

DISTRICT OF PORT HARDY

AGENDA

REGULAR MEETING OF COUNCIL

7:00 PM

MONDAY, MAY 26, 2014

MUNICIPAL HALL COUNCIL CHAMBERS

7360 COLUMBIA STREET

Deputy Mayor: Jessie Hemphill
Councillors: Janet Dorward, Debbie Huddleston, Rick Marcotte,
Nikki Shaw, John Tidbury

Staff: Rick Davidge, Chief Administrative Officer
Jeff Long, Director of Corporate & Development Services
Allison McCarrick, Director of Financial Services
Trevor Kushner, Director of Operational Services
Leslie Driemel, Recording Secretary

**DISTRICT OF PORT HARDY
AGENDA FOR THE REGULAR MUNICIPAL COUNCIL MEETING
7:00 pm MONDAY, MAY 26, 2014
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

- 1-4** 1. The minutes of the Public Hearing held May 12, 2014.

Motion required

1. 2.

- 5-8** 2. The minutes of the Regular Council Meeting held May 12, 2014.

Motion required

1. 2.

D. DELEGATIONS AND REQUEST TO ADDRESS COUNCIL

None

E. BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

- 9-10** 1. Council Action items. For information.

F. CORRESPONDENCE

- 11** 1. Candy Nomeland, Sandra Botel re: Request to use Carrot Park for *Go Fly A Kite Day*, June 14, 2014.

Motion / direction

1. 2

- 12** 2. Hon. Judith Guichon, OBC, Lieutenant Governor of British Columbia (May 14/14) re: Thank you for hospitality during visit to Port Hardy. For information.

F. NEW BUSINESS

None in agenda package.

H. COUNCIL REPORTS

1. Verbal reports from Council members.

I. COMMITTEE REPORTS

- 13-15** 1. Draft Minutes of the Sustainability Committee meeting held May 12, 2014. For information.

The Sustainability Committee recommends to Council:

“THAT Council approves, subject to availability of funding, an expenditure of \$300-\$500 for prizes for a school coloring contest for the purpose of educating and promoting the new recycling program in our community.”

- 16-18** 2. Draft minutes of the Downtown Revitalization Committee, meeting held May 13, 2014. For information.

The Downtown Revitalization Committee recommends to Council:

“THAT Council direct staff to prepare and send a letter to the owners of all properties in the downtown revitalization area to request that civic address signage be posted in accordance with District of Port Hardy Bylaw No. 16-2005, AND FURTHER THAT property owners make ongoing efforts to keep clean and maintain their properties and boulevards in an attractive and safe manner which will help promote an attractive and healthy downtown.”

- 19-20** 3. Draft minutes of the Operational Services Committee meeting held May 16, 2014. For information.

J. STAFF REPORTS

- 21** 1. J. Long, Director of Corporate & Development Services (May 22/14) re: Legislative Requirements Associated with Need for By-Election.

Motion required 1. 2.

- 22-25** 2. J. Long, Director of Corporate & Development Services (May 22/14) re: 2014 Council Remuneration Review.

Motion required 1. 2.

K. CURRENT BYLAWS AND RESOLUTIONS

- 26-38** 1. District of Port Hardy 2014 User Rates and Fees Amendment Bylaw No. 1026-2014. For Adoption.

Motion required 1. 2.

- 39-41** 2. District of Port Hardy Official Community Plan Bylaw Amendment Bylaw No. 1025-2014, A Bylaw to Amend Official Community Plan Bylaw No. 15-2011 to Expand the Exemptions Related to the Requirement for Development Permits, and to Change the Land Use Designation of Property in the Vicinity of Holberg Road. For Second and Third Readings.

Motion required 1. 2.

3. District of Port Hardy Official Community Plan Bylaw Amendment Bylaw No. 1025-2014, A Bylaw to Amend Official Community Plan No. 15-2011 to Expand the Exemptions Related to the Requirement for Development Permits, and to Change the Land Use Designation of Property in the Vicinity of Holberg Road. For Adoption.

Motion required 1. 2.

4. District of Port Hardy Zoning Bylaw No. 1010-2013, A Bylaw to Regulate the Location and Use of Buildings and Structures and the Use of Land, Including the Surface of Water. For Second and Third readings. (circulated under separate cover)

Motion required 1. 2.

L. PENDING BYLAWS

None

M. INFORMATION AND ANNOUNCEMENTS

May 27 Committee: Downtown Revitalization, 10:00 am, Council Chambers
 Committee: Emergency Planning, Noon, Council Chambers
May 29 Committee: Occupational Health & Safety, 8:30 am, Council Chambers
June 2 Council: Meeting with Ombudsperson, 9:00 am, Council Chambers
June 9 Council: Regular Council meeting, 7:00 am, Council Chambers

N. NOTICE OF IN-CAMERA MEETING

No In-Camera meeting scheduled at this time.

O. ADJOURNMENT

1.

Time:



**MINUTES OF THE PUBLIC HEARING
HELD MAY 12, 2014
COUNCIL CHAMBERS, MUNICIPAL HALL**

ATTENDANCE: Deputy Mayor Jessie Hemphill (Chair)
Councillors: Janet Dorward, Debbie Huddlestan, Nikki Shaw,
John Tidbury
Staff: Jeff Long, Director of Corporate & Development Services

Media: 0
Members of the Public: 3

REGRETS: Mayor Bev Parnham, Councillor Rick Marcotte
Rick Davidge, Chief Administrative Officer

Chair Hemphill called the Public Hearing to order at 5:32pm.

Chair Hemphill advised that this Public Hearing is being held in accordance with the Local Government Act to allow the public to make representations to the District of Port Hardy regarding proposed Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 and Zoning Bylaw No. 1010-2013.

She advised that copies of the proposed Bylaws are available at the desk by the entrance and asked that people sign the sign in sheet at the desk.

Chair Hemphill indicated that notice of the public hearing was published in two consecutive issues of the North Island Gazette Newspaper on May 1st and 8th, 2014 and was posted on the bulletin board at the District of Port Hardy Municipal Hall located at 7360 Columbia Street, Port Hardy, B.C., on April 23rd, 2014. The Chair also noted that the information regarding the Public Hearing and related Bylaws was also posted on the District's website at www.porthardy.ca.

The Chair advised that all persons who believe that their interests are affected by proposed Bylaws 1025-2014 and 1010-2013 will be given an opportunity to be heard respecting matters contained in the respective Bylaws.

Chair Hemphill read from a prepared statement outlining the Public Hearing procedures. Before calling for speakers, the Chair asked Jeff Long, Director of Corporate & Development Services, to provide an overview of the intent and purpose of Official Community Plan Bylaw Amendment Bylaw No. 1025-2014.

Mr. Long stated that the purpose of Bylaw No. 1025-2014, is to amend the District's Official Community Plan Bylaw No. 15-2011 to:

- 1) Revise section 7.10.3 to broaden the scope of the exemption criteria in which a development permit is not required to be obtained. In this regard, the current Official Community Plan that was adopted in 2011 includes comprehensive development permit requirements which apply to many areas of the District of Port Hardy. Since its adoption, there have been situations arise whereby smaller construction projects are being undertaken and the application of development permit requirements and the associated approval process would not be beneficial or desirable. In order to avoid the unnecessary application of development permit requirements, it is proposed that the exemption criteria be amended accordingly.

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- 2) Secondly, Bylaw No. 1025-2014 proposes to change the applicable land use designation of a portion of the District of Port Hardy owned property bisected by Holberg Road and legally described as the Northwest ¼ of Section 25, Township 9, Rupert District, Except Part in Plan 49088, from Rural Resource to Industrial and Comprehensive Development Area 2. This would allow a thin portion of the property east of Duval Forest Service Road to be developed in conjunction with other Comprehensive Development Area 2 lands to the east, and would make additional lands available for industrial development in the District.

Mr. Long then outlined the process associated with Bylaw No. 1025-2014. He indicated that at its meeting on April 14th, 2014, the Committee of the Whole passed resolution COW 2014-04 recommending that staff prepare a bylaw that has the effect of amending Official Community Plan Bylaw No. 15-2011 to undertake the changes described in Bylaw No. 1025-2014, and that this Bylaw be placed on the April 22nd, 2014 Council agenda for consideration of first reading. He advised that at its meeting on April 22nd, 2014, Council gave first reading to Bylaw No. 1025-2014 and directed staff to undertake preparations for conducting a public hearing with respect to the Bylaw. Mr. Long indicated that upon conducting this public hearing that Council could proceed to give second and third readings and adopt Bylaw No. 1025-2014. Once adopted, Bylaw No. 1025-2014 would then take full force and effect.

Mr. Long advised that as a result of notification of this Public Hearing regarding Bylaw No. 1025-1014 inviting written submissions to the District of Port Hardy by 3:00pm on May 12, 2014, that no submissions had been received by the District.

Chair Hemphill thanked Mr. Long and then proceeded with the first call for verbal submissions and asked if there was anyone who wishes to speak.

Mark Walter of 7700 Duval Street, Port Hardy, asked what kind of changes are being proposed to the development permit exemption criteria? The Chair called upon Mr. Long who advised that the criteria are being softened to allow more flexibility and that past experience has shown that smaller projects are being captured by the development permit requirement even though that process would not necessarily enhance the development. As an example, Mr. Long cited the exemption for construction valuation of \$50,000 which is proposed to be changed to \$100,000, and how the criteria is applied, such as to the exterior of the building as opposed to the building in general. Mr. Walter asked if Mr. Long could provide an example development and Mr. Long cited the Dave Landon Motors exterior renovation project which related to the main entrance and related wall of the building.

Mark Walter of 7700 Duval Street in Port Hardy, asked about the District owned land and why it was proposed to be designated for Industrial purposes? The Chair deferred to Mr. Long who advised that during the process associated with the Zoning Bylaw update, it was determined that it may be helpful to the District to make available some additional industrial land. Mr. Walter asked if the District would utilize this site for the new public works yard. Mr. Long advised that the proposed public works yard development is to be located on a District property at the southwest corner of Trustee Road and Douglas Street and referred to the maps displayed on the projector screen.

Mr. Lawrence O'Connor of 6120 Hunt Street in Port Hardy, asked why the District's public works yard property had not been zoned for industrial purposes in the new Zoning Bylaw. The Chair deferred to Mr. Long who advised that the District is exempt from the proposed Zoning Bylaw and in this regard, can utilize the property for the intended purpose. He also advised that it is preferred not to zone it for industrial purposes as this would imply that it could be used for a range of industrial uses which would not be established there by the District. Mr. Long indicated that the District had undertaken a review of alternative locations and this site was chosen based on a number of criteria.

The Chair then proceeded to call for a second time if there was anyone who wished to speak.

No one identified themselves as wishing to speak.

The Chair then proceeded to call for a third time asking if there was anyone who wished to speak.

There were no speakers.

Chair Hemphill advised that the Public Hearing would now focus on Zoning Bylaw No. 1010-2013 and asked Jeff Long, Director of Corporate & Development Services, to provide an overview of the intent and purpose of the Bylaw.

Mr. Long advised that if adopted, Zoning Bylaw No. 1010-2013 would repeal and replace the District's existing Zoning Bylaw No. 10-2006. In this regard, the existing Zoning Bylaw is almost eight years old and the District has since adopted a new Official Community Plan in 2011. As the zoning bylaw is intended to implement the Official Community Plan at a detailed regulatory level, the need to update the zoning bylaw is an important factor.

Mr. Long advised that many changes have been made to proposed Zoning Bylaw No. 1010-2013 to:

- 1) Address a variety of housekeeping matters that have been identified by staff over the years since Zoning Bylaw No. 10-2006 was adopted;
- 2) Update the definitions;
- 3) Include more comprehensive regulations that provide the guidance necessary to deal with a variety of circumstances;
- 4) Include temporary use provisions as per Provincial legislation that will enable the District of Port Hardy to issue temporary use permits in circumstances where they are warranted;
- 5) Include regulations to address newer land use trends such as carriage homes, mason bees, urban hens, small scale urban agriculture, sustainable building technologies, etc.
- 6) Bring the zoning into conformity with the Official Community Plan, particularly as it relates to the Official Community Plan land use designation map; and,
- 7) Other changes where required.

Mr. Long then outlined the process associated with Bylaw No. 1010-2013. He advised that the process associated with the Bylaw was initiated in 2012 and that there have been two public information meetings to garner public input. Mr. Long indicated that the proposed Zoning Bylaw was referred to local First Nations, the Ministry of Transportation and Infrastructure and the Regional District of Mount Waddington inviting comments by May 8th, 2014. He advised that the only comment received was from the Ministry of Transportation and Infrastructure who indicated it had no objection to the proposed Zoning Bylaw No. 1010-2013 and to forward it for approval after third reading by Council.

Mr. Long indicated that there have also been Committee of the Whole meetings with respect to the proposed Zoning Bylaw and that at its meeting on April 14th, 2014, the Committee of the Whole passed resolution COW 2014-05 recommending that Council give first reading to Zoning Bylaw No. 1010-2013. Mr. Long advised that Council gave first reading to Bylaw No. 1025-2014 on April 22nd, 2014 and directed staff to undertake preparations for conducting a public hearing with respect to the Bylaw. Mr. Long indicated that upon conducting this public hearing that Council could proceed to give second and third readings to Zoning Bylaw No. 1010-2013 after which, it must be forwarded to the Ministry of Transportation and Infrastructure for approval. Once approved by the Ministry, Council could proceed to adopt Zoning Bylaw No. 1010 after which, it would be in full force and effect.

Mr. Long advised that as a result of notification of the Public Hearing regarding Zoning Bylaw No. 1010-2013 inviting written submissions to the District of Port Hardy by 3:00pm on May 12, 2014, that no submissions had been received by the District.

Chair Hemphill thanked Mr. Long and then proceeded with the first call for verbal submissions and asked if there was anyone who wishes to speak.

Mark Walter of 7700 Duval Street, Port Hardy, asked whether there were any changes to the zoning categories used in the Zoning Bylaw. Chair Hemphill asked Mr. Long to comment and he indicated that the intent in preparing the new Zoning Bylaw was to minimize changes to such things as the zoning categories in order to maintain a similar structure and avoiding confusion. Councilor John Tidbury mentioned that the new Zoning Bylaw is easy to read and the regulations associated with each zoning category are outlined on a single page. Mr. Long advised that as an example, the Waterfront Zone is a new zoning category that has been added to some areas of ocean to apply use regulations to them. Councilor Dorward noted that the Rural Residential Zone is a new zoning category that was introduced to allow for opportunities for large lot rural type living like Hyde Creek.

Sandra Gunson of 7700 Duval Street in Port Hardy, asked about urban agriculture. Chair Hemphill advised that urban agriculture will allow people to undertake smaller scale cultivation and the accessory sale of products grown on residential properties, the keeping of hens in certain residential zones as well as mason bees. Ms. Gunson made reference to a property in Holmgren Flats that was shown as being zoned industrial in the new Zoning Bylaw and had historically been used for farming purposes. Mr. Long advised that the property is included in an industrial zone in the current bylaw as well and noted that prior zoning bylaws may have zoned the property in a different manner.

The Chair then proceeded to call for a second time if there was anyone who wished to speak.

No one identified themselves as wishing to speak.

The Chair then proceeded to call for a third time asking if there was anyone who wished to speak.

There were no speakers.

Chair Hemphill advised that any written submissions must now be turned in to staff before the close of the Public Hearing. After a final call for written submissions and receiving none, Chair Hemphill declared the Public Hearing closed at 6:04pm.

CERTIFIED CORRECT:

Jessie Hemphill - CHAIR

Jeff Long - SECRETARY



**MINUTES OF THE DISTRICT OF PORT HARDY
REGULAR MEETING OF COUNCIL
MAY 12, 2014**

CALL TO ORDER: Deputy Mayor Jessie Hemphill

Time: 7:00 pm

PRESENT: Deputy Mayor Jessie Hemphill
Councillors: Janet Dorward, Debbie Huddlestan, Rick Marcotte, Nikki Shaw,
John Tidbury

Jeff Long, Director of Corporate & Development Services
Allison McCarrick, Director of Financial Services
Leslie Driemel, Recording Secretary

Media: None
Members of the Public: 6

REGRETS: Mayor Bev Parnham and Rick Davidge, Chief Administrative Officer

APPROVAL OF AGENDA

2014-078
APPROVAL OF
AGENDA AS
PRESENTED

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

ADOPTION OF MINUTES

1. The minutes of the Regular Council Meeting held April 22, 2014.

2014-079
REG COUNCIL
MEETING MIN
APR. 7/14
APPROVED

Moved/Seconded/Carried
THAT The minutes of the Regular Council Meeting held April 22, 2014 be approved
as presented.

2. The minutes of the Special Council Meeting held May 1, 2014.

2014-080
SPECIAL
COUNCIL
MEETING
MINUTES MAY
1/14 APPROVED

Moved/Seconded/Carried
THAT the minutes of the Special Council Meeting held May 1, 2014 be approved as
presented.

3. The minutes of the Committee of the Whole meeting held May 1, 2014.

2014-081
COMMITTEE OF
THE WHOLE
MINUTES MAY
1/14 APPROVED

Moved/Seconded/Carried
THAT the minutes of the Committee of the Whole meeting held May 1, 2014 be
approved as presented.

DELEGATIONS

1. Angela Smith, Alex Shore (and 4 others) 4 Paws Rescue Society re:
Introduction and update on activities

Angela Smith introduced herself as the spokesperson for the delegation from 4Paws Rescue Society (the "Society") and introduced the Society board members present with her. The Society was incorporated in 2014 and is made up entirely of volunteers who provide a humane rescue service with a specific focus on canines. Based in Port Hardy, all proceeds from fundraising and donations go to dogs and families in need in the community.

The history, mission, support services, programs and funding activities of the Society were reviewed. The Society partners with local and out of town organizations as well as local First Nations to provide services for the humane treatment and care of canines in the area.

Council discussion with Ms Smith included:

- Working with the District of Port Hardy and the animal control contractor for the betterment of animal welfare
- Capacity of the animal control shelter
- Cooperation with animal control contractor through current contract and District bylaws
- Differences in humane society and animal shelter policies and procedures
- Meeting with District staff and the animal control contractor to discuss the animal control bylaw and animal shelter capacity and procedures. Deputy Mayor Hemphill suggested setting up a Committee of the Whole meeting with Council to discuss areas of mutual interest.

Deputy Mayor Hemphill thanked Ms Smith and the delegation members for their informative presentation and for their hard work as a volunteer humane rescue society in the community.

BUSINESS ARISING FROM THE MINUTES AND UNFINISHED BUSINESS

ACTION ITEMS

1. Council action items were received as information.

CORRESPONDENCE

1. Mark Donnelly, Director Communication & Community, British Columbia Automobile Association (Apr. 17/14) re: Invitation to vote for B.C. roads that are unsafe, heavily congested or in need of repair. Closes May 26, 2014 (<http://www.bcaa.com/worstroads>), was received for information.
2. David Guscott, PRIMECorp CEO (April 30/14) re: Update on PRIMECorp, the organization responsible for oversight of the provincial police records management system, PRIME-BC, was received for information.
3. Email from BC Aviation Council (April 14/14) re: Renewal of membership. (\$500 for 2014)

2014-082
R&F BC AVIATION
COUNCIL
MEMBERSHIP
RENEWAL

Moved/Seconded/Carried
THAT the District receives and files the membership renewal invoice for the BC Aviation Council.

Staff advised it would provide notice to the BC Aviation Council that the District would not be renewing its membership.

4. Hon. Suzanne Anton, QC, Minister of Justice & Attorney General, (May 2/14) re: Province Wide Earthquake Preparedness Consultation, was received for information.

Councillors Marcotte and Tidbury advised they are registered for the Province Wide Earthquake Preparedness Consultation scheduled for July 9th in Port McNeill.

Jeff Long, Director of Corporate & Development Services, advised the information regarding the Province Wide Earthquake Preparedness Consultation meetings has been emailed out to Council and members of the Emergency Planning Committee and that anyone who wished to attend could RSVP directly or through staff.

NEW BUSINESS

None

COUNCIL REPORTS

COUNCIL
REPORTS

Deputy Mayor Hemphill and Councillors Janet Dorward, Debbie Huddleston, Rick Marcotte, Nikki Shaw, and John Tidbury gave verbal reports on recent meetings and other activities they attended on behalf of the District of Port Hardy, as well information on a variety of community interest matters.

COMMITTEE REPORTS

1. Draft minutes of the Operational Services Committee meeting held April 17, 2014, was received for information.
2. Recommendation from the Committee of the Whole meeting held May 1, 2014:
"THAT the Committee of the Whole recommends to Council that it accepts the 2013 Financial Statements as audited by MNP, LLP."

2014-083
ACCEPT 2013
FINANCIAL
STATEMENTS

Moved/Seconded/Carried

THAT Council accepts the 2013 Financial Statements as audited by MNP, LLP.

3. Minutes of the Finance Committee meeting held May 1, 2014, was received for information.
4. Recommendation from the Finance Committee meeting held May 1, 2014:
"THAT the 2014 User Rates Bylaw 1016-2013 be amended with the following changes:
 - "Application for service" wording change
 - Addition of a "Land Title and Survey Authority record search" fee; \$20.00
 - Removal of the "Birthday party packages (45 minutes on deck + cake and balloons)" – basic deck time rental remains."

2014-084
FINANCE
COMMITTEE RE:
AMEND USER
RATES BYLAW
1016-2013

Moved/Seconded/Carried

THAT the 2014 User Rates Bylaw 1016-2013 be amended with the following changes:

- “Application for service” wording change
- Addition of a “Land Title and Survey Authority record search” fee; \$20.00
- Removal of the “Birthday party packages (45 minutes on deck + cake and balloons)” – basic deck time rental remains.”

STAFF REPORTS

ACCOUNTS
PAYABLE FOR
APRIL, 2014

Accounts Payable for April, 2014 was received for information.

BYLAWS

1. District of Port Hardy Bylaw No. 1026-2014 A Bylaw to Amend District of Port Hardy 2014 User Rates and Fees Bylaw No. 1016-2013 for First, Second and Third Readings.

2014-085
BYL 1026-2014
AMEND BL 1016-
2013 USER
RATES FOR 2014

Moved/Seconded/Carried

THAT District of Port Hardy 2014 User Rates and Fees Amendment Bylaw No. 1026-2014 receives First, Second, and Third Readings.

ADJOURNMENT

2014-086
ADJOURNMENT

Moved

THAT the meeting be adjourned.

Time: 7:34 pm

CORRECT

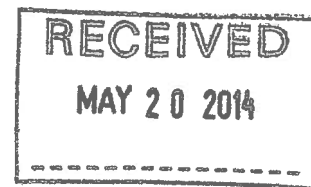
APPROVED

DIRECTOR OF CORPORATE
& DEVELOPMENT SERVICES

DEPUTY MAYOR

	REGULAR COUNCIL MEETING May 12, 2014		
BC Aviation Council Membership renewal for 2014	Motion to Receive and File Advise BC Aviation Council District not renewing membership	AM/LD	Done
Recommendation from Committee of the Whole meeting held May 1/14 "THAT the Committee of the Whole recommends to Council that it accepts the 2013 Financial Statements as audited by MNP, LLP."	Council accepted Recommendation re: 2013 Financial Statements as audited by MNP, LLP. Advise MNP, LLP. Circulate as needed	AM	Done
Recommendation from the Finance Committee meeting held May 1/14. "THAT the 2014 User Rates Bylaw 1016-2013 be amended with the following changes: • "Application for service" wording change • Addition of a "Land Title and Survey Authority record search" fee; \$20.00 • Removal of the "Birthday party packages (45 minutes on deck + cake and balloons)" – basic deck time rental remains."	Council accepted recommendation. 3 Readings given to May 12 Bring to May 26 agenda for adoption	LD	Agenda item
	REGULAR COUNCIL MEETING February 11, 2014		
C/Tidbury re: Wolves and CO office response	Staff to contact the local Conservation Officer regarding wolf sightings and advise on their response to the calls	RD	Waiting for Conservation Officer
Deputy Mayor Hemphill re: Kwakiutl band logging protest & request to distribute information	District of Port Hardy to send a letter to the Kwakiutl Band and request a meeting to discuss and understand the issues regarding the recent Kwakiutl Band logging protest.	RD	Underway
	REGULAR COUNCIL MEETING December 10, 2013		
Airport WasteWater Treatment Plant	Adopted in principal Opt 3 in Stantec report: Divert AWWTP flows to Town Plant -Advise MOE -investigate funding partners	TK	Postponed by Min. of Environment due to internal reorganization. May 1/14
	REGULAR COUNCIL MEETING November 12, 2013		
ITEM	ACTION	WHO	STATUS /COMMENTS
David Pratt, Harbour Manager, re: Spring and Summer Report for 2013	Staff directed to review the recommendation by the Harbour Manager for the development of a contractual agreement between the District and a towing company to ensure consistency in towing practices for 2014.	D.Pratt Harbour Manager	Developing Tender

Aquatic Coordinator re: Handicap parking at Port Hardy Recreation Center.	Approved -Proceed with marking two more handicap parking spaces, adjacent to the two current spaces, at the Port Hardy Rec Center	TK	Signs ordered - install upon receiving Scheduled with weather permitting.
ITEM	REGULAR COUNCIL MEETING May 7, 2013 ACTION	WHO	STATUS /COMMENTS
Interpretive signage at Carrot Park.	Subject to review of sign content, the District to fund \$2,532.60 for installation of the information stands along the seawall in Carrot Park. Advise PW	PS	Ongoing: Working with Downtown Revitalization Committee and C/Hemphill on final concepts
ITEM	REGULAR COUNCIL MEETING April 9, 2013 ACTION	WHO	STATUS /COMMENTS
Cenotaph Project	Prepare grant application. Bring to Council for further consideration	PS	Delayed due to sudden cancellation of funding program by federal government



GO FLY A KITE

(JUN 14, 2014)

P.O. BOX 2055

PORT HARDY B.C.

VON 2P0 250-949-3030

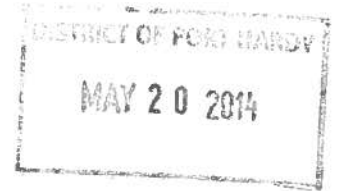
LETTER OF REQUEST:

Another year has come and gone & we had great fun at our Annual Go Fly A Kite Day. Our mission is to get kids outside enjoying Arts & Crafts and assembling their own kites to fly. And even perhaps a Father's Day card for Dad. We encourage parents to join in on the fun. We are requesting your permission for the use of Carrot & Rotary Park. We plan on having several table stations for arts & crafts. And the Lions Club will be donating their tents. We will have several garbage cans so litter will not be a problem. We will need the park from 10 am until 5pm the event will be from 12-4 but we need time to set up and clean up. Thank you for your consideration.

Sincerely

Candy Nomeland

Sandra Botel



Lieutenant Governor of British Columbia

May 14, 2014

*Her Worship Mayor Bev Parnham
Councillors
and Staff
District of Port Hardy
7360 Columbia St
Box 68
Port Hardy BC V0N 2P0*

Dear Mayor Parnham, councillors and staff:

I am writing to thank you for your great hospitality during my visit to Port Hardy. The dinner was superb and the company was excellent. Despite the interruption to the event and your resulting exit, it was a very enjoyable evening. Many thanks to you, Ms. Hemphill and your team for their efforts and dedication to ensuring the safety of the citizens you serve.

Thank you also for the insightful tour of the Quatse Salmon Stewardship Centre and for the beautiful framed print by Ms. Rebekah Porlee, which is a wonderful memento of this visit. Your kind gift is very much appreciated.

Again, thank you and best wishes.

Yours sincerely,

*The Honourable Judith Guichon, OBC
Lieutenant Governor of British Columbia*



**MINUTES
DISTRICT OF PORT HARDY
SUSTAINABILITY COMMITTEE MEETING OF
MAY 12, 2014 AT NOON
MUNICIPAL HALL, 7360 COLUMBIA STREET**

Present: Chair Councillor Jessie Hemphill,
Councillors John Tidbury, Nikki Shaw, Debbie Huddleston

Leslie Driemel, Recording Secretary

Regrets: Rick Davidge, CAO

DRAFT

Call to Order

Time: 4:30 pm

1. APPROVAL OF AGENDA

AGENDA
APPROVED

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

2. MINUTES

Minutes of the meeting February 11, 2014.

MINUTES
FEB 11/14
APPROVED

Moved/Seconded/Carried

THAT the minutes of February 11, 2014 be adopted as presented.

3. DELEGATION

None

4. BUSINESS ARISING / UNFINISHED BUSINESS

Action Items Review, was received as information

5. CORRESPONDENCE

None

6. STAFF REPORTS

None

7. NEW BUSINESS

Biosolids

Chair Jessie Hemphill reported on discussions with other municipalities regarding the handling of biosolids. The City of Saanich advised they have done an extensive study which reviewed in depth all options of dealing with biosolids. The conclusion of the study was that there is no acceptable way to utilize biosolids due to the inclusion of chemicals in the waste stream from hospitals, prescriptions, weed killers, etc. In the future if biosolids go through a cost effective separation process there may be a way to use them.

MMBC Education

The four page handouts that are being distributed with the recycling containers were distributed to the Committee.

MMBC EDUCATION

Councillor Huddlestan advised on the following:

- Review of the MMBC website link and advised it was lacking in information pertaining to the local recycling program. Port Hardy Secondary has distilled the information to a simple handout of four pages.
- Patrick Donaghy, Manager of Operations at the Regional District of Mt. Waddington has advised he is willing to talk to local groups regarding recycling.
- Councillor Huddlestan noted the recycling information on the Regional District website is difficult to find and that, as it is an important issue right now, she will request they post a link on the front page of their website.
- Councillor Huddlestan discussed with the Committee having the District of Port Hardy sponsor a recycling coloring / poster contest for students at all grade levels, with set criteria that can be judged and prizes awarded.

RECYCLING
COLORING
CONTEST

Further discussion regarding the proposed coloring project included:

- The handouts and educational information being presented as enough information at this time
- Not all students will be aware of the recycling program as they live in multi-family complexes that will not be participating in curbside recycling. A coloring contest would make them aware of the program.
- Educating at the school age level brings the information back to parents.
- Coloring contest to focus on different age and grade levels
- Development of the contest and any rules
- Funding for prizes from the educational component of the recycling program

Chair Hemphill summarized the discussion and advised of two action items for a coloring contest:

1. Request information from the Finance Department and Operational Services regarding any available funding for contest prizes
2. Councillor Huddlestan to set a meeting date to discuss the contest and invite Council members to participate.

RECOMMENDATION
TO COUNCIL RE:
COLORING
CONTEST

The Sustainability Committee recommends to Council:

"THAT Council approves, subject to availability of funding, an expenditure of \$300-\$500 for prizes for a school coloring contest for the purpose of educating and promoting the new recycling program in our community."

Report on Centre for Civic Governance workshop

CENTRE FOR CIVIC
GOVERNANCE
WORKSHOP

Chair Hemphill reviewed workshops and information from the Food for Thought: Progressive Governance Forum held April 4-5, 2014. The theme was: Food for Thought: Growing Local Economies, Strengthening Local Leadership. Items of interest included: Comox Valley Food Round Table developing community garden guidelines, development of food maps, culinary tourism, food security, poverty and access to food. It was noted Campbell River has developed a food map and will include North Island farms and suppliers on it.

DOGWOOD INITIATIVE	<p><u>Dogwood Initiative</u></p> <p>Councillor Hemphill advised of the Dogwood Initiative which is an organization that opposes the proposed Enbridge's oil tanker and pipeline proposal from the Alberta oil sands to the BC Coast. The Committee discussed whether Council has or should do a motion opposing the Enbridge Northern Gateway pipeline.</p> <p>Councillor Shaw advised that such a motion should be unanimously approved by Council and that is a politically charged and sensitive issue. Council members have had the opportunity to speak as private citizens at various hearings held on the issue.</p>
RECYCLING APP	<p><u>Recycling App</u></p> <p>Chair Hemphill advised that the Recycling Council of BC website has an app to help people with recycling in their community.</p>
NEXT MEETING DATE	<p>8. <u>Next Meeting Date</u> The next meeting date June 9, 2014.</p> <p>Chair Hemphill requested the agenda include</p> <ul style="list-style-type: none">· An update from the Bear Smart Committee, particularly in reference to the new recycling program.· Update from Councillor Huddlestan on coloring contest· Councillors were asked to bring forward any other agenda items would like to see included on the next agenda.
ADJOURNMENT	<p>9. <u>Adjournment</u> The meeting adjourned. Time: 5:00 pm</p>

DRAFT



**DISTRICT OF PORT HARDY
DOWNTOWN REVITALIZATION COMMITTEE**

**MINUTES OF THE MEETING HELD MAY 13, 2014
AT THE DISTRICT OF PORT HARDY MUNICIPAL HALL**

Call to Order: Chair, Councillor Janet Dorward

Time: 10:00 am

Members Present: Councillor Janet Dorward
Councillor Rick Marcotte
Carly Pereboom - Chamber of Commerce
Cindy Milligan

Staff Present: Trevor Kushner, Director of Operational Services
Jeff Long, Director of Corporate & Development Services
Leslie Driemel, Recording Secretary

Regrets: Mayor Bev Parnham, Councillor Jessie Hemphill
Rick Davidge, Chief Administrative Officer
Jan Armbrust, Alan Armbrust, Tara McCart, Lyn Barton
Sandra Masales - Chamber of Commerce / Rotary

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A. APPROVAL OF AGENDA

APPROVAL OF
AGENDA

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

B. DELEGATION

No delegation

C. MINUTES

Adoption of the Minutes for the meeting held on March 11, 2014.

MARCH 11/14
MINUTES
ADOPTED

Moved/Seconded/Carried
THAT the minutes for the meeting held March 11, 2014 be adopted as
presented.

D. BUSINESS ARISING/ UNFINISHED BUSINESS

Downtown Revitalization / Infrastructure update

INFRA-
STRUCTURE
UPDATE

Trevor Kushner, Director of Operational Services updated the Committee on
Phase II of the infrastructure improvements in the downtown area.
Discussion included traffic issues, ICBC engineers reviewing areas of
concern and the completion of installation of lamp standards for the 2014
budget year. In 2015 LED bollards will be installed along the seawall.

Chair Dorward requested an update on the interpretive signage that was to be
installed along the seawall

Carly Pereboom advised the interpretive sign project file has come back to the Chamber of Commerce and that the signage project will be an agenda item at the next board meeting. Concerns are budget for the project and adapting the current drawings to a suitable graphic design format that can be used. Ms Pereboom will report back to the Committee on the Board decision

Carly Pereboom advised the Visitor Center has picture opportunity signs they wish to install in Carrot Park. The size and style of the signs was discussed as well as possible locations. Ms Pereboom will write to Council requesting permission to install the signs in the park for the summer season.

BANNERS /
BANNER
CONTEST

Banners / Banner Contest

T. Kushner advised that twenty blank banners have been received, that each banner can be painted on both sides, that there can be one banner per lamp standard and installation of the set of 20 banners would be done by the Operational Services crew in approximately three hours. One half the lamp standards could have a designated Port Hardy graphic and one half the banner contest banners.

The Committee was advised by the T. Kushner that he has contacted Port Hardy Secondary by email and phone several times regarding a banner painting program and has had no response from them. There has also been no response from the Northern Vancouver Island Artists group. T. Kushner will contact the school one more time and will advise the Committee of their response.

Commercial Sponsorship of banners was discussed.

The Committee discussed various styles of graphics including those on Pacific Coastal Airlines, graphics on the wooden plaques (fishing, logging, mining) and using the previous District branding logo. Committee agreed that marine – forestry – industry – nature - First Nation themes could be used for the painted banners. Printing costs for the banners was discussed and T. Kushner advised it would be about \$200 each and that there is an appropriate budget allotted for commercial printing.

It was suggested that Quinten Smith at Pacific Coastal Airlines be contacted regarding using the logos that appear on the tail of their airplanes.

The Committee discussed tabling the banner contest until next year and choosing one graphic to print for this year. The Secretary will email the previous Where the Highway Ends, Adventure Begins branding logo to the Committee members.

Chair Dorward requested Patti Smedley attend the next meeting to discuss Christmas banner displays.

WALKABOUT
RESULTS

Walkabout results and next steps

Chair Dorward commented that the first issue arising from the walkabout town is to enforce all businesses and building owners to property identify their building with its civic address. This is needed for emergency response and

DRAFT

for tourists being able to locate businesses in our community. Jeff Long, Director of Corporate & Development Services advised there is Bylaw in place regulating the numbering of buildings in accordance with the civic addresses assigned to the respective properties. (Bylaw 16-2005 to Regulate the Affixing and Displaying of Numbers for Buildings)

Committee discussion on the need for upkeep of properties in the downtown area included:

- Signage; removing empty electrical signs and dilapidated wooden signs. Carly Pereboom will contact the Port Hardy Museum and see if they have plans to refurbish their sign.
- Clearing and cleaning of empty lots
- Cleaning outside of buildings and sidewalks
- Enforcement of unsightly premises bylaw

RECOMM
TO COUNCIL
RE: LETTER
TO PROPERTY
OWNERS

Moved/Seconded/Carried

THAT Committee recommends to Council that it direct staff to prepare and send a letter to be sent to the owners of all properties in the downtown revitalization area to request that civic address signage be posted in accordance with District of Port Hardy Bylaw No. 16-2005, AND FURTHER THAT property owners make ongoing efforts to keep clean and maintain their properties and boulevards in an attractive and safe manner which will help promote an attractive and healthy downtown.

ELECTRICAL
OUTLET AT
TOWN CLOCK

Town Clock – electrical outlet

T. Kushner advised that the town clock is in good shape and working properly. The main issue is that power outages cause loss of synchronization of the clock faces. Parts are on order to remedy the issue.

Carly Pereboom requested an electrical outlet be installed near the clock in order to light up the adjoin trees at night. T. Kushner will look at the site and report back to the Committee.

E. CORRESPONDENCE

None

F. STAFF REPORTS

None

G. NEW BUSINESS

None

H. NEXT MEETING DATE

The next meeting date will be set as needed. Carly Pereboom suggested another walkabout after the summer is over to see if improvements have been made.

I. ADJOURNMENT

Moved/Seconded/Carried

That the meeting be adjourned.

Time: 10:55 am

DRAFT



**DISTRICT OF PORT HARDY
OPERATIONAL SERVICES COMMITTEE
MINUTES OF THE MEETING HELD
MAY 16, 2014**

Present: Chair: Councillor John Tidbury
Councillors Rick Marcotte, Debbie Huddlestan (4:20 pm)

Also Present: Trevor Kushner, Director of Operational Services
Leslie Driemel, Recording Secretary

Citizens: None

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Call to Order: Councillor Tidbury **Time:** 4:00 pm

1. Approval of Agenda

Councillor Marcotte requested an addendum to the agenda under New Business: Chamber of Commerce and Interpretive Signage

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

2. Delegation

None

3. Minutes

Minutes of the Operational Services Committee meeting held April 17, 2014.

Moved/Seconded/Carried
THAT the minutes of the meeting held Operational Services Committee meeting April 17, 2014 be approved as presented.

4. Business Arising / Unfinished Business

T. Kushner reviewed and updated the Committee on the Action items

Kwakiutl School Expansion: T. Kushner updated the Committee on the issues regarding the Kwakiutl school expansion, discussion included:

- existing and required fire flow levels and the need of a reservoir in the Storey's Beach / Beaver Harbour area – possible site at Byng Rd / Ft. Rupert Rd junction.
- funding for necessary off site upgrades some proportionate funding may be available from Aboriginal Affairs and Northern Development Canada.

5. Correspondence

None

Councillor Huddlestan joined the meeting. **Time:** 4:20 pm

OP SCVS
2014-013
AGENDA
APPROVED AS
AMENDED

OP SCVS
2014-014
MINUTES APRIL
17/14 APPROVED

ACTION ITEMS
REVIEW

KWAKIUTL
SCHOOL
EXPANSION

6. Staff Reports

a) T. Kushner re: Wastewater Treatment Plant Sludge

WASTEWATER
TREATMENT
PLANT SLUDGE

T. Kushner reviewed with the Committee 2013 and 2014 (3 months only) tipping fees. It was noted that the 2014 increased tipping fee to \$ 72/tonne would make 2014 projected costs come to \$70,000.

The Committee discussed negotiating with the Regional District for reduced fees as the sludge is a needed resource for ground cover.

T. Kushner will research if other communities get reduced rates when sludge is utilized by the landfill.

7. New Business

ACCIDENT
INVESTIGATION

a) Accident investigation

T. Kushner updated the Committee on the recent serious accident involving a District employee driving a dump truck on Douglas Street. Investigations by the RCMP, ICBC and the District (Terry Duncan) are ongoing.

Operational Services will be developing policies and training for highway stopping procedures.

PAVING
PROGRAM

b). Paving Program

T. Kushner gave a verbal report on a meeting with the paving contractor. A list of sites for the 2014 paving program will be brought to the next meeting.

c) Addendum

INTERPRETIVE
SIGNAGE

Interpretive signage – Councillor Marcotte updated the Committee on the status of the interpretive signage project. The Chamber of Commerce has been handed back the project file and the board agreed to do some preparation work but has no budget to complete the signage project. The type and quality of the artwork needed was discussed.

d) Other

RECYCLING
CONTEST AT
LOCAL SCHOOLS
FOR THE MMBC

Councillor Huddlestan discussed doing a recycling contest at local schools for the MMBC recycling program. T. Kushner advised that there is funding in the MMBC educational budget available for prizes. The recommendation from the Sustainability Committee regarding a recycling contest will be brought forward at the next Council meeting.

NEXT MEETING
DATE

8. Next Meeting Date Thursday June 19, , at 4:00 pm

Upcoming Meeting dates: July 17,
August 21, September 18, October 16, November 20, December 18

OP SCVS
2014-015
ADJOURNMENT

9. Adjournment

THAT we adjourn

Time: 4:45pm

DRAFT



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: May 22, 2014 **FILE:** 4200-01 Elections
TO: Council
FROM: Jeff Long, Director of Corporate & Development Services
RE: **LEGISLATIVE REQUIREMENTS ASSOCIATED WITH NEED FOR BY-ELECTION**

PURPOSE

To present Council with information as to the legislative requirements pertaining to the need for a by-election when a council position becomes vacant.

REGULATORY AUTHORITY

Section 37 of the *Local Government Act* governs the requirements to conduct a by-election.

ANALYSIS

Section 37(3) of the *Local Government Act* does not require a by-election to be conducted in a situation where a Council seat becomes vacant and all of the following apply:

- (a) the vacancy occurs after January 1 in the year of a general local election that will fill the office;
- (b) the vacancy is not in an office elected on the basis of a neighbourhood constituency; and,
- (c) the number of remaining council members is at least one greater than the quorum for the council, as set under section 129 (1) [*quorum for conducting business*] of the *Community Charter*.

Staff confirms that each of these criteria applies to the current circumstance and that as a result, Council may decide that a by-election is not to be held.

FINANCIAL IMPLICATIONS

Undertaking a by-election would cost approximately \$4,000 and less than \$1,000 if an actual election was not necessary (e.g. acclamation scenario).

STAFF RECOMMENDATION

THAT as a result of the passing of Mayor Bev Parnham on May 21st, 2014, a by-election is not to be held due to compliance with the requirements of section 37(3) of the Local Government Act and in particular, the fact that a general election will be conducted on November 15, 2014.

Respectfully submitted,

Jeff Long
Director of Corporate & Development Services

I agree with the recommendation.

Rick Davidge
Chief Administrative Officer



DISTRICT OF PORT HARDY

STAFF REPORT



DATE: May 16, 2014 **FILE:** Bylaw No. 17-2011 / 0360-20 Council Remuneration Committee

TO: Council

FROM: Jeff Long, Director of Corporate & Development Services

RE: **2014 COUNCIL REMUNERATION REVIEW**

PURPOSE

To initiate the Council Remuneration Review process as per Bylaw No. 17-2011.

REGULATORY AUTHORITY

Bylaw No. 17-2011 requires that in May of each municipal election year, an independent committee be formed to review and provide recommendations regarding Council remuneration.

BACKGROUND

Historically, Council remuneration is reviewed in each year in which a general election is conducted as per the District's present and past Council remuneration bylaws. In this regard, District of Port Hardy Council Remuneration Bylaw No. 17-2011 (see attached) includes provisions for conducting this review. Section 2.4 states:

"In May of each municipal election year, an independent committee will be formed to review Council remuneration. The committee will be comprised of three (3) District residents and any recommended increase in remuneration will become effective January 1st of the following year."

Traditionally, three residents have been invited to participate on the Council Remuneration Committee and once the participants have been confirmed, staff forwards to them, the statistical information as to remuneration and expenses paid to mayors and councillors in other municipal jurisdictions in British Columbia, that can be used by the Committee in conducting its review.

FINANCIAL IMPLICATIONS

Any approved changes to Council remuneration would take effect in January of 2015 and would have to be reflected in the 2015 budget.

STAFF RECOMMENDATION

THAT Council directs staff to proceed with formation of the Council Remuneration Committee for the purposes of conducting the 2014 Council Remuneration Review, AND FURTHER THAT once the Committee has been confirmed, that staff provide it with the necessary background / research information to assist the Committee in conducting its review.

Respectfully submitted,

I agree with the recommendation.

Jeff Long
Director of Corporate & Development Services

Rick Davidge
Chief Administrative Officer



DISTRICT OF PORT HARDY
BYLAW 17-2011
A BYLAW TO PROVIDE FOR THE PAYMENT
OF COUNCIL MEMBERS REMUNERATION AND EXPENSES

GIVEN THAT the District of Port Hardy wishes to provide for council remuneration and expenses;

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

- 1. TITLE**
 - 1.1 This bylaw may be cited as the "District of Port Hardy Council Remuneration Bylaw 17-2011".
- 2. REMUNERATION TO COUNCIL MEMBERS**
 - 2.1 As of January 1, 2012 the Mayor of the District of Port Hardy shall be paid an annual indemnity of TWENTY-FOUR THOUSAND DOLLARS (\$24,000.00).
 - 2.2 Beginning January 1, 2013 and each year thereafter, the Mayor's remuneration will increase by the percentage equal to the British Columbia Consumer Price Index of the previous year.
 - 2.3 Beginning January 1, 2011 and each year thereafter, each Councillor shall be paid an annual indemnity equal to fifty (50%) percent of that paid to the Mayor.
 - 2.4 In May of each municipal election year, an independent committee will be formed to review Council remuneration. The committee will be comprised of three (3) District residents and any recommended increase in remuneration will become effective January 1st of the following year.
 - 2.5 One-third of the remuneration for the Mayor and each Councillor as set out above is an allowance for expenses incidental to the discharge of the duties of office, other than actual expenses incurred by the member of Council.
 - 2.6 Payment of one-twelfth of the foregoing may be made monthly, each and every year, on the first pay date of each month.
- 3. EXPENSES INCURRED**
 - 3.1 Each member of Council shall be reimbursed for expenses incurred when representing the Municipality beyond the municipal boundaries and each member may receive reimbursement of actual expenses incurred for attendance at meetings within the Municipality.
 - 3.2 The Mayor and Councillors must deliver to the Treasurer evidence of expenditures made or expenses incurred by the Council member.

DISTRICT OF PORT HARDY
COUNCIL REMUNERATION BYLAW NO. 17-2011

4. QUALIFYING EXPENSES AND EXPENDITURES

4.1 Members of Council may qualify for payment of the following additional expenses:

- i) hotel;
- ii) transportation and parking, including car rentals if required;
- iii) registration and membership fees;
- iv) per diem; and
- v) mileage.

4.2 Where a Mayor or Councillor uses his or her own vehicle for municipal business, they must provide insurance for business use and the Municipality will reimburse 100% of the business portion of said insurance.

4.3 Per Diem

- i) Members of Council, when representing the Municipality outside its boundaries, shall receive a per diem allowance equal to the allowance set by the Treasury Board of Canada from time to time. This allowance will cover meals, gratuities and incidental expenses and it will be calculated at the rate in effect at the time of booking.
- ii) Council cannot claim for meals received at public expense or without charge. On the date of departure, travel status must start before 7:00 a.m. to claim breakfast, before 12:00 noon to claim lunch; and on the date of return, travel status must end after 6:00 p.m. to claim dinner.

4.4 Members of Council shall receive mileage equal to the mileage rate set by the Treasury Board of Canada from time to time and it will be calculated at the rate in effect at the time of booking.

5. LEVELS OF PAYMENT

The level at which a member of Council may be reimbursed is the total amount of expenditures incurred under sections 3 and 4.

6. COUNCIL BUSINESS

Council shall approve attendance by its members to the following:

- 6.1 The annual Union of British Columbia Municipalities (U.B.C.M.) Convention;
- 6.2 The annual Association of Vancouver Island Municipalities (A.V.I.C.C.) Convention;
- 6.3 Committee meetings within or without the boundaries of the Municipality to which members have been duly appointed; or
- 6.4 any other Municipal business, meeting, course or convention approved by resolution of Council.

7. SEVERABILITY

If a court of competent jurisdiction declares any portion of this bylaw invalid, then the invalid portion must be severed and the remainder of the bylaw is deemed valid.

DISTRICT OF PORT HARDY
COUNCIL REMUNERATION BYLAW NO. 17-2011

8. EFFECTIVE DATE

This bylaw shall become effective January 1, 2012.

9. REPEAL

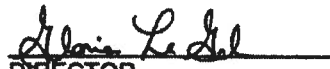
Bylaw No. 14-2008 will be repealed on the effective date of this bylaw.

Read a first time on the 25th day of October, 2011.

Read a second time on the 25th day of October, 2011.

Read a third time on the 25th day of October, 2011.

Adopted on the 8th day of November, 2011 2011.



DIRECTOR
OF CORPORATE SERVICES



MAYOR



DISTRICT OF PORT HARDY

BYLAW NO. 1026-2014

A Bylaw to Amend District of Port Hardy 2014 User Rates and Fees Bylaw No. 1016-2013

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Bylaw No. 1016-2013;

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

PART 1 CITATION

1.1 This bylaw may be cited for all purposes as the "District of Port Hardy 2014 User Rates and Fees Bylaw Amendment Bylaw No. 1026-2014".

PART 2 AMENDMENTS

2.1 District of Port Hardy 2014 User Rates and Fees Bylaw No. 1016-2013 is hereby amended as follows:

- (a) Schedule A - Water Rates is hereby deleted and replaced with a new Schedule A - Water Rates, which is attached hereto as Schedule A;
- (b) Schedule B - Sewer Rates is hereby deleted and replaced with a new Schedule B - Sewer Rates, which is attached hereto as Schedule B;
- (c) Schedule C - Storm Sewer Rates is hereby deleted and replaced with a new Schedule C - Storm Sewer Rates, which is attached hereto as Schedule C;
- (d) Schedule E - Statutory Rates is hereby deleted and replaced with a new Schedule E - Statutory Rates, which is attached hereto as Schedule D; and,
- (e) Schedule I - Recreation Rates is hereby deleted and replaced with a new Schedule I - Recreation Rates, which is attached hereto as Schedule E.

PART 3 SEVERABILITY

3.1 If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Read a first time the 12th day of May 2014.

Read a first time the 12th day of May 2014.

Read a first time the 12th day of May 2014.

Adopted on the ____ day of _____ 2014.

Director of Corporate &
Development Services

Deputy Mayor

**SCHEDULE A
SCHEDULE A - WATER RATES**

1. Inspection, Connection, Turn Water On/Off Fees		
a) Any property owner who requires a turn on or off of service shall notify the District office 48 hours in advance except in the case of an emergency. There will be no charge for a turn on or off during regular working hours of 8:30 a.m. – 4:30 p.m.		
b) Any property owner who requires a turn on or off of service in the case of an emergency or outside of the regular working hours shall at the same time pay the fee for each turning on or off		\$ 75.00
c) Where installation of a water connection exists the fee for inspection of a standard 18mm (3/4") connection will be:		\$ 75.00
d) Application for any water service will be subject to:		
i. Initial application analysis fee (may be combined with sewer, storm sewer application analysis fee).		\$ 475.00
ii. Estimate fees shall be charged on the basis of the actual cost of the work necessary including but not limited to all pavement, sidewalk, cut/replacement, and boulevard work. The estimate, provided by the District of Port Hardy, of the work to be completed must be paid prior to the start of the job. Any excess charges incurred will be billed or surplus fees paid will be refunded upon completion of the job and account reconciliation.		At cost
2. Seniors Discount Property owners who are Seniors shall receive a discount on all or any portion of a current billing if paid by the quarterly due date. This applies only to the principal place of residence. Senior means a person who is 65 years of age or older and who meets the grant eligibility requirements as defined by the <i>Home Owners Grant Act</i> .		25%
3. Quarterly Rates The rates reflected in this schedule are based on a flat rate billing system.		Rate per Quarter
1	For each single residential dwelling unit	\$ 98.39
2	For each metered multi-family residence in excess of two (2) units the greater of:	\$ 0.92 per cubic meter OR \$77.58 per unit
3	For each office, shop or store	\$ 105.08
4	For each supermarket	\$ 228.32
5	For each bakery	\$ 105.08
6	For each restaurant	\$ 333.57
7	For each lunch room or delicatessen	\$ 143.16
8	For each soda fountain or hot dog stand	\$ 105.08
9	For each hotel/motel - per unit	\$ 18.44
10	For each lounge	\$ 277.85
11	For each beer parlour	\$ 342.02
12	For each Laundromat - per washer	\$ 31.92
13	For each non-profit organization and hall	\$ 105.08
14	For each athletic club	\$ 333.57
15	For each theatre	\$ 105.08
16	For each school - per classroom	\$ 98.53
17	Light Industrial	
	5 employees or less	\$ 105.08
	6 - 15 employees	\$ 238.12
	16 - 30 employees	\$ 380.10
	Large water users	\$ 595.09

SCHEDULE A – WATER RATES
(Continued)

18	For each service station/garage	\$ 105.08
19	For each car wash	
	For 1st stall	\$ 217.57
	Each additional stall	\$ 64.98
20	For each industrial metered user, for consumption in the same calendar year:	
	a) First 3,000 m ³	\$ 0.86/m ³
	b) From 3,001 to 6,000 m ³	\$ 1.10/m ³
	c) More than 6,000 m ³	\$ 0.71/m ³
21	For each marina	\$ 295.94
22	For each campground - per stall	\$ 8.09
23	Other users	\$ 105.89
24	Hydrant Use (Damage deposit of \$250.00. Inspection fee of \$100.00 shall be levied against persons using a fire hydrant where no repairs are needed)	\$ 36.62 \$ 1/m ³ of water used
25	For each airport hangar	\$ 240.01
26	Underground sprinkling services over one acre for months of June, July & August - per sprinkler head	\$ 7.21
27	For each airport terminal building	\$ 469.64
28	Each wharf providing water to vessels	\$ 106.01
29	For each sawmill	\$ 240.01
30	For each drycleaner	\$ 240.01
31	Each car dealership with a non-commercial car wash stall	\$ 65.48
32	Seagate Pier large vessel meter	\$ 0.88/ m ³
33	Pool	\$ 319.82
34	Arena	\$ 223.29
35	Hospital - per bed	\$ 22.79
36	Fish Hatchery	\$ 89.19
37	Sani Station	\$ 89.19

4. Backflow Preventers

a)	Hose connection vacuum breaker	\$ 25.00
b)	Double check valve assembly (3/4 inch)	\$ 150.00
c)	Reduced pressure type assembly (3/4 inch)	\$ 200.00
d)	All other sizes at cost	at cost

5. Multi-Meter Rider

- a) **Applicable:** This Rider is available to those customers who have more than one water meter and water service supplying their water demand.
- b) **Price:** This will consist of a discount generated by totaling all water meters annual consumption and treating the consumption as one, for purposes of calculating the metered water charge.
- c) **Regulations:** To be eligible, customers must submit a request in writing. The District of Port Hardy reserves the right to accept or deny any request. The amount and duration of this Rider will be at the District's discretion. Only one Rider will be applied to any one customer at any time.
 - (i) All water meters must supply the same or adjoining building or non-adjoining buildings located on the same property (same legal description).
 - (ii) All water meters must be in account to the same customer.
 - (iii) Water meter bank installations associated with one water service will not be considered.
 - (iv) All water meters must be associated with a separate water service.

**SCHEDULE B
SCHEDULE B - SEWER RATES**

1. Rates - Inspection and Connection Fees		
Before any owner's sewer is connected to a sewer connection or public sewer, the owner of the lands requiring such connection or his agent shall make application to the office of the District, upon such form as provided from time to time, for a permit to connect the owner's sewer to the sewer connection or public sewer, and he shall pay to the District a sewer inspection/connection fee as follows:		
where installation of sewer connection exists, for standard 100 mm (4") connection an inspection/connection fee of:		\$ 75.00
Application for any sewer service will be subject to:		
i. Initial application analysis fee (may be combined with water, storm sewer application analysis fee).		\$475.00
ii. Estimate fees shall be charged on the basis of the actual cost of the work necessary including but not limited to all pavement, sidewalk, cut/replacement, and boulevard work. The estimate, provided by the District of Port Hardy, of the work to be completed must be paid prior to the start of the job. Any excess charges incurred will be billed or surplus fees paid will be refunded upon completion of the job and account reconciliation.		At cost
2. Seniors Discount		
Property owners who are Seniors shall receive a discount on all or any portion of a current billing if paid by the quarterly due date. This applies only to the principal place of residence. Senior means a person who is 65 years of age or older and who meets the grant eligibility requirements as defined by the <i>Home Owners Grant Act</i> .		25%
3 Re-Inspection Fee		
inspection fee shall be paid to the District for each additional inspection required after the first inspection because of defective materials or workmanship.		\$ 75.00
4 Quarterly Rates - The rates reflected in this schedule are based on a flat rate billing system.		Rate per quarter
1	For each residential dwelling unit	\$ 99.79
2	For each office, shop or store	\$ 110.01
3	For each supermarket	\$ 238.59
4	For each bakery	\$ 110.01
5	For each restaurant	\$ 349.63
6	For each lunch room or delicatessen	\$ 149.67
7	For each soda fountain or hot dog stand	\$ 110.01
8	For each hotel/motel - per unit	\$ 19.96
9	For each lounge	\$ 291.78
10	For each beer parlor	\$ 359.24
11	For each Laundromat - per washer	\$ 33.59
12	For each non-profit organization and hall	\$ 110.12
13	For each civic swimming pool	\$ 993.43
14	For each arena	\$ 698.17
15	For each athletic club	\$ 349.63
16	For each theatre	\$ 110.01
17	For each hospital - per bed	\$ 70.22
18	For each school - per classroom	\$ 99.49
19	Light Industrial	
	5 employees or less	\$ 110.01
	6 - 15 employees	\$ 250.14
	16 - 30 employees	\$ 399.20
	Large water users	\$ 658.82

SCHEDULE B - SEWER RATES
 (continued)

		Rate per qu art er
20	For each service station/garage	\$ 110.01
21	For each car wash	
	For 1st stall	\$ 182.04
	Each additional stall	\$ 57.00
22	For each cannery	\$ 669.35
23	For each marina	\$ 108.27
24	For each campground - per stall	\$ 8.55
25	Metered sewage per cubic meter	\$ 1.31
26	Other users	\$ 110.01
27	For each airport hangar	\$ 250.14
28	For each airport terminal building	\$ 620.11
29	Fish Hatchery	\$ 115.33
30	Sani Station	\$ 106.87
31	Tipping Fee for Trucked Waste \$ 0.15 per gallon. Saturday, Sunday and Statutory holiday discharges may be completed within regular hours with an additional \$ 50.00 callout charge.	-----

SCHEDULE C

SCHEDULE C - STORM SEWER RATES

- 1) That at such time as the application is executed the applicant shall pay a connection fee in accordance with the fees listed below:

a) Inspection of connection:	\$ 75.00
b) Re-inspection of connection and each subsequent connection	\$ 75.00
c) Application for any storm sewer service will be subject to:	
i. Initial application analysis fee (may be combined with water, sewer application analysis fee).	\$ 475.00
ii. Estimate fees shall be charged on the basis of the actual cost of the work necessary including but not limited to all pavement, sidewalk, cut/replacement, and boulevard work. The estimate, provided by the District of Port Hardy, of the work to be completed must be paid prior to the start of the job. Any excess charges incurred will be billed or surplus fees paid will be refunded upon completion of the job and account reconciliation.	At cost

**SCHEDULE D
SCHEDULE E- STATUTORY RATES**

1.	List of Electors The fee per copy of a List of Electors shall be as noted, except where a candidate at an election is entitled to one free copy.	\$ 10.00
2.	Minutes of Council Proceedings As provided under Section 194(2) of the Community Charter the fee for copies of Minutes of Council proceedings shall be hereby established.	\$ 0.25 per page
3.	Copies of Bylaws Pursuant to Section 194 of the <i>Community Charter</i> the following charges shall apply for:	
	a) Zoning Bylaw (Text and Map 11" x 17")	\$ 35.00
	b) Zoning Bylaw (Text only)	\$ 15.00
	c) Official Community Plan Bylaw (Text & Maps 11"x17")	\$ 35.00
	d) Official Community Plan Bylaw (Text only)	\$ 15.00
	e) Copies of all other bylaws shall be provided for a fee of	\$ 0.25 per page
	f) Subdivision Bylaw	\$ 18.00
4.	Tax Certificate The collector shall provide tax certificates as provided under Section 249 of the <i>Community Charter</i> for the fee established.	\$ 25.00
5.	Request for Prior Years Taxes Levied	\$ 15.00
6.	Mortgage Company Listings	\$ 5.00 / folio
7.	Cost to issue a refund cheque	\$ 10.00
8.	Reports	
	a) Business License Print-out	
	On paper	\$ 30.00
	On electronic media	\$ 15.00
	b) Photocopies	
	8-1/2" x 11"	\$ 0.25 per page
	8-1/2" x 14"	\$ 0.25 per page
	11" x 17"	\$ 0.30 per page
	c) Maps (standard wall size)	
	Zoning Map	\$ 60.00
	Boundary Map	\$ 60.00
	OCP or legal map	\$ 60.00
	Civic Street Map	\$ 60.00
	Courier for all maps	\$ 25.00
9.	NSF cheques returned	\$ 25.00
10.	Council and Committee-of-the-Whole agenda	\$ 0.25/page or \$10.00 /agenda
11.	Tree Cutting permits	
	1 - 10 trees	\$ 25.00
	11 - 20 trees	\$ 50.00
	21 or more trees	\$ 100.00
12.	Parks and Beach permit	
	Commercial rental fee	\$ 30.00 per day
	Clean up deposit	\$ 50.00
13.	Storage fees for impounded vehicles or vessels	
	Single vehicle or vessel six metres in length or less	Cost + 15%
	Single vehicle or vessel over six metres in length	Cost + 15%
	For a vehicle and trailer of any length	Cost + 15%

SCHEDULE E - STATUTORY RATES

(continued)

Rates do not include applicable taxes

14.	Permit to water new lawn outside permitted days	\$ 20.00
15.	Commemorative Items	
	(a) Bench, bronze plaque and installation	\$1800.00
	(b) Commemorative placing of tree or shrub and plaque (bronze plaque included)	\$ 600.00 plus tree /shrub
	(c) Other items (includes bronze plaque)	\$ 600.00 plus cost of item and concrete
16.	Search for information and records, other than Freedom of Information Request	
	(a) for locating or retrieving a record	\$ 7.50 per 1/4 hour
	(b) for producing a record manually	\$ 7.50 per 1/4 hour
	(c) for preparing a record for disclosure	\$ 7.50 per 1/4 hour
	(d) for shipping copies	actual costs of courier
	(e) for copying records	
	(f) photocopies and computer printouts	
	8.5" x 11", 8.5" x 14"	\$ 0.25 per page
	11" x 17"	\$ 0.30 per page
	(ii) electronic media	\$ 15.00
	(iii) Photographs	
	Scanning & emailing an 8" x 10"	\$ 10.00
	over 8" x 10"	\$ 10.00 & costs
	(iv) building plans	actual cost plus \$25.00 administration fee
	Deposit for any plans that require out of office printing	\$ 500.00
17.	Administration Cost for accounts sent to a collection agency. An administration fee of 33.3% will be added to the account balance of all accounts sent to a collection agency	33.3%
18.	Land Title and Survey Authority record search	\$ 20.00

SCHEDULE E

SCHEDULE I - RECREATION RATES

Rates do not include applicable taxes

Unspecified recreation programs run on a cost recovery basis plus 10%.

General Recreation	Refundable Deposit	Rates Effective Jan. 1, 2014	Rates Effective Aug. 1, 2014
Rentals, per event			
Tables, each	\$20.00	\$ 5.00	\$ 5.00
Chairs, each	\$20.00	\$ 0.55	\$ 0.57
Pavilion, Beaver Harbour Park	\$20.00	\$ 10.48	\$ 10.48
Twoonie Skate		\$ 1.90	\$ 1.90
Special Event		\$ 4.76	\$ 4.76
Arena Rentals (Ice-in) - Arena rental per hour			
Youth groups (must consist of at least 80% youth)		\$ 61.48	\$ 62.57
Adult groups		\$ 100.90	\$ 102.67
Non Prime Time (Ice in) Arena Rental per hour Rental starting after 10 p.m. and ending before 6 am		\$ 75.14	\$ 76.48
Arena Admission - Single Admission			
Child 0-12 months		Free	Free
Child 13 months-12 years		\$ 2.86	\$ 2.90
Senior 55 + years		\$ 2.86	\$ 2.90
Youth 13 -18 years		\$ 3.43	\$ 3.48
Adult 19 - 54 years.		\$ 4.48	\$ 4.57
Family-Immediate family to maximum of 2 parents and 4 children under the age of 18		\$ 9.76	\$ 9.95
Punch Cards (11 admission passes)			
Child 13 months -12 years		\$ 28.86	\$ 29.38
Senior 55 + years		\$ 28.86	\$ 29.38
Youth 13-18 years		\$ 34.05	\$ 34.67
Adult 19 -54 years		\$ 44.29	\$ 45.10
Family-Immediate family to maximum of 2 parents and 4 children under the age of 18		\$ 97.43	\$ 99.15
Miscellaneous Skate Fees			
Skate Rental		\$ 1.90	\$ 1.90
Skate aid		\$ 0.95	\$ 0.95
Skate sharpening		\$ 4.76	\$ 4.76

SCHEDULE I - RECREATION RATES

(continued)

Rates do not include applicable taxes

Unspecified recreation programs run on a cost recovery basis plus 10%.

Arena Dry Floor Rentals (Ice-out) - Arena rental per hour		Rates Effective Jan. 1, 2014	Rates Effective Aug. 1, 2014
Youth groups (must consist of at least 80% youth)- Arena surface only		\$ 39.95	\$ 40.67
Adult groups - Arena surface only		\$ 52.57	\$ 53.48
Commercial facility rental			
8:00 a.m. to 5:00 p.m.		\$ 708.19	\$ 720.57
8:00 a.m. to 12:00 midnight		\$ 965.29	\$ 982.19
5:00 p.m. to 2:00 a.m.		\$ 708.19	\$ 720.57
Each additional hour		\$ 80.38	\$ 81.81
Non-profit group facility rental			
8:00 a.m. to 5:00 p.m.		\$ 568.33	\$ 578.29
8:00 a.m. to 12:00 midnight		\$ 852.76	\$ 867.71
5:00 p.m. to 2:00 a.m.		\$ 568.33	\$ 578.29
Each additional hour		\$ 64.62	\$ 65.76

SCHEDULE E
SCHEDULE I - RECREATION RATES

(continued)

Rates do not include applicable taxes

Unspecified recreation programs run on a cost recovery basis plus 10%.

* GST Exempt

	Rates Effective Jan.1, 2014	Rates Effective Aug. 1, 2014
Pool Rentals - per hour		
0-49 people	\$ 71.43	\$ 75.00
50 + people	\$ 119.05	\$ 125.00
Birthday party packages (45 minutes on deck + cake and balloons)	\$ 65.00	\$ 68.00
Deck Time (45 minutes)	\$ 31.95	\$ 32.52
Single lane	\$ 17.52	\$ 17.86
Special Needs Pool rental	\$ 34.00	\$ 34.62
One-half pool, shared rental per hour	\$ 37.10	\$ 37.76
Pool Admission - Single Admission		
Infant 0 - 12 months	Free	Free
Child 13 months -12 years	\$ 2.86	\$ 2.90
Senior 55 + years	\$ 2.86	\$ 2.90
Youth 13 -18 years	\$ 3.43	\$ 3.48
Adult 19 - 54 years	\$ 4.48	\$ 4.57
Family- Immediate family to maximum of 2 parents and 4 children under the age of 18	\$ 9.76	\$ 9.95
Twoonie Swim	\$ 1.90	\$ 1.90
Special Event	\$ 4.76	\$ 4.76
Punch Cards (11 admission passes)		
Child 13 months - 12 years	\$ 28.86	\$ 29.38
Senior 55 + years	\$ 28.86	\$ 29.38
Youth 13-18 years	\$ 34.05	\$ 34.67
Adult 19-54 years	\$ 44.29	\$ 45.10
Family-Immediate family to maximum of 2 parents and 4 children under the age of 18	\$ 97.43	\$ 99.14
Monthly Pool Pass Good for 30 Days		
Child/Senior	\$ 43.05	\$ 43.81
Youth	\$ 51.57	\$ 52.48
Adult	\$ 67.05	\$ 68.24
Family (Immediate family to maximum of 2 parents and 4 children under the age of 18)	\$ 157.71	\$ 160.48
Pool Lessons & Programs		
Red Cross Swimming Lessons		
* Parent & Tot levels 1-3 (includes one parent and one child)	\$ 49.70	\$ 50.60
* Preschool Levels 4-8	\$ 45.25	\$ 46.05
* Swim Kids Levels 1- 5 (10 ½ hr lessons)	\$ 34.20	\$ 34.80
* Swim Kids Levels 6-9 (10 / 45 minute lessons)	\$ 56.30	\$ 57.30
* Swim Kids Level 10 (medallion & certificate)	\$ 61.80	\$ 62.90
Aqua Adults Levels 1-3 (10 ½ hr lessons)	\$ 46.29	\$ 47.10
Badges & Stickers – each	\$ 2.10	\$ 2.14
* Special Needs (not School District) 10 - ½ hour lessons (one on one instruction)	\$ 56.30	\$ 57.30
* Special Needs Group Lesson (10 - ½ hour lessons)	\$ 34.25	\$ 34.85

SCHEDULE I - RECREATION RATES

(continued)

Rates do not include applicable taxes

Unspecified recreation programs run on a cost recovery basis plus 10%.

	Rates Effective Jan.1, 2014	Rates Effective Aug. 1, 2014
Private Lessons -per half-hour		
* Children and youth – Individual	\$ 11.55	\$ 11.75
* Additional person	\$ 7.20	\$ 7.35
Adult – Individual	\$ 13.19	\$ 13.43
Additional person, each	\$ 10.05	\$ 10.24
School District classes - per hour		
* Up to 3 instructors	\$ 90.25	\$ 91.85
* Additional instructors, each	\$ 23.75	\$ 24.20
Swim Team – Monthly per person	\$ 29.86	\$ 30.38
*Tumble, Play, and Swim (Adult and Child)	\$ 70.00	\$ 71.25
*Tumble, Play, and Swim (Additional Child)	\$ 30.00	\$ 30.55
*Tumble, Play, and Swim drop in (Adult and Child)	\$ 7.70	\$ 7.85
*Tumble, Play, and Swim drop in (Additional Child)	\$ 3.00	\$ 3.05
Advanced Aquatic Courses		
Junior Lifeguard Club	\$ 91.29	\$ 92.90
Scuba Rangers	\$ 123.71	\$ 125.90
Bronze Cross	\$ 187.67	\$ 190.95
Bronze Cross Recertification.	\$ 80.48	\$ 81.91
Bronze Medallion/Senior Resuscitation	\$ 171.90	\$ 174.90
Bronze Medallion/Senior Resuscitation Recertification	\$ 53.62	\$ 54.57
National Lifeguard Standards Award	\$ 387.48	\$ 394.29
National Lifeguard Standards Award Recertification	\$ 107.24	\$ 109.14
Life Saving Camp (Bronze Medallion/Bronze Cross/Sr. Resuscitation)	\$ 273.38	\$ 278.19
Royal Lifesaving Instructor Award	\$ 294.43	\$ 299.57
Assistant Water Safety Instructor	\$ 267.57	\$ 272.29
Water Safety Instructor Recertification	\$ 89.43	\$ 91.00
Water Safety Instructor Award	\$ 321.76	\$ 327.38
B.O.A.T Certification - Manual	\$ 13.00	\$ 13.24
B.O.A.T. Certification - Exam	\$ 37.14	\$ 37.81
First Aid Programs		
CPR	\$ 60.24	\$ 61.29
CPR Recertification	\$ 49.43	\$ 50.29
Child Safe	\$ 65.71	\$ 66.86
Child Safe Recertification	\$ 54.62	\$ 55.57
Standard First Aid	\$ 134.10	\$ 136.48
Standard First Aid Recertification	\$ 54.62	\$ 55.57
Emergency First Aid	\$ 73.14	\$ 74.43
*Babysitter's Course – 8 hours 11-15 year old	\$ 57.30	\$ 58.30

GST Exempt



DISTRICT OF PORT HARDY

BYLAW NO. 1025-2014

A Bylaw to Amend Official Community Plan Amendment Bylaw No. 15-2011 to Expand the Exemptions Related to the Requirement for Development Permits, and to Change the Land Use Designation of Property in the Vicinity of Holberg Road

WHEREAS the Council of the District of Port Hardy deems it expedient to amend Bylaw No. 15-2011;

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

PART 1 CITATION

1.1 This Bylaw shall be cited as "Official Community Plan Bylaw Amendment Bylaw No. 1025-2014".

PART 2 TEXT AMENDMENTS

2.1 Official Community Plan Bylaw No. 15-2011 is hereby amended as follows:

- a) Section 7.10.3 DEVELOPMENT PERMIT EXEMPTIONS is hereby deleted and replaced with the following new Section 7.10.3 DEVELOPMENT PERMIT EXEMPTIONS:

"A Development Permit will not be required in situations where at least one of the following exemption criteria applies:

- a) *Construction for the purposes of accommodating a carriage home dwelling, duplex dwelling, manufactured home dwelling, secondary suite dwelling or single family dwelling;*
- b) *Subdivisions creating four or fewer lots;*
- c) *The value of the proposed construction as it relates to the exterior of an existing building is less than \$100,000;*
- d) *Renovations or alterations to the interior of an existing building;*
- e) *An addition to an existing building where the value of construction is less than \$100,000;*
- f) *New buildings that are less than 100 square metres in gross floor area;*
- g) *Planting of native trees, shrubs or ground cover or the alteration of land for the purposes of slope and soil stabilization, habitat improvement, erosion control and beautification except;*
- h) *Structural alteration of legal or legal, non-conforming buildings and structures within the existing footprint;*
- i) *The use of land is for outdoor recreational purposes and does not include buildings and structures other than fencing or nets;*
- j) *An undertaking of the District of Port Hardy or its contractors or agents;*
- k) *Emergency procedures to prevent, control or reduce erosion or other immediate threats to life and property including:*
 - i) *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; or,*
 - iv) *Repairs to bridges and safety fences."*

PART 3 MAP AMENDMENT

3.1 Official Community Plan Bylaw No. 15-2011 is hereby amended as follows:

- a) MAP 1 LAND-USE of Appendix A – Mapping, is amended by changing the land use designation of a portion of the property which is legally described as Northwest ¼ of Section 25, Township 9, Rupert District, Except Part in Plan 49088, from Rural Resource to Industrial and Comprehensive Development Area 2 as shown on Schedule "A" which is attached to and forms part of this Bylaw.

PART 4 SEVERABILITY

4.1 If a portion of this Bylaw is held invalid by a court of competent jurisdiction, then the invalid portion shall be severed and the remainder of this Bylaw shall be deemed to have been adopted without the severed portion.

Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 was given first reading the 22nd day of April, 2014.

Notice of Public Hearing posted at the Municipal Hall and published in the North Island Gazette Newspaper on the 1st of May, 2014 and the 8th of May, 2014 in accordance with Sections 890 and 892 of the *Local Government Act*.

Public Hearing conducted on the 12th day of May, 2014.

Official Community Plan Bylaw Amendment Bylaw No. 1025-2014 was given second and third readings and adopted on the day of , 2014.

Jeff Long, Director of Corporate &
Development Services

Deputy Mayor

**Schedule "A" to District of Port Hardy Official Community Plan Bylaw
Amendment Bylaw No. 1025-2014**

