be to:

a) protect development from hazardous conditions;
b) protect agricultural land;
c) protect the natural environment, its ecosystems and biological diversity;
d) revitalize an area in which a commercial use is permitted;

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District of Port Hardy

7360 Columbia Street • PO Box 68
Port Hardy BC V0N 2P0 Canada
Telephone: (250) 949-6665 • Fax (250) 949-7433
Email: general@porthardy.ca • www.porthardy.ca

e) establish objectives to define the form and character of intensive residential development and/or to establish objectives for the form and character of commercial, industrial or multi-family residential development; and
f) establish objectives to promote energy conservation, water conservation and reduce greenhouse gas emissions.

The Downtown Development Permit Area extends from the waterfront to the east side of Rupert Street and from the south of Lund Street to Tsulquate IR Road.

What does this mean to you as a property owner? Port Hardy is broken into a number of Development Permit Areas and they may not affect you as there are several exemptions to development permits:

a) construction is for the purposes of a single family dwelling unit or duplex within a residential area;
b) subdivisions creating four or fewer lots (none of which is subdividable under the applicable zoning regulations and for this purpose a lot identified on a subdivision plan as a remainder is a lot created by the subdivision);
c) the value of the proposed construction is less than $50,000;
d) planting or replanting of native trees, shrubs or ground cover for slope and soil stabilization, habitat improvement, erosion control and beautification;
e) structural alteration of legal or legal, non-conforming buildings and structures within the existing footprint;
f) construction within a building that does not require exterior alterations;
g) replacement of exterior finishes using the same or similar materials and colours;
h) emergency procedures to prevent, control or reduce erosion or other immediate threats to life and property including:
    i. emergency actions for flood protection and erosion protection;
    ii. removal of hazard trees (as determined by a qualified professional);
    iii. clearing of an obstruction from a bridge, culvert or drainage flow;
    iv. repairs to bridges and safety fences in accordance with the *Water Act*; or
    v. the use of land is for outdoor recreational purposes and does not include buildings and structures other than fencing or nets.

If you do not meet these exemptions and wish to make renovations or additions to the exterior of your building, you must make application with the District Building Inspector for a Development Permit.

.../3

District of Port Hardy

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This paragraph will be dependent on Council's decision on the recommended colours.

Colours
The Official Community Plan guidelines states:
a) light "modern" colours indicative of the Maritime theme are encouraged; and
b) colour contract between adjacent buildings is suggested.

The Committee has recommended that attached palette of colours and Council has endorsed this recommendation. Please note that this palette is provided as a *guideline* and is not intended to be restrictive to your colour choice or to restrict colours to only the twelve shown.

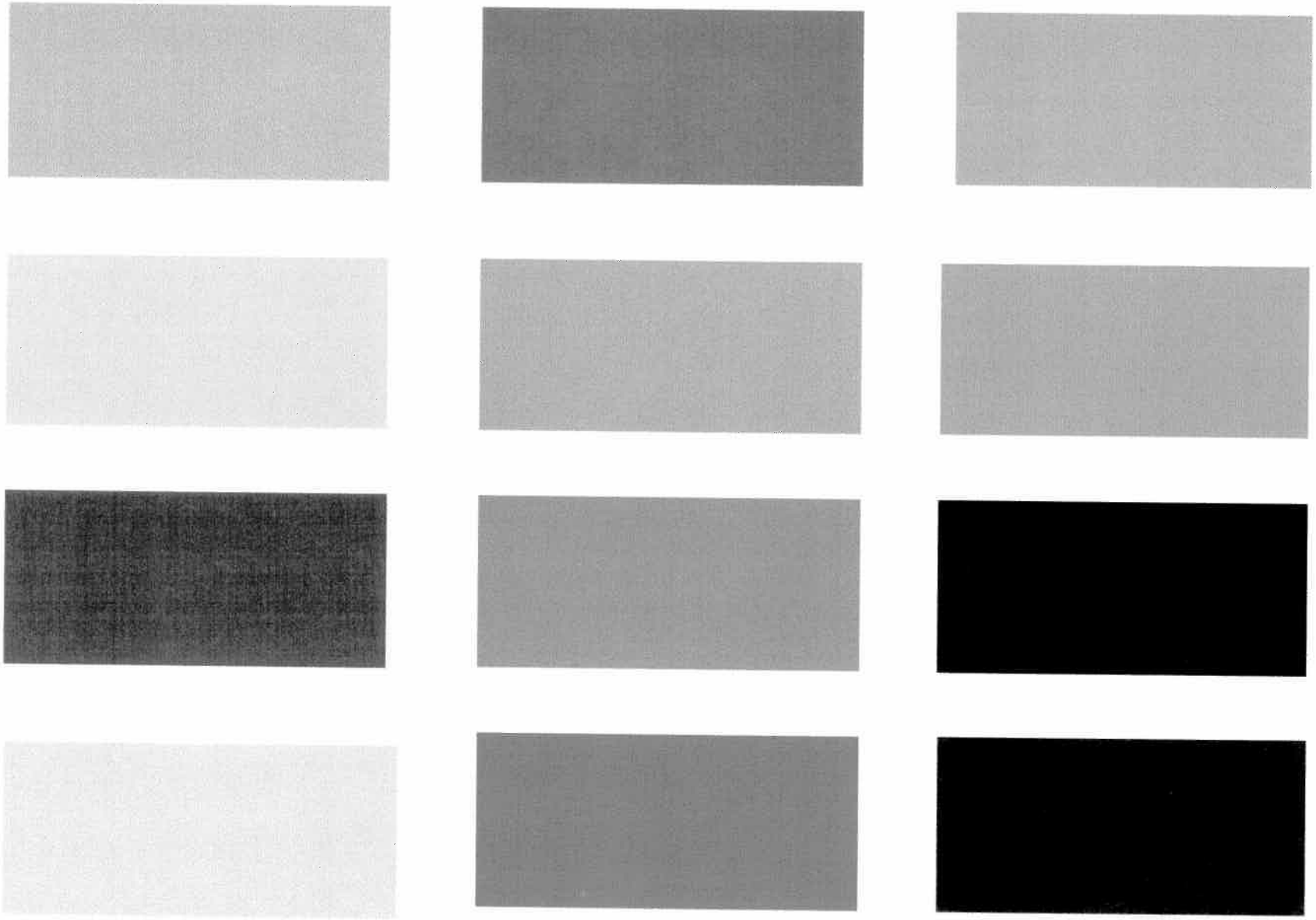
Committee Plans
Some businesses, independent of the Committee, have already repainted their buildings. Our thanks in particular to Emerald Isle Holdings, owner of 7125 Market Street, for the work they have completed on their building. The new siding and rejuvenated colour has added a great deal to the look of our downtown. The upgrades are within the DPA guidelines and did not require a Development Permit.

The Committee will be working with a planner to develop a theme and streetscape which reflects our rich cultural heritage. The Committee plans to issue quarterly newsletters to all downtown property owners to keep you apprised of Committee progress. They encourage you to call or write with suggestions for downtown revitalization. Your office contact will be Patti Smedley, Economic Development and Community Coordinator at 250 949-6665 or psmedley@porthardy.ca.

Yours truly,

Gloria Le Gal, CMC
Director of Corporate Services

Colours to be used in the Downtown Development Area are to be indicative of the natural environment, marine and forestry.



District of Port Hardy
AP Cheque Listing
Cheque # From 001220 To 001348(Cheques only)

Cheque #	Pay Date	Vendor #	Vendor Name	Paid Amount	Void
001220	07/09/2012	01375	ADT SECURITY SERVICES CA	88.48	
001221	07/09/2012	02609	Anderson, Geoffrey	75.00	
001222	07/09/2012	00047	B.C. HYDRO	13,503.18	
001223	07/09/2012	01145	BLACK CAT REPAIRS	961.02	
001224	07/09/2012	02612	Corsi, Lauren	50.00	
001225	07/09/2012	02249	FirstLine Mortgages	265.02	
001226	07/09/2012	00099	FOX'S DISPOSAL SERVICES	13,278.76	
001227	07/09/2012	01310	FRASER VALLEY REFRIGERAT	3,105.50	
001228	07/09/2012	02557	Frontline Glass Solution	323.71	
001229	07/09/2012	00561	GAULT, DONNA	1,802.17	
001230	07/09/2012	01860	GREYHOUND COURIER EXPRES	28.73	
001231	07/09/2012	01370	GRIFFITHS, JACK	309.10	
001232	07/09/2012	00052	HARDY BUILDERS' SUPPLY	565.76	
001233	07/09/2012	00063	HOME HARDWARE BUILDING C	679.59	
001234	07/09/2012	00065	K & K ELECTRIC LTD.	7,401.01	
001235	07/09/2012	01296	KERVIN, PAT	25.00	
001236	07/09/2012	02600	Kushner, Trevor	453.20	Yes
001237	07/09/2012	02007	MARSHALL WELDING AND FAB	392.00	
001238	07/09/2012	00014	MINISTER OF FINANCE	2,172.00	
001239	07/09/2012	01419	MURDY & MCALLISTER	3,279.65	
001240	07/09/2012	00033	NAPA AUTO PARTS/PORT HAR	182.86	
001241	07/09/2012	00027	NORTH ISLAND VETERINARY	744.32	
001242	07/09/2012	00122	Northcall Communications	118.27	
001243	07/09/2012	00487	O.K. Paving Company	81,788.00	
001244	07/09/2012	00075	O.K.TIRE STORE (PORT HAR	71.06	
001245	07/09/2012	02409	Onsite Engineering Ltd.	3,673.60	
001246	07/09/2012	00269	PETTY CASH (OFFICE)	99.29	
001247	07/09/2012	00412	PORT HARDY LIONS CLUB	300.00	
001248	07/09/2012	02051	PORT MCNEILL ENTERPRISES	2,446.08	
001249	07/09/2012	01891	River Meadow Farms	8,405.99	
001250	07/09/2012	02100	ROCKY MOUNTAIN PHOENIX	2,505.53	
001251	07/09/2012	02611	Smedley, Cody	25.00	
001252	07/09/2012	02107	SMEDLEY, PATTI	100.00	
001253	07/09/2012	00088	Swiftsure Petroleum Dist	41.06	
001254	07/09/2012	02608	The Canadian Rangers	150.00	
001255	07/09/2012	01884	Tru Hardware	91.89	
001256	07/09/2012	02610	Walkus, Jackson	75.00	
001257	07/09/2012	02607	Walkus, Louie	75.00	
001258	07/09/2012	02615	Walkus, Violet	71.32	
001259	13/09/2012	02614	All In One Party Shop Ev	868.00	
001260	13/09/2012	00829	ANA'S HARDY CLEAN	1,723.01	
001261	13/09/2012	00073	BLACK PRESS GROUP LTD.	2,385.17	
001262	13/09/2012	00281	CHEVRON CANADA LTD.	1,520.75	
001263	13/09/2012	00275	Davidge, Rick	1,026.08	
001264	13/09/2012	00218	DB PERKS AND ASSOCIATES	295.29	
001265	13/09/2012	01637	EPCOR UTILITIES INC.	54,100.96	
001266	13/09/2012	02616	Hall's West Coast Contra	588.00	
001267	13/09/2012	00052	HARDY BUILDERS' SUPPLY	1,215.51	
001268	13/09/2012	02499	Hemphill Jessie	845.38	
001269	13/09/2012	00063	HOME HARDWARE BUILDING C	99.83	
001270	13/09/2012	00065	K & K ELECTRIC LTD.	434.67	
001271	13/09/2012	01914	LE GAL, GLORIA	35.00	
001272	13/09/2012	02489	Marcotte, Rick	859.20	
001273	13/09/2012	01777	MCCARRICK,ALLISON	35.00	
001274	13/09/2012	00588	Minister of Finance	504.00	
001275	13/09/2012	00304	MONK OFFICE	20.14	
001276	13/09/2012	01014	NICKERSON, SCHELL	35.00	
001277	13/09/2012	00217	ORKIN CANADA CORPORATION	71.12	
001278	13/09/2012	02071	PACIFICUS BIOLOGICAL SER	11,195.52	
001279	13/09/2012	00175	PARNHAM, BEV	819.38	
001280	13/09/2012	01891	River Meadow Farms	2,471.84	
001281	13/09/2012	02119	SHAW, NIKKI	845.38	
001282	13/09/2012	02234	Sutherland Armbrust	365.00	
001283	13/09/2012	00011	Tidbury, John	900.82	
001284	13/09/2012	00048	VISTA RADIO LTD./THE POR	1,804.32	
001285	13/09/2012	00164	Xerox Canada Ltd.	41.54	
001286	18/09/2012	00107	RECEIVER GENERAL FOR CAN	48,404.72	
001287	18/09/2012	00011	Tidbury, John	781.44	
001288	19/09/2012	00044	ACKLANDS - GRAINGER INC.	241.38	
001289	19/09/2012	00437	ACME SUPPLIES LTD.	1,157.99	
001290	19/09/2012	00829	ANA'S HARDY CLEAN	868.00	

Cheque #	Pay Date	Vendor #	Vendor Name	Paid Amount	Void
001291	19/09/2012	01836	ARIES SECURITY LTD.	3,612.00	
001292	19/09/2012	02551	Associated Fire Safety E	263.83	
001293	19/09/2012	00356	BANK OF NOVA SCOTIA	265.00	
001294	19/09/2012	01145	BLACK CAT REPAIRS	160.09	
001295	19/09/2012	00018	CANADIAN RED CROSS SOCIE	308.11	
001296	19/09/2012	00281	CHEVRON CANADA LTD.	3,022.23	
001297	19/09/2012	00054	DAVE LANDON MOTORS LTD.	469.15	
001298	19/09/2012	00275	Davidge, Rick	527.89	
001299	19/09/2012	01761	Dell Canada Inc.	236.98	
001300	19/09/2012	01476	DOR-TEC SECURITY LTD.	122.90	
001301	19/09/2012	01637	EPCOR UTILITIES INC.	146,848.71	
001302	19/09/2012	00052	HARDY BUILDERS' SUPPLY	175.00	
001303	19/09/2012	00063	HOME HARDWARE BUILDING C	53.19	
001304	19/09/2012	00459	Hub Fire Engines & Equip	73.40	
001305	19/09/2012	01875	ISLAND ADVANTAGE DISTRIB	73.25	
001306	19/09/2012	01167	JUST RITE PRECISION SHAR	268.80	
001307	19/09/2012	00253	Keta Cable	146.49	
001308	19/09/2012	01947	KETCHUM MANUFACTURING IN	137.40	
001309	19/09/2012	02378	KGC Fire Rescue Inc.	1,409.32	
001310	19/09/2012	00428	LAND TITLE AND SURVEY AU	10.95	
001311	19/09/2012	02605	Louise Kool & Galt	55.99	
001312	19/09/2012	00069	MACANDALE'S	84.00	
001313	19/09/2012	02007	MARSHALL WELDING AND FAB	95.20	
001314	19/09/2012	00304	MONK OFFICE	150.44	
001315	19/09/2012	02418	Nelson, Dave	10,591.78	
001316	19/09/2012	01645	NORTH ISLAND COMMUNICATI	277.76	
001317	19/09/2012	00363	PORT HARDY BULLDOZING LT	15,694.77	
001318	19/09/2012	00187	REGIONAL DISTRICT OF MT	7,936.80	
001319	19/09/2012	02143	RON'S SMALL ENGINE REPAI	40.00	
001320	19/09/2012	02619	Town Park Holdings Ltd	2,797.10	
001321	19/09/2012	01884	Tru Hardware	131.30	
001322	19/09/2012	02618	Waring, Carly	1,000.00	
001323	19/09/2012	01627	WOLDEN, GORDON	100.00	
001324	24/09/2012	00428	LAND TITLE AND SURVEY AU	120.45	Yes
001325	24/09/2012	00428	LAND TITLE AND SURVEY AU	65.70	
001326	24/09/2012	00428	LAND TITLE AND SURVEY AU	54.75	
001327	27/09/2012	00044	ACKLANDS - GRAINGER INC.	426.07	
001328	27/09/2012	01145	BLACK CAT REPAIRS	244.81	
001329	27/09/2012	01805	BUSY B'S DISTRIBUTING	113.93	
001330	27/09/2012	00281	CHEVRON CANADA LTD.	2,790.52	
001331	27/09/2012	02140	DOUG LLOYD CONTRACTING	150.08	
001332	27/09/2012	01522	GE CAPITAL	124.24	
001333	27/09/2012	00052	HARDY BUILDERS' SUPPLY	1,292.65	
001334	27/09/2012	00065	K & K ELECTRIC LTD.	1,120.00	
001335	27/09/2012	02573	Koers & Associates Engin	1,121.62	
001336	27/09/2012	01997	MAINROAD PAVEMENT MARKIN	8,842.74	
001337	27/09/2012	00827	Municipal World Inc.	55.44	
001338	27/09/2012	00033	NAPA AUTO PARTS/PORT HAR	98.02	
001339	27/09/2012	01014	NICKERSON, SCHELL	436.29	
001340	27/09/2012	00487	O.K. Paving Company	1,775.20	
001341	27/09/2012	00013	PACIFIC BLUE CROSS	4,911.53	
001342	27/09/2012	00363	PORT HARDY BULLDOZING LT	10,979.00	
001343	27/09/2012	00080	PUROLATOR INC.	73.52	
001344	27/09/2012	02014	SOURCES	21,022.92	
001345	27/09/2012	00161	TELUS MOBILITY (BC)	759.56	
001346	27/09/2012	02306	Terry E. Duncan	2,456.02	
001347	27/09/2012	02177	THE FIRE SHOP	1,028.46	
001348	27/09/2012	02375	Walsh, Kerry	200.53	
			Total:	543,112.82	

*** End of Report ***

DISTRICT OF PORT HARDY
INTEROFFICE MEMORANDUM

TO:	Rick Davidge, CAO
FROM:	Allison McCarrick, Acting DFS
SUBJECT:	Policy CP3.10 Expenses incurred by employees on Municipal Business
DATE:	September 18, 2012

The Council policy for expenses incurred by employees on Municipal business does not include reimbursement for mileage.

Reimbursement of mileage for Council under Bylaw 17-2011, has been used in the past for reimbursement to employees but is currently not in the Policy Manual.

A revised policy is attached for your review.

Recommendation
That Council Policy 3.10 be amended as presented.

Respectfully submitted,

Allison McCarrick, Acting DFS

I agree with the recommendation.

Rick Davidge, CAO

COUNCIL POLICY
EMPLOYEE BENEFITS

EXPENSES INCURRED BY EMPLOYEES ON MUNICIPAL BUSINESS POLICY # CP3.10

Approved: May 10, 1995 Amended: August 14, 2007

1) Any employee of the District wishing to participate in a seminar, course, conference or other work-related function must submit their request to the Administrator via their supervisor far enough in advance of the function to allow administration time to consider the request provided that monies are available in the annual or provisional budget. Costs incurred by the employee to attend an approved function will be paid in the appropriate manner, arrangement being made in advance.

2) A limit of ten (10) days for professional development for each department head. Annual conferences are to be included in the 10 day limit.

3) Tuition fees not related to job function will be approved up to a limit of $500 per employee annually. The employee is responsible for all other expenses and use vacation time or approved leave of absence without pay.

4) PADM courses, after consultation with the Corporate Administrative Officer, may be considered as job related and costs incurred by the employee to attend will be paid in the appropriate manner, arrangement being made in advance. The employee is required to apply for all relevant scholarships, which, if successful, shall be paid to the District to reimburse costs. Failure to be granted a scholarship will not prevent an employee from attending the course.

5) MATI courses, after consultation with the Corporate Administrative Officer, may be considered as job related and costs incurred by the employee to attend will be paid in the appropriate manner, arrangement being made in advance. The employee is encouraged to work towards college credits whenever they are offered in a MATI course. The employee is required to apply for any relevant scholarships, which, if successful, shall be paid to the District to reimburse costs. Failure to be granted a scholarship will not prevent an employee from attending the course.

6) Education and training for employees governed by Collective Agreement will be job related.

7) The attached schedule will be used to determine how the District determines professional development and reimbursement for such activity.

8) Employees shall receive mileage equal to the mileage rate set by the Treasury Board of Canada from time to time and will be calculated at the rate in effect at the time of booking.

SCHEDULE "A" TO POLICY # CP3.10

	ACTIVITY	**EXAMPLES**	**FUNDING**
1	Annual Conference	LGMA, Operational Services Convention, Recreation Association Building Inspector	100% of all expenses
2	Job Function Related	Supervisory Skills Contract/Project Supervisor FOI Seminar	Approved expenses as per Policy 1.4.1
The total of 1 and 2 to total no more than ten (10) paid days.			
3	Academic Credit Courses and/or	Job Related	Included in above up to 10 day limit
	Certificate Courses	Job Related	Department budget
4	Academic Credit Courses and/or Certificate Course	Municipal Field - but indirectly related to job function	- Employees holiday time or unpaid leave - Tuition fees on successful completion to an annual limit of $1,000 - All expenses are the employees responsibility

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DISTRICT OF PORT HARDY
BYLAW 17-2012

A Bylaw to Exempt Certain Properties from Taxation for the Year 2013

WHEREAS, Section 224(2)(a) of the *Community Charter* exempts from taxation land, improvements or both owned or held by a charitable, philanthropic or other not for profit corporation that are used for a purpose that is directly related to the purposes of the corporation;

NOW THEREFORE, the Council of the District of Port Hardy, in open meeting assembled, enacts as follows:

1. That the following lands and improvements thereon, are hereby exempted from taxation imposed under Section 197(1) of the *Community Charter* for the year 2013:

   a) Lot 1, Plan VIP52750, Sections 16 & 21, Township 6, Rupert District
   5935 Bronze Road
   PID: 017-432-561, Roll No. 27508.506
   Owned by: Her Majesty the Queen in Right of the Province of British Columbia
   Leased by: Tri Port Motorsport Association

2. This bylaw may be cited as the "2013 Permissive Exemption from Taxation Bylaw No. 17-2012."

Read a first time the _ day of _, 20__.

Read a second time the _ day of _, 20__.

Read a third time the _ day of _, 20__.

Adopted the _ day of _, 20__.

Director of Corporate Services

Mayor

Certified to be a true copy of District of Port Hardy
2013 Permissive Exemption from Taxation
Bylaw No. 17 - 2012

Director of Corporate Services