

Regular Meeting of the Council of the District of Port Edward



Tuesday, March 9, 2021

7:00 PM

District of Port Edward Council Chambers
Zoom Invite Link: <https://zoom.us/j/97226320171>

Type of meeting:	Regular
Chair:	Mayor Knut Bjorndal
Councillors:	Dan Franzen, James Brown, Murray Kristoff and Christine Mackenzie
Chief Administrative Officer	Danielle Myles Wilson
Director of Corporate Administrative Services & Strategic Projects	Polly Pereira
Director of Finance	Lorraine Page

Agenda Topics

- 1. Adoption of Agenda** Agenda dated March 9, 2021
- 2. Adoption of Minutes** a) Minutes of the February 23, 2021 Regular Meeting
- 3. Business Arising**

4. Petitions & Delegation

5. Correspondence

6. Reports a) Polly Pereira, Director of Corporate Administrative Services
RE: Research on Appointments to Regional Districts

 b) Danielle Myles Wilson, Chief Administrative Officer
RE: CAO Report

7. Bylaws a) Polly Pereira, Director of Corporate Administrative Services
RE: District of Port Edward Official Community Plan Amendment Bylaw # 714, 2020- Adoption

 b) Polly Pereira, Director of Corporate Administrative Services
RE: District of Port Edward Zoning Amendment Bylaw # 715, 2020- Adoption

8. New Business

9. Reports on Council Activities

10. Reports from In-Camera

11. Questions from Audience

12. Adjournment

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MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE DISTRICT OF PORT EDWARD, HELD IN COUNCIL CHAMBERS, MUNICIPAL HALL AND VIA ZOOM ON TUESDAY, FEBRUARY 23, 2021

PRESENT:

COUNCIL

Mayor Knut Bjorndal, Chair
Councillor: Christine Mackenzie
Zoom: Councillor: James Brown and Dan Franzen
Absent: Councillor Murray Kristoff,

ADMINISTRATION:

Danielle Myles Wilson, Chief Administrative Officer
Zoom: Polly Pereira, Director of Corporate Administrative Services and Strategic Projects
Zoom: Lorraine Page, Director of Financial Services

MEDIA IN ATTENDANCE:

OTHER:

Leah Anderson, Port Edward Resident
Jason Giesbrecht, Port Edward Fire Chief

CALL TO ORDER:

Mayor Knut Bjorndal called the Regular Meeting to order at 7:00 pm on Tuesday, February 23, 2021.

AGENDA:

21-026 Moved by: Councillor MacKenzie
Seconded by: Councillor Brown

THAT the Agenda dated February 23, 2021 be adopted as presented.

Carried Unanimously

MINUTES:

a) 21-027 Moved by: Councillor Franzen
Seconded by: Councillor MacKenzie

THAT the minutes of the Regular Meeting of Council dated February 9, 2021 be adopted as presented.

Carried Unanimously

BUSINESS ARISING:

PETITIONS AND/OR DELEGATION:

- a) **Jason Giesbrecht, Volunteer Fire Chief, District of Port Edward**
RE: 2020 Update

The Fire Chief gave Council a verbal presentation of what has happened during 2020. The Fire Department had 22 call outs (9 rescue calls, 10 motor vehicle, 1 fallen tree and 1 fire alarm). The total number of calls were approximately half compared to 2019. There are currently 5 women in the fire department and they have a great team. Two members have taken courses from exterior attack training, and currently they have someone that is certified in training other members in first response training.

Council commended the Fire Chief on the work he is doing with his team and thanked him for his hard work.

Council also mentioned that staff have applied for a grant through the Prince Rupert Port Authority Investment Fund to purchase a new fire truck and letters have been sent to stakeholders in our area to request support for this purchase.

- b) **Leah Kennedy, Port Edward Resident**
RE: Request for Consideration

Mrs. Anderson, a new resident of Port Edward, submitted a letter to Council and was given an opportunity to present the concerns she has in regard to the following:

1. The excess of speeding of Port Edward residents
2. More options for recycling bins (no bin for glass)
3. Suggestion of a community box/ library in Port Edward
4. Installation of speed bumps or other options for speed reduction methods

Council discussed these concerns - a call will be made to the RCMP, staff will contact the RD and will look into the cost of modifying the current recycling system and bring it back to Council for consideration. Community box/ library that Mrs. Anderson contact the new store owner and see if this is something they might want in their facility. Discussion on options to reduce speed on Skeena Drive was discussed and a continued effort will be made to request RCMP enforcement and Council suggested to consult with MOTI and possibly install a solar panels speed sign.

CORRESPONDENCE:**REPORTS:**

- a) **Polly Pereira, Director of Corporate Administrative Services and Strategic Projects**
RE: 2021 Council North Coast Regional District Appointment

The Director of Corporate Administrative Services and Strategic Projects introduced the report requesting that Council select a new alternate to be the representative of Port Edward, since Mayor Bjorndal announced that he was stepping down.

21-028 Moved by: Councillor Franzen
Seconded by: Councillor Brown

NOW THEREFORE BE IT RESOLVED that Council made a motion to appoint Councillor MacKenzie as the alternate.

Carried Unanimously

Council also made the following motion:

21-029 Moved by: Councillor MacKenzie
Seconded by: Councillor Franzen

THAT staff research options for terms on Boards for Council to consider going forward.

Carried Unanimously

- b) **Polly Pereira, Director of Corporate Administrative Services and Strategic Projects**
RE: Union of British Columbia Municipalities- Community Preparedness Fund (CPF)

The Director of Corporate Administrative Services and Strategic Projects introduced the report regarding a grant opportunity to apply for funding to address five storm drainage areas (bottom of Hilcrest & Skeen; bottom of Alder & Skeena; Spruce Avenue; Pacific Avenue and bottom of Nelson Drive). This project will consist of design options and cost estimates for the required work. This project is 100% funded and we are applying for \$72,000.

21-030 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

NOW THEREFORE BE IT RESOLVED that Council approves this grant application to the UBCM – CPR to address the 2021 Storm Water Rehabilitation as described above.

Carried Unanimously

- c) **Lorraine Page, Director of Finance**
RE: 2021 Draft Budget for Direction

The Director of Finance introduced the 2021 draft budget and copies of what has been proposed was shared with Council for the 2021 Operation and Capital budget.

The CAO went through some of the items on the list to provide more content as to what is being proposed.

21-031 Moved by: Councillor Brown
Seconded by: Councillor MacKenzie

NOW THEREFORE BE IT RESOLVED that Council accepts the report as presented.

Carried Unanimously

BYLAWS:

a) **Danielle Myles Wilson, Chief Administrative Officer**
RE: District of Port Edward Official Community Plan Amendment
Bylaw 714, 2020

21-032 Moved by: Councillor MacKenzie
Seconded by: Councillor Franzen

THAT the proposed bylaw be received as submitted; and

WHEREAS all the publication and public hearing have taken place including the approval from the Ministry of Transportation, and

NOW THEREFORE BE IT RESOLVED THAT the District of Port Edward Official Community Plan Amendment Bylaw # 714, 2020 be given third reading.

Carried Unanimously

b) **Danielle Myles Wilson, Chief Administrative Officer**
RE: District of Port Edward Zoning Amendment Bylaw # 715, 2020

20-033 Moved by: Councillor Brown
Seconded by: Councillor Franzen

THAT the proposed bylaw be received as submitted; and

WHEREAS all the publication and public hearing have taken place including the approval from the Ministry of Transportation, and

NOW THEREFORE BE IT RESOLVED THAT the District of Port Edward Zoning Amendment Bylaw # 715, 2020 be given third reading.

Carried Unanimously

NEW BUSINESS:

**REPORTS ON
COUNCIL ACTIVITIES:**

Councillor Franzen

Reported on North Coast Regional District Board meeting

Councillor MacKenzie

Reported on North Coast Regional District Budget meeting

Mayor Bjorndal

Reported on a meeting with Jennifer Rice

Report on a meeting with Minister Osborn and Minister Malcolmson

Reported on a meeting with Scott Farwell, Chair of Tourism Prince Rupert

Reported on a meeting with Lee Brain

**REPORTS FROM
IN-CAMERA:**

ADJOURNMENT:

21-034 On a motion by Councillor Brown the meeting was adjourned at 8:45 pm on
Tuesday, February 23, 2021.

Carried Unanimously

CERTIFIED CORRECT

Mayor

Director of Corporate Administrative
Services



6a

DISTRICT OF PORT EDWARD

COUNCIL REPORT FOR INFORMATION

Date: March 9, 2021
To: Mayor and Council
From: Polly Pereira, Director of Corporate Administrative Services and Strategic Projects
Subject: **Research on Appointments to Regional Districts**

District of Port Edward History

Since 1999, the District's appointment to the Regional District has always been the Mayor and in his absence an alternate was selected. In 2000 and again in 2003 Mayor Wampler was the appointee and Dave MacDonald the alternate.

In 2006, Dave MacDonald was elected Mayor and as discussions with legal counsel it was determined, that since Mr. MacDonald was an employee of the City of Prince Rupert, it would be best that he not be the appointee to the Regional District.

Since that time the Regional District representative has been a Councillor/Mayor. Reports are presented at the December Council meeting and Council makes a motion to select a representative.

Role on the Regional District Board (*attached Community Charter responsibilities of Council members and Mayor*)

The role of the representative whether on the Regional District or any other Board is to represent the community of Port Edward. The committee roles are opportunities to build inter governmental relationships (having a consistent representative adds value to the individual and organization based on research)

Note: It's at Council's discretion as to whom they wish to have as the representative and determine the length of term. (*section 144 of the Community Charter "The authority to appoint under this Division includes the authority to rescind the appointment at any time and appoint another person in place of the person whose appointment was rescinded"*)

Examples from other Communities re: RD Appointments

1. Village of Alert Bay- Population approximately 400

Depending on each Councillors interests they are appointed to Committee/Boards.

Regarding the appointment to the Regional District the Mayor is automatically the appointee for the duration of their term in office and an alternate is selected in case he is absent. In order for consistency

and to establish inter government relationships, they feel this position should be the Mayor's role. This is how its been done historically and presently

2. District of New Hazelton- Population approximately 580

The Mayor has discussion with each Councillor and inquires about their area of interest. The Mayor will then appoint Council to the various areas of their interest. In order to provide continuity to the Board on which they serve, the term is the election term.

3. City of Terrace- Population approximately 13,663

Staff canvas Council in November regarding the various appointments. This information is then provided to the Mayor along with a list of committee and organizations. The Mayor provides a report that is then considered at the December Council meeting for adoptions (or amendments and adoption). In General, the appointments are done by Council resolution.

The exception is the RD appointment which is determined by vote

4. North Coast Regional District

In general, the Board representatives are the mayors for each community but this is not always the case. There have been years that other Councillors are the representatives on the RD Board, as in the case of Port Edward.


In conclusion

The request from Council was to research the length of term and as can be seen above every community has their own model and its up to each Council when elected to follow what has been done in the past or select a new model. Council can by resolution adopt any model they would like and make any change they feel is necessary by resolution.

Key considerations for adopting a process for appointments are:


1. Council should select an individual that expresses interest and will represent the community well.
2. If more then one individual expresses interest it can be determined by vote.
3. It is more common for consistency purposes for the term of appointment to be the full elected term.
4. It is more common for the Mayor to be appointed as the representative.

Prepared By:



Polly Pereira, DCAS

Approved for Submission to Council



Danielle Myles Wilson, CAO

COMMUNITY CHARTER

CHAPTER 26 [SBC 2003]

[includes 2018 Bill 49, ch. 47 (B.C. Reg. 11/2021) amendments (effective February 5, 2021)]

Responsibilities of council members

- 115.** Every council member has the following responsibilities:
- (a) to consider the well-being and interests of the municipality and its community;
 - (b) to contribute to the development and evaluation of the policies and programs of the municipality respecting its services and other activities;
 - (c) to participate in council meetings, committee meetings and meetings of other bodies to which the member is appointed;
 - (d) to carry out other duties assigned by the council;
 - (e) to carry out other duties assigned under this or any other Act.

(AM)
Dec
01/07

2003-26-115; 2007-14-201 (B.C. Reg. 354/2007).

Responsibilities of mayor

- 116.** (1) The mayor is the head and chief executive officer of the municipality.
- (2) In addition to the mayor's responsibilities as a member of council, the mayor has the following responsibilities:
- (a) to provide leadership to the council, including by recommending bylaws, resolutions and other measures that, in the mayor's opinion, may assist the peace, order and good government of the municipality;
 - (b) to communicate information to the council;
 - (c) to preside at council meetings when in attendance;
 - (d) to provide, on behalf of the council, general direction to municipal officers respecting implementation of municipal policies, programs and other directions of the council;
 - (e) to establish standing committees in accordance with section 141;
 - (f) to suspend municipal officers and employees in accordance with section 151;
 - (g) to reflect the will of council and to carry out other duties on behalf of the council;
 - (h) to carry out other duties assigned under this or any other Act.

(AM)
Dec
01/07

2003-26-116; 2007-14-201 (B.C. Reg. 354/2007).



CAO Report

Prepared for: Mayor and Council

Date: March 9, 2021

Issue or Topic	Resolution or Directive	Status
Recreation and Transportation		
Diana Lake	Council Goals and Objectives for 2019 UBCM meeting with MOE Minister to discuss need for more log clearing and site maintenance also need for coordination.	Diana Lake Clean Up is complete according to BC Parks, who have been managing the project. The District is awaiting an invoice to provide the grant funding received from Ridley Terminals to BC Parks.
CN Whistling	2017-2019 capital project, pending completion	Feb 4 th and March 4 th District staff meeting with CN management. Remaining works to complete include new crossing agreements, Porpoise Drive repairs and painting, installation of new fencing and upgrade to Harbour Authority crossing(s). Regular meetings are being held to advance final works.
Marine Access/Parks	Strategic Plan alignment PELNG Rezoning Directive	\$50,000 will be received by April 30 th from Port Edward LNG and staff are exploring two possible locations for a marine access park that these funds may be used for.
North Pacific Cannery	-	PEHS received \$274,000 from CERIP Fund for roofing, plumbing and electrical upgrades.
Campground	-	Continuing campground discussions with BC Parks to identify possible location.
Development and Public Works		
Roads Upgrades	Council Goals and Objectives for 2019	Evergreen/Wildwood Job is progressing well. <ul style="list-style-type: none"> • Construction started Jan 2021 • BCH parking lot repairs began one month prior, added to contract as CO • One change order for roads unsuitable material removal = 239k • Paving could happen as early as May. Approx. \$750k of progress payments made.

		<p>Submitted grant in Feb 2021 for design of 5 storm water upgrades in problem areas of the community.</p> <p>Still awaiting word regarding Oct 2020 submitted grant for Sunset and south Evergreen road rebuild.</p>
Public Works Term position	-	New posting for Manager of Public Works is being advertised.
Harbourview NCP & OCP/Zoning Update	2020 Approved Project, Strategic Plan alignment	<p>OCP amendments have now been drafted reflecting community feedback</p> <p>Will be incorporated into OCP update to guide development in the Harbourview area</p> <p>OCP/Zoning near ready for community consultation before bylaws proceed for update.</p>
Affordable Housing Project	Strategic Plan alignment, UBCM follow up	<p>HAZMAT study was approved in draft capital budget Feb 23.</p> <p>Proceeding with HAZMAT assessment and demolition costing. MOU currently being explored and project concept a next step.</p>
Planning		
Alder Avenue property	Strategic Plan	Currently reviewing proposals received for new residential subdivision.
Building Inspections	BC required certified Building Inspector by February 28, 2021	<p>New Bylaw was drafted and Service Agreement sent to potential partner – some delay.</p> <p>Temporary measure in the works: hire a qualified inspector to provide oversight at a distance – plan is to institute this ASAP.</p>



DISTRICT OF PORT EDWARD
BYLAW NO. 714

7 a

**A Bylaw of the District of Port Edward to amend the District of Port Edward
Official Community Plan Bylaw No. 539, 2013**

WHEREAS pursuant to the provisions of Section 876 of the *Local Government Act*, the Council of the District of Port Edward is empowered to adopt an official community plan bylaw;

AND WHEREAS “District of Port Edward Official Community Plan Bylaw No. 539, 2013” has been adopted by the Council of the District of Port Edward;

AND WHEREAS the District of Port Edward Official Community Plan Bylaw No. 539, 2013, designated the land shown in bold outlined in Schedule A attached to this bylaw as “Residential” and is now proposing to designate it as “Industrial”.

AND WHEREAS the Council of the District of Port Edward has deemed it desirable that the Official Community Plan Bylaw No. 539, 2013 be amended to change the designation of “Residential” to “Industrial” in order to support the development proposed for this land.

AND WHEREAS a public hearing has been held, and notice of such hearing has been given, in accordance with the *Local Government Act*;

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

1. That the “District of Port Edward Official Community Plan Bylaw No. 539, 2013”, be, and is, hereby amended to change the designation of the Land shown in bold outline on Schedule “A” attached to this Bylaw from “ Residential” to “**Industrial**” in order to support development of the land.
2. That Council is hereby empowered to do all things necessary to give effect to this Bylaw.
3. That this Bylaw may be cited for all purposes as the “**District of Port Edward Official Community Plan Amendment Bylaw No. 714, 2020**”.

READ a first time by Council this 13th day of October, 2020

READ a second time by Council this 13th day of October, 2020

NOTICE of a Public Hearing published on December 24th, 2020 and December 31st, 2020

RECEIVED a Public Hearing this 5th day of January, 2021

READ a third time by Council this 23rd day of February, 2021

Approved Pursuant to the *Transportation Act*, this 18th day of February, 2021 on behalf of the District Manager, Ministry of Transportation and Infrastructure.

Corinne Ellermann Senior Development Officer, on behalf of
District Manager, Ministry of Transportation and Infrastructure

RECONSIDERED and **ADOPTED** by Council this day of March, 2021

Mayor Knut Bjorndal

Polly Pereira, Director of Corporate Administrative
Services

Certified a true copy of Bylaw 714, cited as **“District of Port Edward Official Community Plan Amendment Bylaw No. 714, 2020”**

Schedule A



Residential to Industrial



DISTRICT OF PORT EDWARD
BYLAW NO. 715

7b

**A Bylaw to Amend the District of Port Edward Zoning
Bylaw No. 540, 2013**

WHEREAS there has been an application to rezone a particular piece of property;

AND WHEREAS the Council of the District of Port Edward has deemed it desirable that an amendment be made to Zoning Bylaw No. 540, 2013 to allow the rezoning of Parcel B; District Lot 505; Range 5; Coast District Plan 2061; Except Plan 5590 from Rural (A2) to Heavy Industrial (M3). The purpose of the rezoning is to accommodate development.

AND WHEREAS a public hearing has been held, and notice of such hearing has been given, in accordance with the *Local Government Act*;

NOW THEREFORE the Council of the District of Port Edward, in open meeting assembled, **ENACTS AS FOLLOWS:**

1. That Council is hereby empowered to do all things necessary to give effect to this Bylaw.
2. That "Schedule A" of Zoning Bylaw No. 540, 2013 of the District of Port Edward, which is the zoning maps, be amended to designate this required zoning amendment.
3. That this Bylaw may be cited for all purposes as the "**District of Port Edward Zoning Amendment Bylaw No. 715, 2020**".

READ a first time this 13th day of October, 2020;

READ a second time this 13th day of October, 2020;

NOTICE of a Public Hearing published on December 24th, 2020 and December 31st, 2020

RECEIVED a Public Hearing this 5th day of January, 2021

APPROVED Pursuant to the Transportation Act this 18th day of February, 2021

READ a third time by Council this 23rd day of February, 2021

Approved Pursuant to the *Transportation Act*, this 18th day of February, 2021 on behalf of the District Manager, Ministry of Transportation and Infrastructure.

Corinne Ellermann Senior Development Officer, on behalf of

District Manager, Ministry of Transportation and Infrastructure

RECONSIDERED and **ADOPTED** by Council this day of March, 2021

Mayor Knut Bjorndal

Polly Pereira, Director of Corporate Administrative Services

Schedule A



Rural (A2) to Heavy Industrial (M3)