



Regular Meeting of the Council of the District of Port Edward

Tuesday, October 10, 2023

7:00 PM

District of Port Edward Council Chambers

Zoom Link Join: <https://us06web.zoom.us/j/82930020290>

Meeting ID: 829 3002 0290

AGENDA

We respectfully acknowledge we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples

1. Adoption of Agenda

Recommendation:

THAT the Agenda for the Regular Council Meeting of October 10, 2023 be adopted as presented.

2. Adoption of Minutes

Recommendation: THAT the minutes of the September 12, 2023 Regular Council be adopted as presented.

3. Business Arising

4. Petitions & Delegation

5. Correspondence

a) Rosa Miller, Corporate Administrator/Director of Recreation

RE: NCLGA 2025 Conference

b) Prince Rupert Special Events Society

RE: Grant in Aid- 28th Annual Winterfest

c) Northern Health

RE: Review of subdivision proposals by Northern Health

d) Rotary Club of Prince Rupert

RE: Grant in Aid- 59th Annual Rotary Club Auction or Prince Rupert

e) Prince Rupert Community Hallowe'en Fest

RE: Grant in Aid- 36th Annual Hallowe'en Fest

6. Reports

a) Elsie Lemke's Appointment as Interim CAO and Signing Authority

Recommendation: That Council appoints Elsie Lemke as the District of Port Edward Interim Chief Administrative Officer. Elsie Lemke will be an authorized signee on behalf of the District of Port Edward as well as the Approving Officer.

b) Updated- Facility Rental Policy and Procedures

Recommendation: That Council consider and approves the proposed changes to the Facility Rental Policy and Procedures.

c) Flag Policy

Recommendation: That Council approve the proposed District of Port Edward Flag Policy.

d) Development Variance Permit N0. 03-2023

Recommendation: THAT Council approve the following variance for Lot 1, DL 446, Range 5, Plan EPP 129612:

- Rear yard setbacks reduced by .75 meters for Unit # 7 and the rear yard setbacks reduced by 2.50 meters for Unit # 4 as illustrated on the drawing provided; and FURTHER THAT a "no build" zone is required for the adjacent property 333 Skeena Drive (Kinnikinnick Campground) of approximately .15 meters along Unity # 7 and approximately 1.90 meters for Unti# 4 to allow sufficient spatial separation for fire safety.

e) Sewer Services Agreement – Prince Rupert Port Authority

Recommendation: THAT Council approves entering into the Sewer Services Agreement with the Prince Rupert Port Authority.

f) CAO's Report to Council (Sept 18 – Oct 5, 2023)

7. Bylaws

a) District of Port Edward Water Rates & Regulations Bylaw # 747, 2023

Recommendation: THAT Council gives first, second and third reading to Zoning Amendment Bylaw # 747, 2023.

b) District of Port Edward Zoning Amendment Bylaw # 748, 2023

Recommendation: THAT Council gives first, second and third reading to Zoning Amendment Bylaw # 748, 2023.

c) District of Port Edward Sewer Rates & Regulations Bylaw # 749, 2023

Recommendation: THAT Council gives first, second and third reading to Zoning Amendment Bylaw # 749, 2023.

d) District of Port Edward Council Remuneration Bylaw # 750, 2023

Recommendation: THAT Council gives first, second and third reading to Zoning Amendment Bylaw # 750, 2023.

8. New Business

9. Reports on Council Activities

RE: North Coast Regional District – September 2023

10. Questions from Audience – *Regarding Listed Agenda Items Only*

11. Adjournment

2a

MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE DISTRICT OF PORT EDWARD, HELD IN COUNCIL CHAMBERS ON TUESDAY SEPTEMBER 12, 2023

PRESENT:

COUNCIL

Mayor Knut Bjorndal, Chair
Councillors: James Brown, Dan Franzen,
Zoom: Councillor Christine MacKenzie
Absent: Councillor Colleen McDonald

ADMINISTRATION:

Polly Pereira, Director of Corporate Administrative Services and Strategic Projects
Lorraine Page, Director of Financial Services

CALL TO ORDER:

Mayor Knut Bjorndal called the meeting to order at 7:00 pm on Tuesday September 12, 2023.

Mayor opened the meeting by respectfully acknowledging we are meeting on the traditional unceded homeland and territories of the Tsimshian Peoples.

AGENDA:

23-132 Moved by: Councillor Franzen
Seconded by: Councillor Brown

THAT the Agenda for the Regular Council Meeting of September 12, 2023 be adopted as presented.

Carried Unanimously

MINUTES:

23-133 Moved by: Councillor Franzen
Seconded by: Councillor Brown

THAT the minutes of the Regular Meeting of Council dated August 8, 2023 and the Special Council meeting dated August 16, 2023 and August 28, 2023 be adopted as presented.

Carried Unanimously

BUSINESS ARISING:

PETITIONS AND/OR DELEGATION:

- a) **Clint & Debbie Thompson, Port Edward Residents**
RE: Fire Regulations

Debbie Thompson provided Council & staff copies of information that she put together addressing the Spruce Avenue cabins development in particular the limiting distances between cabins. The report also provided information about other communities and how cabins have been permitted in those communities. Their request was that Council consider the information provided and see how modification can be made for future development regarding the BC Building Code. The Mayor requested that Lorraine Page, Director of Finance, email a copy of the package provided to Bernie Zimmer, the District of Port Edward Building Inspector. The Mayor thanked Debbie and Clint Thompson for their presentation.

CORRESPONDENCE:

- a) **North Coast Community Services**
RE: Thank You Card

23-134 Moved by: Councillor Franzen
Seconded by: Councillor Brown

THAT the thank you card be received and filed.

Carried Unanimously

REPORTS:

- a) **Polly Pereira, Director of Corporate Administrative Officer**
RE: Development Variance Permit

Council was provided a report from the Director of Corporate Administrative Services dated September 12, 2023, regarding an application for a development variance permit from Mr. Thompson. The request is to change the required rear setback to .75 meters for Unit # 7 and 2.50 meters for Unit # 4, as per illustrated in the drawing provided (C102). Also Council must be aware that a spatial separation of 2.4 meters is required for fire safety on the adjacent property, 333 Skeena Drive (Kinnikinnick Campground). The Campground requires a "no build" zone of approximately .15 meter along Unit # 7 and approximately 1.9 meters along Unit # 4. A Memo from the Building Inspector was also provided regarding the "no build" zone on 333 Skeena Drive. The required setback for C2 (Tourist Commercial) zoning is 3 meters. Copies of the Building Inspector Memo are to be filed on both property files.

23-135 Moved by: Councillor Brown
Seconded by: Councillor Franzen

RECOMMENDATION: To proceed to public notification regarding Spruce Avenue variance request from M. Thompson.

Carried Unanimously

**REPORTS FROM
IN-CAMERA:**

BYLAWS:

a) Director of Finance- District of Port Edward 5- Year Financial Plan Amendment Bylaw # 746, 2023

Council received a report from the Director of Finance, this bylaw received three readings on August 8th, 2023. The changes to are necessary to address the increase in costs of the road work project, which costs were unknown when the initial Financial Plan was adopted on April 25th, 2023. A copy of the District of Port Edward 5-Year Financial Plan Amendment Bylaw # 746, 2023 is attached to this report.

23-136 Moved by: Councillor Franzen
Seconded by: Councillor Brown

RECOMMENDATION: That the District of Port Edward 5-Year Financial Plan Amendment Bylaw # 746,2023 be given final reading and adoption.

Carried Unanimously

NEW BUSINESS:

Councillor Brown

Requested that a Bench be installed at the Public Boat Launch Ramp area.

REPORTS ON COUNCIL ACTIVITIES:

RE: North Coast Regional District - August Board Highlights

Mayor Bjorndal

Attended the two Airport Meetings

Attended a Meeting with the City of Prince Rupert Mayor

Attended a Prince Rupert Special Event Meeting

ADJOURNMENT:

23-137 Moved by: Councillor Franzen
 Seconded by: Councillor Brown

**RE: Motion to move to In-Camera at the end of Regular Council as per
Community Charter Section 90(1):**

- (e) the acquisition, disposition or expropriation of land or improvement, if the Council that disclosure could reasonably be expected to harm the interest of the municipality;
- (k) negotiations and related discussions respecting the proposed provisions of the municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public; and

NOW THEREFORE BE IT RESOLVED THAT at 7:43 pm the September 12, 2023 Regular Meeting of Council be adjourned and move to the In-camera meeting.

Carried Unanimously

CERTIFIED CORRECT

Knut Bjorndal, Mayor

Polly Pereira, Director Corporate
Administrative Services and
Strategic Projects

5a

From: Rosamaria Miller
Sent: September 12, 2023 11:06 AM
To: Polly Pereira
Cc: Robert Buchan
Subject: NCLGA 2025 Conference

Good morning Polly. Please see below for a message from our City Manager, Dr. Buchan:

The City of Prince Rupert is requesting support, in the form of a partnership, with the District of Port Edward (and the North Coast Regional District) to host the North Central Local Government Association (NCLGA) 2025 Conference. The conference is generally held in May (5 days in the early part of the month) and will be an excellent opportunity to showcase what our communities have to offer. No financial contribution is required by the host(s) however staff time will be required for steering committee participation and during the event.

Thank you,
Rosa



Rosamaria Miller
Corporate Administrator / Director of Recreation
ADMINISTRATION DEPARTMENT
Phone: (250) 627-0963
Email: rosamaria.miller@princerupert.ca
 princerupert.ca

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District of Port Edward

Grant in Aid Application Form
POLICY #2020-1

5b
RECEIVED
SEP 14 2023
DISTRICT OF PORT EDWARD

Name of Organization: PRINCE RUPERT SPECIAL EVENTS SOCIETY

Date: Sept. 12, 2023

Contact Person:

Phone Number: 250-624-9118

Amount of grant requested: \$500^{xx}

Briefly describe the purpose for which you are requesting this grant: 28th ANNUAL WINTERFEST!

Please demonstrate how this project or event meets the criteria of the District of Port Edward Grant in Aid Policy:

WINTERFEST IS A VERY SPECIAL EVENT AS IT ENCOMPASSES THE SPIRIT OF THE GIVING SEASON. BY BRINGING PEOPLE TOGETHER TO CELEBRATE AND HAVE FUN IT STRENGTHENS ALL PEOPLE AND COMMUNITIES INVOLVED. WINTERFEST AND ALL EVENTS WE HOST ARE INCLUSIVE, SAFE AND WHOLESOME EVENTS THAT PROMOTE AND IMPROVE SOCIAL AND MENTAL HEALTH FOR EVERYONE. PRSES IS A NON-PROFIT VOLUNTEER TEAM THAT HAS COME TOGETHER TO SHARE AND CELEBRATE THE COMMUNITY AND PEOPLE. OUR DREAM IS TO MAKE WINTERFEST 2023 A NO-COST, FUN FILLED EVENT, HOWEVER THIS IS ONLY POSSIBLE WITH TEAMWORK AND EVERYONES HELP.



September 12th 2023

Re: Winterfest- December 1st -3rd 2023

District of Port Edward
PO Box 1100.
Port Edward, BC V0V 1G0.

Dear Mayor Knut and Council,

It's the most wonderful time of the year, our 28th annual Winterfest is coming quickly! We are hoping to secure your \$500 grant to help make Winterfest 2023 a no-cost event for everyone to enjoy. At Prince Rupert Special Events we love what we do! Creating memorable events for everyone to enjoy is our passion. This year we are planning many new and exciting attractions, and fun activities over the 3 day celebration. It is the businesses, organizations, and people that make this event possible for everyone to enjoy and we need your help to make this year magical.

Your \$500 grant will go to purchase prizes and treats. Our plan is to bring Winterfest greetings to the seniors at Acropolis Manor, Senior centre and the Grey Owl through a colour contest made available to all children from preschool to grade 5. I have attached a sample of what the colouring sheet could look like. After the colour contest is over and the winner is announced, Prince Rupert Special Events will remove personal information and turn these works of art into greeting cards. We will then work with organizations and volunteers to deliver these cards and a small treat to seniors in Port Edward and Prince Rupert.

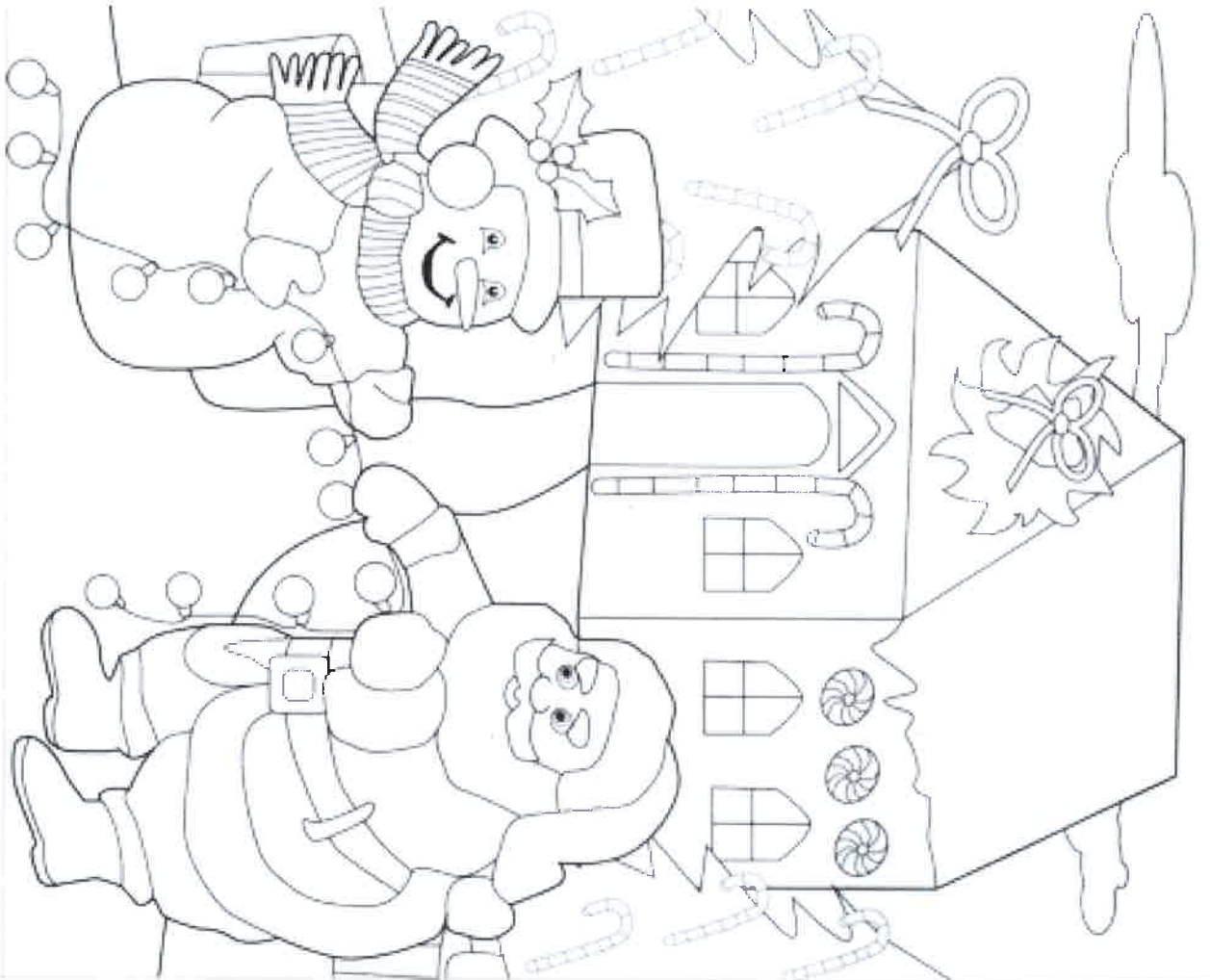
Our goal is to get everyone involved and help build a strong sense of community, we hope you and your team are able to support us in making this happen.

Please contact me if you have any questions or would like some more information!

Tatlyana Walters
Festival/Office Coordinator

OFFICE:250.624.9118
office@prspecialevents.com
www.prspecialevents.com

Po Box 306 Prince Rupert BC V8J 3P9



NAME:

PHONE:

AGE:

SCHOOL:

AGE GROUP PRIZES FOR: Under 5, Kindergarten, Grade 1, Grade 2, Grade 3, Grade 4, and grade 5 Entries must be in by December 3rd 2023 Winners will be announced December 5th 2023

Wishing you a very magical

Winterfest!



DP WORLD

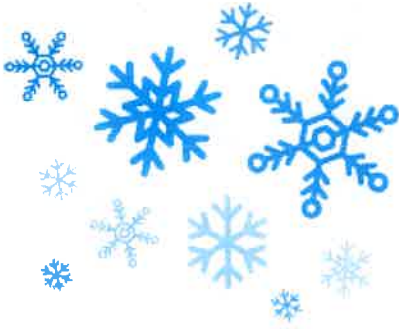


WINTERFEST December 1st - 5th 2023



Merry

Christmas



Sept. 25, 2023

Dear local government leaders,

Re: Review of subdivision proposals by Northern Health

I am reaching out to you to offer an update regarding Northern Health's temporary suspension of the review of routine subdivision proposals submitted by municipalities and regional districts.

This temporary suspension is the result of a critical shortage of Environmental Health Officers (EHOs) to conduct the reviews and has been in place since May 2022. We continue to prioritize work on those issues posing the greatest risk to communities and public health, while we continue to recruit EHO staff.

Northern Health EHOs normally play a consulting role in the subdivision process, and their review and approval is not required for subdivision development. Municipal or provincial Approving Officers may request comments from Northern Health on the suitability of the proposed lots to accommodate onsite sewage disposal systems and/or onsite drinking water systems, but if neither of these is required the subdivision can be assessed on its own merit. If one or both are required, the municipal or provincial Approving Officer may require a subdivision applicant to submit feasibility studies conducted by certified experts, prior to considering approval. Subdivision applications should always engage their own experts to confirm the feasibility of any planned water or sewer system.

However, if a local government or other developer believes a proposed subdivision could pose a public health risk, NH Environmental Public Health staff may be able to review the proposal if staffing capacity is available, and we encourage municipalities to reach out to Public Health via our central intake process (php@northernhealth.ca, 250-565-7322) with a specific request and a brief description of the public health concern.

In order to meet the needs the communities Northern Health serves, we continue to aggressively recruit new EHOs. In addition, Northern Health has created three new Environmental Health Analyst positions and a Drinking Water Specialist position to support the work of EHOs. Northern Health is also committed to supporting the training and development of new EHOs, and has offered professional development opportunities for current staff and mentors practicum students working to attain their certification. Our staff have also started conducting remote inspections of low-risk facilities, to reduce travel time and increase workflow.

Despite Northern Health's best efforts to fill vacancies in our Environmental Public Health Department, our vacancy rate for EHOs remains high. However, we continue to actively recruit and look for creative ways to fulfil our public health mandate. When staffing levels increase, we will be able to consider resuming the regular review of subdivisions referrals.

Feel free reach out to my office if you have any more questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jong Kim', written in a cursive style.

Dr. Jong Kim, Chief Medical Health Officer
Northern Health

5d



District of Port Edward
Grant in Aid Application Form
POLICY #2020-1

ROTARY CLUB OF,

Name of Organization: Prince Rupert.

Date: October 4, 2023

Contact Person: Ellen Witherly

Phone Number: 778-884-5171

RECEIVED
OCT 04 2023

DISTRICT OF PORT EDWARD

Amount of grant requested: \$500.00

Briefly describe the purpose for which you are requesting this grant: To defray costs of our annual major fundraiser, the Rotary Club Auction.

We are a non-profit service organization.

Please demonstrate how this project or event meets the criteria of the District of Port Edward Grant in Aid Policy:

Funds raised through this auction directly benefit the community of Port Edward through the following programs and events.

Coats for Kids } Clothing and apples donated
School Apple Program. } to schools every year. The apple
Scholarships. } program alone costs our club
Youth Leadership Programs. \$30,000.00 per year.

Polar Bear Swim (Partnered with Port Edward Harbour Authority
Halloween Fest - provide \$ and volunteer. in 2022).
Seafest Event.



District of Port Edward
Grant in Aid Application Form
POLICY #2020-1

5e

Name of Organization: Prince Rupert Community Hallowe'en Fest Society

Date: October 4th, 2023

Contact Person: Bev. Killbery

Phone Number: 250-622-8684 (cell) / 250-624-8565 (res)

Amount of grant requested: Donation request of \$500, to go towards purchase of candy, prizes and decorations

Briefly describe the purpose for which you are requesting this grant:

We are holding our 36th annual Hallowe'en Fest on Tuesday, Oct 31st, 2023 at the Jim Ciccone Civic Centre. This selected venue is easily accessible by Public Transportation in addition to being large enough to accommodate the 1500 to 2000 individuals who come to the 2 hr event. A sponsorship letter has been previously mailed to the District of Port Edward office for consideration. We are hopeful to receive donations of cash, candy or prizes to assist the committee in the organization of this year's event. The sponsorship letter outlines a budget to operate the successful event and provide a fun-filled, safe Hallowe'en where children and families can attend and celebrate the evening.

Please demonstrate how this project or event meets the criteria of the District of Port Edward Grant in Aid Policy:

The Hallowe'en Fest Society committee believes we meet the criteria of the District of Port Edward Grant in Aid Policy as our event is open to all residents of Prince Rupert, Port Edward and the outlying communities. Our event is operated by volunteers, many who are student in high school who must meet their criteria of scheduled volunteer work. It is an event where families can participate in activities, enjoy the festivities and children can collect the anticipated Hallowe'en Treats.



District of Port Edward

POLICY AND PROCEDURES

POLICY # 2020-1

TOPIC: Grant in Aid Policy

OBJECTIVE: To establish a policy governing Council's consideration and evaluation of requests for Grants in Aid to financially assist community groups.

POLICY:

The District of Port Edward deems it appropriate to approve grants in aid to groups, organizations, and individuals for activities, events, and programs that are considered beneficial to the community. Decisions regarding requests for grants in aid will be governed by the following guidelines:

1. Council shall set an annual grant in aid budget that shall not be exceeded in any given year.
2. Eligible applications (form attached) will only be considered and accepted from non-profit or charitable organizations that demonstrate:
 - a. A broad benefit to the community of Port Edward; or
 - b. Contribute to the general interest, health or welfare of the community; or
 - c. Assist in the celebration of an event of public interest; or
 - d. Promote volunteer participation and citizen involvement; or
 - e. Promote culture, recreational and social understanding.
3. The applicant must demonstrate a financial need for a specific program or project. Grants will not be given for the sole purpose of building reserves.
4. The maximum grant in aid will not exceed \$500.

Prepared February 19, 2020

Approved by Council on February 25, 2020



6a

DATE: October 10, 2023

FROM: Polly Pereira, Director of Corporate Administrative Services & Strategic Projects

SUBJECT: Elsie Lemke's Appointment as Interim CAO and Signing Authority

RECOMMENDATION: That Council appoints Elsie Lemke as the District of Port Edward Interim Chief Administrative Officer. Elsie Lemke will be an authorized signee on behalf of the District of Port Edward as well as the Approving Officer.

BACKGROUND: The CAO position has become vacant with Robert Grodecki's departure and a new Interim CAO has been hired, Elsie Lemke as of September 18, 2023. As part of her position the District of Port Edward Council must, as part of her role, appoint her at a Council meeting as the Interim CAO. Council also authorizes her to sign legal agreements or contracts on behalf of the District of Port Edward. Council also appoints Elsie Lemke as the Approving Officer for the District of Port Edward.

ANALYSIS:

BUDGET IMPACT:

CONCLUSION: That Council adopts the above motion.


Signed by Author



DISTRICT OF PORT EDWARD

66

Director of Corporate
Administrative Services

COUNCIL REPORT FOR CONSIDERATION

Date: October 10, 2023
To: Elsie Lemke, Interim Chief Administrative Officer
From: Polly Pereira, Director of Corporate Administrative Services
Subject: Updated -Facility Rental Policy and Procedures

RECOMMENDATION: That Council consider and approves the proposed changes to the Facility Rental Policy and Procedures.

Background

The Facility Rental Policy and Procedures was last updated in 2007 and staff has reviewed this policy as well as the Facility Rental Agreement. The changes made were minor mostly update the requirements regarding insurance, if serving liquor the requirement of a liquor license and that a security deposit is required.

A new fee has been included as part of this policy which includes Tournament/Camps for the McKeown Sports Field.

RECOMMENDATION: That Council considers the above recommendation.

Prepared By:

Approved By:



Polly Pereira, DCAS





District of Port Edward

POLICY AND PROCEDURES

FIN# 50

Effective Date:	Authorized By:	Replaces: June 26, 2007
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TOPIC: Facility Rental Policy and Procedure

OBJECTIVE: To provide leisure services for little or no cost, promote a healthy lifestyle and to provide quality facilities. To ensure that priority is given to Port Edward residents for the use of all municipal owned facilities and to ensure the opportunity for children's activities.

POLICY: This policy outlines the rental procedures for the use of the Community Center and the McKeown Sports Field.

PROCEDURE:

1. In accordance with this policy, all rentals of Community Facilities and the McKeown Sports Field will be documented at the Municipal Office and records kept as "Facility Rental Agreements".
2. It is recognized that at least some of the cost of providing facilities and leisure services should be recovered by means of a user fee or charge.
3. In order to allow the fullest use of the District of Port Edward's facilities no group or individual shall be given exclusive rental of any facility for an extended period of time.
4. User groups may make requests to Council to reduce or waive fees. ***(Council approval must be given at a Council meeting)***
5. Although facilities will be reserved for activities on a first come, first served basis, the residents of the District of Port Edward will be given first priority.

GENERAL

1. All Bookings and records of the Community Centre or McKeown Sports Field will be maintained in the Municipal Office (Community Calendar binder) on a first come first served basis and provide the following in advance of use:
 - a. Complete the facility rental agreement
 - b. Proof of applicable insurance (*District of Port Edward also provides some user groups insurance*) inquire before hand
 - c. Security Deposit Community Center (\$250) and McKeown Sports Field (\$300) as well as user fees. (see information below)
 - d. If venue includes serving of alcohol must provide a copy of the liquor license.

COMMUNITY CENTRE FEES:

1. Prior to obtaining keys to the facility renters must inspect the Community Centre with a Municipal staff member and complete the form *Facility Rental Clean-up Check List- Part 1 (IN)*
2. Keys for the Community Centre will be logged out/in the *Facility Rental Clean-up Check List*.
3. Prior to the refunding of the security deposit, the user of the facility must again inspect the Community Centre with a Municipal staff member and complete the form *Facility Rental Clean-up Check List- Part 2 (OUT)*

Community Center User Fees:

Basic Fee	\$1 per person
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MCKEOWN PARK SPORTS FIELD

1. The field will be closed annually from November 1st through to May 1st of every year (field conditions permitting).
2. The Public Works department reserves the right to restrict activity during the “open” season based on conditions.
3. Requests for mowing can be made by contacting the Municipal office and staff will try to accommodate all request if possible.

Sports Field User Fees:

Practice/Games	
Adult	Season: May to September 7
Soccer	\$100.00 per team
Softball/Baseball/Slow-pitch	\$100.00 per team
Rugby	\$100.00 per team
Youth	Season: May to August 15
Soccer	\$50.00 per team
Softball/Baseball/Slow-pitch	\$50.00 per team
Tournament/Camps	
Adults	\$50.00 per Day
Youth	\$25.00 per Day



District of Port Edward

FACILITIES RENTAL AGREEMENT

THIS AGREEMENT IS MADE BETWEEN:

The Lessor:

THE DISTRICT OF PORT EDWARD

770 PACIFIC AVENUE

PO BOX 1100

PORT EDWARD, BC V0V 1G0

(hereinafter referred to as the "Municipality")

AND

The Lessee:

(Person or Organization's name)

(Contact Name – Please Print)

(Mailing Address)

(City, Province, Postal Code)

(Contact Phone No. Daytime)

(Contact No. Evening)

(Email Address)

(hereinafter referred to as the "Licensee")

ON THIS _____ DAY OF _____, 20____

The facility requested for rental: _____

The date or period the rental is requested for: _____

The times the rental is requested for: _____

The purpose of the rental: _____



District of Port Edward

FACILITIES RENTAL AGREEMENT

TERMS AND REGULATIONS

READ BEFORE SIGNING

The licensee will:

- a) Be responsible for advising all attendees and will ensure that all attendees adhere strictly to all regulations posted and/or attached hereto. Failure to adhere to said regulations can result in this permit being revoked without refund of any fees paid.
- b) Provide a competent and trustworthy adult who will personally undertake to be responsible for the due observance of regulations governing the Premises.
- c) Exercise the greatest care in use of the facility and adjacent premises.
- d) Report all damage immediately to a Municipal Office at 250-628-3667.
- e) Be responsible for any damages incurred. Said damages to be paid firstly by the Licensee and/or their insurer.
- f) Use only the Premises or facility (e.g., kitchen, Public Address system, etc.) named in this Agreement.
- g) Not permit any other Group or Organization not named on this License to use said Premises without the authorization of the Administrator of the District of Port Edward.
- h) Be responsible for leaving the Premises clean. This shall include but not be limited to the wet-mopping of all floors, removing all garbage from inside and the areas just outside of the Community Centre's doors. If using the ball field ensure to use the garbage receptacles and ensure the field is clean after each use. Failure to do so may result in an additional fee levied for maintenance as per the District's charge out rate.
- i) Will not permit liquor on any Premises unless a Liquor License is in effect. A copy of said License shall be presented and attached to this agreement prior to use of said facility.

I HAVE READ PAGE 2 OF 4

Initial

- j) On District ball fields, provide washroom facilities, such as portable toilets.
- k) Adhere to Grass Premises Closures. Information may be obtained by call the District of Port Edward at 250-628-3667.
- l) Not use Grass Premises when closures are in effect.
- m) Not place objects in or on grass fields without first consulting with the Public Works.
- n) Call the District of Port Edward at 250-628-3667 and cancel the permit if you do not plan to use it.
- o) Pay all fees levied according to this agreement including but not limited to, costs associated to any breach of this agreement. Deposits will be returned after inspections are complete and after all keys are returned. Security deposit for the Community Center is \$250.00 and \$300.00 for the ball field.

Circle one: Community Centre/ Gym Ball Field

I HAVE READ PAGE 3 OF 4

Initial

WAIVER AND INDEMNITY CLAUSE

The Licensee accepts and will use the premises at their own risk and agrees that neither the District of Port Edward herein after referred to as the Municipality, nor their respective officers, employees, servants, agents, heirs successors and assigns have made any warranties or representations respecting the suitability or condition of the Premises. The Licensee further agrees that it will indemnify and save harmless the Municipality and their respective officers, employees, servants, agents, heirs, successors and assigns from and against any and all claims whatsoever, including all damages, liabilities, expenses, costs, including legal or other fees, incurred in respect of any such claim(s) or actions(s) or proceedings(s) brought thereon arising directly or indirectly from or in connection with the granting of this License and use of the Premises.

Prior to execution of this license the licensee will obtain and maintain comprehensive general liability insurance including, without limitation, coverage for the indemnity provided herein, on terms satisfactory to the Municipality. The

Municipality is to be included as named insured. Such policy will be written on a comprehensive basis with inclusive limits not less the \$2,000,000 per occurrence including \$2,000,000 for bodily injury and/or death to any one or more persons including voluntary medical payments and property damage or such higher limits as the Municipality may require from time to time. The policy will contain a clause providing that the insurer will give the Municipality thirty (30) days prior written notice in the event of cancellation or material change. The licensee will provide the municipality with evidence of such insurance coverage in the Certificate of Insurance in a form satisfactory to the Municipality ten (10) days prior to the execution of said agreement.

It is the sole responsibility of the Licensee to determine what additional insurance coverages, if any, including but not limited to Workers Compensation and Participants Insurance, are necessary and advisable for its own protection and/or to fulfill its obligations under this contract. Any such additional insurance shall be maintained and

provided at the sole expense of the Licensee.

The Licensee understands and agrees that this Permit may be revoked or cancelled at any time with or without cause. The municipality will make every reasonable attempt to provide a minimum 48 hours notice of a cancellation to the Licensee.

The Applicant warrants and represents that if he/she executes this Application on behalf of a Group or Organization that the Applicant has sufficient power, authority and capacity to bind the Group or Organization with his/her signature.

The Licensee, in consideration of being granted permission to use the Premises agrees to be bound by the Terms and Regulations referred to above **and if the Applicant represents a Group or Organization, the Applicant agrees to inform all responsible official associated with the Group or Organization of the terms and Regulations and Waiver and Indemnity Clause.**

WITNESS

(Print Name)

Address

City, Province, Postal Code

Signed and Witnessed this _____ Day of

20____

(Signature of Licensee)

I have read the above and fully understand the Terms and Regulations and the Waiver and Indemnity Clauses and will comply with the said document

I HAVE READ PAGE 4 OF 4

Initial



DISTRICT OF PORT EDWARD

Director of Corporate
Administrative Services

6c

COUNCIL REPORT FOR CONSIDERATION

Date: October 10, 2023
To: Elsie Lemke, Interim CAO
From: Polly Pereira, Director of Corporate Administrative Services

Subject: Flag Policy

RECOMMENDATION: That Council approve the proposed District of Port Edward Flag Policy.

Background


A request was made to purchase a Port Edward flag and since the District did not have a policy staff was instructed to look into creating a policy.

Research was conducted from other communities and their policies. The attached policy was created for Port Edward and is now presented to Council for consideration.

RECOMMENDATION: That Council considers the above recommendation.

Prepared By:

Approved By:



Polly Pereira, DCAS





District of Port Edward

POLICY AND PROCEDURES

ADM# 6...

Effective Date:	Authorized By:	Replaces: New
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TOPIC: District of Port Edward Flag Policy

OBJECTIVE: The purpose of this policy is to ensure that all flags within the District of Port Edward are displayed in a consistent and appropriate manner.

POLICY: Flag Procedure

Summary

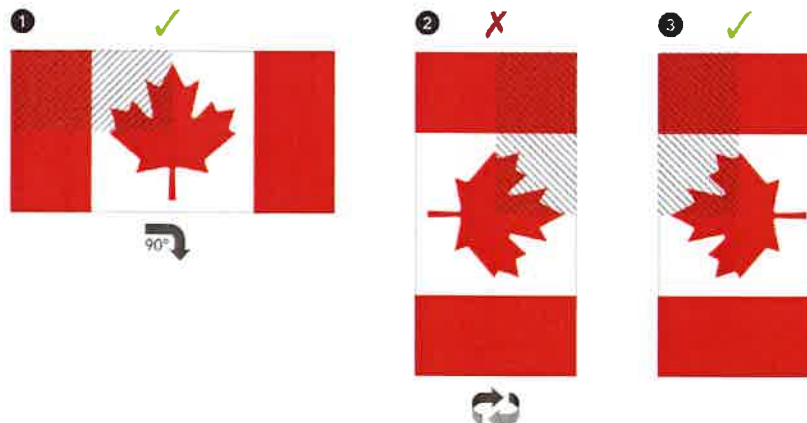
The District of Port Edward flies the Canadian flag, the Province of British Columbia flag and the flag of the District of Port Edward on designated poles at various buildings and properties within Port Edward.

Position of Flags

The District of Port Edward follows the flag etiquette issued by the Government of Canada and honours the Flag Protocol for the Province of British Columbia.

The National Flag will always be flown on its own flagpole, with the sleeve nearest to the pole. The canton should be placed in the position nearest the top of the flagpole or mast.

Position of the canton when displaying the National Flag of Canada vertically



It is improper to fly the National Flag with another flag, of any type, on the same flagpole.

Flagpoles can be divided into three categories: exterior permanent poles (located outside of buildings, on top of a building or on the adjacent grounds), exterior portable poles and interior poles.

Exterior permanent poles should be fitted with a hoisting device such as a halyard and pulley arrangement to enable the flags to be easily raised, lowered and half-masted as required.

District of Port Edward Flag

The District of Port Edward flags are available for purchase at the Municipal Office and the price will be at cost plus applicable taxes.

The District flag must be treated with honour and respect. The owner must:

- Display the flag in good conditions, with no rips or tears
- Maintain the current dimensions of the flag
- When displaying more than one flag, follow the Government of Canada [protocol for displaying flags](#)

The user must **not**:

- Attach or sew items onto the flag, draw on the flag or alter it in any way
- Use the flag as a tablecloth or clothing

Quality of Flags

Flags flown must be in good condition, with no tears or fading. This includes flags provided by a community group for a National Day or fundraising effort. The flag can be no larger than the flag of Canada.

Disposal of Flags

When a flag becomes tattered and is no longer in suitable conditions for use, it must be destroyed in a designated way. See [Disposal of the Canadian Flag](#) on the Government website.

Violation

When a flag is tattered and the owners are advised that they are violating the “District of Port Edward Flag Policy” this will constitute an offence and penalties may apply as per the “*Property Maintenance and Standard Bylaw# 706, 2020*”.



6d

DATE: October 10, 2023

FROM: Polly Pereira, Director of Corporate Administrative Services & Strategic Projects

SUBJECT: Development Variance Permit for Lot 1; District Lot 446; Range 5; Coastal District Plan EPP 129613

RECOMMENDATION: THAT Council approve the following variance for Lot 1, DL 446, Range 5 Plan EPP 129613:

- Rear yard setbacks reduced by 0.75 meters for Unit # 7 and the rear yard setbacks reduce by 2.50 meters for Unit # 4 as illustrated on the drawing provided; and **FURTHER THAT** a “no build” zone is required for the adjacent property 333 Skeena Drive (Kinnikinnick Campground) of approximately .15 meters along Unit # 7 and approximately 1.90 meters along Unit # 4 to allow sufficient spatial separation for fire safety.

REASON FOR REPORT: An application for a Variance Permit for the Spruce Avenue development was presented at the Council meeting on September 12, 2023. A resolution was passed by Council to proceed to public notification.

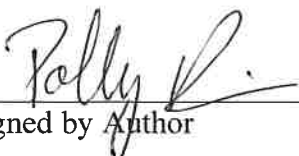
BACKGROUND: Notices were provided to neighbouring properties and an opportunity for comments was given until September 27, 2023. As of the date of this report no comments were received.

The applicant proposes to build seven (7) modular units, and due to spatial separation of 2.4 meters, the owner is requesting a variance Section 5.9.5(a)ii to 0.75m for Unit # 7 and 2.50m for Unit # 4 as illustrated in the attached **C102** drawing.

ANALYSIS: The applicant also owns the adjoining property (Kinnikinnick Campground) and is aware of the “no build” zone required of 2.4m for spatial fire safety. Bernie Zimmer, our Building Official has provided a Memo to support this variance (see attachment). A copy of the Memo will be filed on both property files for future staff reference.

BUDGET IMPACT: None

CONCLUSION: Application merits proceeding to the public notification.


Signed by Author


Approved by Interim CAO

Attachments:

- Attachment #1 – Application & Drawing C102
- Attachment #2 – Memo Building Official
- Attachment # 3- Draft Development Permit Form



District of Port Edward

RECEIVED

VARIANCE APPLICATION FORM

DISTRICT OF PORT EDWARD

Date of Application: Aug. 25/23

Application Fee (available payment options: cash, cheque, or debit)

VARIANCE APPLICATION FEE

\$100 Paid pp.

Applicant Information (Owner or Agent as applicable)

Applicant's Name: Clint Thompson

Corporation (if applicable): Port Ed Holdings Ltd

Address: 333 Skeenadrive Box 157 Port Edward BC Postal Code: VOV 1G0

Telephone: Business: 250 600 0860 Home: _____ Fax: _____

Email: portedholdingsinc@gmail.com

Property Information

Civic Address: _____

Parcel Identifier(s): Lot 1, district Lot 44b, Range 5, Plan EPP 129613

Legal Description(s): PID # 032-012-292

Existing Zoning: C2 (Tourist Commercial)

Description of Proposed Development (attach maps, plans and documents in support of application where applicable):

Variance Request is to reduce the rear yard setback requirement from 3.0 m to 0.5 m at unit #4 to reduce the rear yard setback requirement from 3.0 m to 0.75 m @ unit #7. As per attached Map

C-102

Variance Request	Zoning Bylaw Section:
Example: principal building front line setback from required 6 metres to 1 meter	Section: 5.12.6

Undue Hardship

Please detail the undue hardship that is the reason for the application. Be specific. Attach a separate sheet to the application if there is not enough space

N/A

Required Documents

Legal Survey	
Building Elevation (if applicable only for high variances)	

Agent Designation (if applicable)

If you are not the Registered Owner of the property that requires Board of Variance approval, a letter signed by the Owner is required prior to the Board of Variance meeting allowing you to act as a representative on his/her behalf. Neither Board members nor the District of Port Edward staff are responsible for the completeness or accuracy of this Application. Please provide all necessary information so that the Board and staff can properly consider your request.

I hereby designate _____ to act as my agent in matters related to this application.

Registered Owner's Name: _____ Owner's Signature: _____

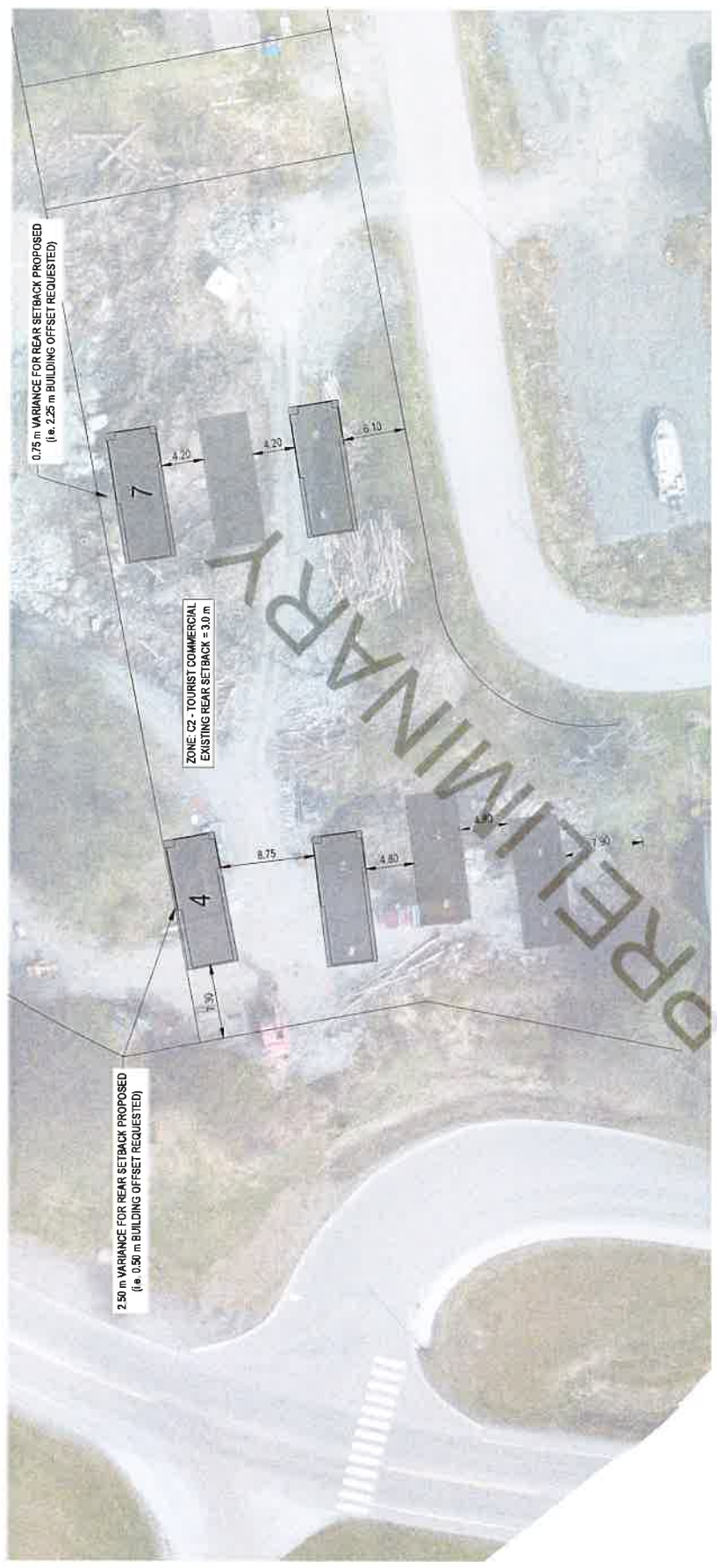
Registered Owner's Name: _____ Owner's Signature: _____

Signatures

I certify that the attached submission is complete and accurate, and includes all of the above items.

Registered Owner's Name: Clint Thompson Owner's Signature: [Signature] Date: Aug 25 / 23

Registered Owner's Name: _____ Owner's Signature: _____ Date: _____



Scale: 1: 400

NUM	DATE	APR	DESCRIPTION
REVISIONS			
A	19/09/23	XX	ISSUED FOR REVIEW
NUM	DATE	APR	DESCRIPTION
DRAWING STATUS			

CLIENT

Kemlenick
CAMPGROUND & RV PARK

TETRA TECH

PROFESSIONAL SEAL

PERMIT

SPRUCE VIEW CABINS
PORT EDWARD, BC

REAR SETBACK VARIANCE PROPOSAL
LOT 1 DISTRICT LOT 446 RANGE 5
COAST DISTRICT PLAN EPP 129613

PROJECT No	70-ENG-1600000000-01	OFFICE	TER	DES	CAD	REV	DRAWING
DATE	AUGUST 18 2023	SHEET No	2 of 2	DWG	APP	XX	C102
				ML	APP	XX	



District of Port Edward

August 25, 2023

MEMO

TO: Robert Grodecki CAO
FROM: Bernie Zimmer Building Official

RE: NO BUILD ZONE - 333 Skeena Drive

BACKGROUND:

The owners of 333 Skeena Drive are also owners of the adjacent property on Spruce Avenue. Their intention is to place 7 modular units for tourist accommodation on the Spruce Avenue property. BC Building Code requirements for spatial separation between units affects where they hope to locate the units, and they are unable to meet the 3m setback limit from a rear lot line required by Port Edward Zoning Bylaw # 713, 2020.

A variance is required to reduce the rear yard setback to place these units in such a manner to comply with building code requirements for spatial separation for fire safety.

The variance affects the adjacent Skeena Drive property, in that a 2.4m distance required for spatial separation of the Spruce Avenue units encroaches into the Skeena Drive property by approximately 1.9 m pertaining to Unity # 4.

This means portions of the Skeena property must become a “NO BUILD” zone.

ANALYSIS:

One option to achieve these “NO BUILD” zones is by a covenant on title.

Alternatively, Port Edward Zoning Bylaw # 713, 2020, requires a 3m setback to the rear lot line and any construction on 333 Skeena is limited by the bylaw.

Further, the spatial separation for similar structures, if installed in that area, is 2.4m thus fire exposure is limited and meets the BC Building Code requirements.

CONCLUSION:

The rear lot line setback of 3m in the Zoning Bylaw# 713, 2020 limits the ability to build on 333 Skeena in that area, satisfying building code requirements for spatial separation for fire exposure.

RECOMMENDATION:

It is recommended that the owners of 333 Skeena in their request for a Variance, not be required to also register a “NO BUILD” covenant on title.

Bernie Zimmer
Building Official
cc Polly Pereira
Zeno Krekic



District of Port Edward

SCHEDULE F

DEVELOPMENT PERMIT FORM

DEVELOPMENT PERMIT NO. 03-2023

1. This Development Permit is issued to:

Name: Port Edward Holdings Ltd

Address: PO Box 157, Port Edward, BC V0V 1G0

2. This Development Permit applies to:

Address: Spruce Avenue, Port Edward BC

Legal Description: Lot 1, District Lot 446, Range 5, Plan EPP 129613, PID# 032-012-292

3. Development Permit Area: C2- Tourist Commercial

4. This Development Permit imposes conditions as follows:

5. This Development Permit is issued subject to compliance with all of the Bylaws of the District of Port Edward applicable thereto, except as specifically varied or supplemented by this Development Permit.

6. This Development Permit varies Section 5.9.5(a)ii of Zoning Bylaw # 713, 2020 as follows:

Rear setbacks reduced by 0.75 meters for Unit # 7 and rear setbacks reduced by 2.50 meters for Unit # 4.

7. If a Building Permit for the development permitted by this Development Permit has not been issued and construction has not substantially commenced within two years after the date of this Development Permit's issuance, this Development Permit shall lapse.

8. Minor changes in the development, that do not violate the development permit guidelines in accordance with which the Development Permit was originally issued, may be approved by the Chief Administrative Officer or his/her designate.

9. **This Development Permit is not a Building Permit.**

This Development Permit No. _____ is hereby issued on this ___ day of _____, 2023.

Chief Administrative Officer



REGULAR COUNCIL REPORT FOR DECISION

Date: October 10, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: Sewer Services Agreement – Prince Rupert Port Authority

Recommendation: That Council approves entering into the Sewer Services Agreement with the Prince Rupert Port Authority, expiring December 31, 2027.

Background:

The District of Port Edward has been accepting sewage waste from the Port of Prince Rupert for a number of years, on the basis of a verbal agreement only. In mid-2022, public works reported they were encountering problems with our system handling the waste, which triggered an investigation into what was happening and the potential causes.

A legal written agreement was drafted, and part of the requirements for the Port was to prepare a waste study, which is required under the Municipal Wastewater Regulation of BC. This study has now been completed, and reviewed by our engineers at MSR Innovative Engineering Services. MSR has provided recommendations to public works on how to handle the sewage waste flows, by way of a technical memo that addresses the process. Additional staff time is required to properly handle the incoming waste, so the attached agreement reflects a price increase from \$1,500 per load, to \$2,000 per load. This fee will automatically increase each year by the consumer price index for BC.

Based on professional advice, we believe that we will now be in a better position to have our sewer infrastructure manage the hauled sewage, and the fees better reflect our increased costs and staff time. The Port has paid for all costs we would have incurred (engineers fees, legal fees, waste study) and supports entering into the new written agreement.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- Sewer Services Agreement

SEWER SERVICES AGREEMENT

THIS AGREEMENT dated for reference _____, 2023, is

BETWEEN:

DISTRICT OF PORT EDWARD
PO Box 1100, 770 Pacific Avenue
Port Edward, BC V0V 1G0

(the "District")

AND:

PRINCE RUPERT PORT AUTHORITY
200 – 215 Cow Bay Road
Prince Rupert, BC V8J 1A2

(the "Port Authority")

GIVEN THAT:

- A. The District operates a sanitary sewer collection system (the "District Sewer System");
- B. The Port Authority owns and operates a facilities located at:
 - Fairview Container Terminal – 3100 Scott Road
 - Diep Sea – 2700 Fairview Ave
 - SAAM – 2550 Fairview Ave
 - Alaska Ferries – 2100 Park Ave
 - Scott Road Office – 2120 Scott Road the "Facilities") from which it collects and stores domestic wastewater and non-domestic waste, as those terms are defined in the Municipal Wastewater Regulation, B.C. Reg 87/2012, in a storage tank located at the Facility ("Facility Sewage");
- C. The Port Authority wishes to discharge Facility Sewage into the District Sewer System through their sani-dump location on Skeena Drive, Port Edward, BC (the "Connection Point"); and
- D. The District and the Port Authority wish to enter into this Agreement to permit the Port Authority to discharge Facility Sewage into the District Sewer System at the Connection Point.

THIS AGREEMENT IS EVIDENCE THAT in consideration of the promises below, and other good and valuable consideration the receipt and sufficiency of which is acknowledged by each party, the District and the Port Authority agree as follows:

1. **Sewer Discharge** – The District shall permit the Port Authority to discharge Facility Sewage into the District Sewer System at the Connection Point on the terms and conditions of this Agreement.
2. **Term** – The term of this Agreement shall commence on the date this Agreement is fully executed and shall terminate on December 31, 2027 unless otherwise terminated in accordance with this Agreement.
3. **Sewage Discharge Restrictions** – The Port Authority shall:
 - (a) discharge Facility Sewage only between the hours of 8 AM and 4 PM Monday through Friday;
 - (b) provide the District with 2 hours' notice before connecting to the Connection Point and discharging Facility Sewage;
 - (c) only discharge Facility Sewage at the Connection Point and discharge Facility Sewage no more than twice per week; and
 - (d) not discharge more than ten thousand (10,000) litres of Facility Sewage into the District Sewer System at one time.
4. **Discharge Fee** – The Port Authority shall pay the District \$2,000.00 for each discharge of Facility Sewage into the District Sewer System (the "Discharge Fee"). This Discharge Fee will be increased annually effective January 1st, by the same percentage as the latest annual percentage increase in the "all items" consumer price index for British Columbia as published by Statistics Canada. The Port Authority agrees that the District may adjust the amount of the Discharge Fee from time to time to reflect increases in the cost of operating and maintaining the District Sewer System, and for other reasons and will provide the Port Authority with reasonable notice of such adjustment to the Discharge Fee
5. **Invoice and Payment** – The District shall invoice the Port Authority for the Discharge Fee monthly and the Port Authority shall pay the District the amount of the invoice within 30 days after delivery of such invoice to the Port Authority.
6. **Waste Study** – Before the Port Authority discharges any Facility Sewage into the District Sewer System, the Port Authority shall cause a qualified professional, satisfactory to the District, to prepare a report that, in accordance with section 7 of the Municipal Wastewater Regulation, B.C. Reg 87/2012, demonstrates that a source control bylaw, or equivalent measure, is not required to protect the District Sewer System or the receiving environment (e.g. ground or water) from the Port Authority's discharge of Facility Sewage into the District Sewer System.
7. **Standards for Discharge** – The Port Authority shall test Facility Sewage once per month to ensure that Facility Sewage meets the standards or is within the ranges specified in the

Standard for Discharges Directed to Municipal or Industrial Effluent Treatment Works under Column 3 of Schedule 1.2 of the Hazardous Waste Regulation, B.C. Reg 63/88. The District may, from time to time, request copies of the tests and the Port Authority shall provide the District with copies of all certificates, inspections and tests within ten (10) days.

8. **Discharge to Comply with Laws** – The Port Authority shall ensure that Facility Sewage discharged into the District Sewer System complies with all statutes, laws, regulations, bylaws, judgements, orders, permits, approvals or licenses which govern what wastes may or may not be discharged into the District Sewer System, including any orders and permits under such enactments and any plan that may be prepared by the District and approved by the Minister of Environment under the *Environmental Management Act* (British Columbia), notwithstanding that any of the foregoing may be inapplicable to the Port Authority by its status as a federally regulated entity or by any rule of law.
9. **Damage to District Sewer System** – In the event that the Port Authority damages any part of the District Sewer System, the Connection Point or both, the Port Authority shall promptly notify the District of such damage and if the District, in its sole discretion, considers it necessary in order to protect the District Sewer System, the District may suspend the Port Authority's rights under section 1 of this Agreement until such repairs are completed.
10. **District May Repair Damage** – If the Port Authority damages the District Sewer System, the District may complete such repair at the expense of the Port Authority and the Port Authority shall repay to the District all reasonable costs incurred by the District in so doing forthwith upon receipt of the District's invoice for same.
11. **No Obligation to Maintain** – The District shall have no obligation to maintain the District Sewer System or the Connection Point.
12. **Termination with Notice** – Either party may, in its sole discretion and without reason, terminate this Agreement upon providing thirty (30) days' notice to the other party. Neither party is entitled to, and irrevocably waives and releases the other party from any and all claims for, any damages or compensation for costs incurred, directly or indirectly, arising out of the termination of this Agreement.
13. **Termination for Default** – The District may terminate this Agreement, by giving notice to the Port Authority, which is effective upon delivery of the notice, if the Port Authority breaches this Agreement and the Port Authority has not cured the breach within five (5) days after notice of the breach is given to the Port Authority by the District.
14. **Indemnity** – The Port Authority shall indemnify, defend and save harmless the District and its elected and appointed officials, employees, contractors and agents, from and against all claims, losses, damages, costs, expenses (including legal fees and disbursements on a solicitor and own client basis), liabilities, actions and proceedings,

suffered, made, incurred, sustained, brought, prosecuted, threatened to be brought or prosecuted, in any manner caused, based upon, occasioned by or attributable to,

- (a) any personal injury or death, damage to or loss of property;
- (b) wilful or negligent acts or omissions or other actionable wrongs; and
- (c) any loss or damage of any kind

connected with or related in any way to the performance or breach of this Agreement by the Port Authority. The Port Authority's liability to indemnify the District and its elected and appointed officials, employees, contractors and agents under this section does not limit or affect any other rights or remedies the District may have against the Port Authority in respect of the Port Authority's performance or breach of this Agreement. The Port Authority's obligations under this section shall survive the expiry or earlier termination of this Agreement. The Port Authority will not, under any circumstances, be liable or responsible in any way for any business, economic or indirect or consequential loss or damage to the District however caused.

15. **General Liability Insurance** – The Port Authority shall obtain and maintain throughout the term of this Agreement commercial general liability insurance providing coverage for death, bodily injury, property loss and damage and other losses arising out of or in connection with this Agreement in an amount not less than \$5,000,000.00 per occurrence, or in such a greater amount as may be required by the District from time to time, acting reasonably. The policy of insurance required under this section shall:

- (a) name the District as an additional insured;
- (b) include that the District is protected notwithstanding any act, neglect or misrepresentation by the Port Authority which might otherwise result in the avoidance of a claim and that such policies are not affected or invalidated by any act, omission or negligence of any third party which is not within the knowledge or control of the insureds;
- (c) not be cancelled or materially altered without the insurer providing the District with 30 days' written notice stating when such cancellation or change is to be effective;
- (d) be primary and non-contributing with respect to any policies carried by the District and shall provide that any coverage carried by the District is excess coverage;
- (e) include a cross-liability clause; and
- (f) be issued by an insurance company entitled to carry on the business of insurance under the laws of British Columbia.

16. **Insurance Certificates** – The Port Authority shall provide the District with certificates of insurance confirming the placement and maintenance of the required insurance before the Port Authority discharges any Facility Sewage into the District Sewer System and from time to time upon the District’s request.
17. **District May Insure** – If the Port Authority fails to insure as required, the District may effect the missing insurance in the name and at the expense of the Port Authority and the Port Authority shall promptly repay the District all costs incurred by the District in doing so. For clarity, the District has no obligation to effect such insurance.
18. **Assignment** – The Port Authority shall not assign this Agreement or the benefit hereof without the prior written consent of the District, which may be withheld without reason.
19. **Time of the Essence** – Time is of the essence of this Agreement.
20. **Alternative Rights and Remedies** – Exercise by a party to this Agreement of any right or remedy of that party, whether granted in or under this Agreement or at law or equity, does not limit or affect any other right or remedy of any kind, whatever its source, that the party may have against the other party and does not affect the right of the party exercising the right or remedy to exercise other rights or remedies against the other party.
21. **Waiver** – Waiver of any default by either party must be express and in writing to be effective and a waiver of a particular default does not waive any other default.
22. **Notice** – Any notice, direction, demand, approval, certificate or waiver which may be or is required to be given under this Agreement shall be in writing and delivered personally or by courier or sent by fax or e-mail, addressed as follows:

(a) to the District:

District of Port Edward
PO Box 1100, 770 Pacific Avenue
Port Edward, BC V0V 1G0
Fax Number: 250-628-9225
E-mail Address: cao@portedward.ca
Attention: CAO

(b) to the Port Authority:

Prince Rupert Port Authority
200 – 215 Cow Bay Road
Prince Rupert, BC V8J 1A2
Fax Number: 250.627.8980

E-mail Address: generalcounsel@rupertport.com

Attention: Vice-President, Commercial and Regulatory Affairs and General Counsel

or to such other address, e-mail address or fax number of which notice has been given as provided in this section.

Any notice, direction, demand, approval or waiver delivered is to be considered given on the third business day after it is dispatched for delivery. Any notice, direction, demand, approval or waiver sent by fax or e-mail is to be considered given on the day it is sent, if that day is a business day and if that day is not a business day, it is to be considered given on the next business day after the date it is sent.

23. Interpretation – In this Agreement:

- (a) where the word “including” is followed by a list, the contents of the list are not intended to circumscribe the generality of the expression preceding the word “including”;
- (b) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
- (c) reference to a particular numbered section or Schedule is a reference to the correspondingly numbered section or Schedule of this Agreement;
- (d) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this Agreement;
- (e) if a word or expression is defined in this Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
- (f) the word "enactment" has the meaning given to it in the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
- (g) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;
- (h) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced; and
- (i) reference to a "party" is a reference to a party to this Agreement and to its respective corporate successors, trustees, administrators and receivers.

24. Governing Law – This Agreement is governed by and is to be interpreted according to the laws of British Columbia.

25. **Binding on Successors** – This Agreement enures to the benefit of and is binding upon the parties and their respective heirs, executors, administrators, successors and permitted assigns.

26. **Entire Agreement** – This Agreement is the entire agreement between the parties and it terminates and supersedes all previous communications, representations, warranties, covenants and agreements, whether verbal or written, between the parties with respect to the subject matter of this Agreement.

As evidence of the agreement of the parties to be bound by the above terms and conditions of this Agreement, the parties have executed this Agreement below, on the respective dates written below.

DISTRICT OF PORT EDWARD
by its authorized signatories:

Name:

Name:

Date

PRINCE RUPERT PORT AUTHORITY
by its authorized signatories:

Name:

Name:

Date



6f

DISTRICT OF PORT EDWARD

COUNCIL REPORT FOR INFORMATION

Date: October 10, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer
Subject: CAO's Report to Council – September 18 – October 5, 2023

- Reviewed various bylaws for amendments and updating;
- Arranged for amendments to zoning bylaw for new fish processing facility;
- Phone meeting with Health and Safety consultant to review status and continue with program implementation;
- Weekly site meetings at Oceanview and Sunset projects;
- Met with Prince Rupert Port Authority to review final changes to sewer services agreement and address outstanding meter issues with water agreement;
- Discussions with Post Master and reviewed REDIP grant requirements
- Met with engineer for campground to finalize utility issues
- Approved additional Sunset Drive change order, which resulted in minimal increased cost to replace deteriorated pipe (\$650) when offset against other cost savings
- Prepared Truth and Reconciliation statement for posting on website and Facebook page
- Arranged for pricing estimates on various projects in preparation for 2024 budget discussions
- Attended Ocean Trailers grand opening
- Entered into Strategic Priorities Funding Agreement for \$75,000 grant for final phase of Asset Management
- Worked on various HR matters, including interview prep for CAO interviews
- Phone meeting with campground owners to initiate Temporary Use Permit process
- Prepared amendment to Lease with School District 52 for community school.

Approved for Submission to Council



Elsie Lemke, Interim CAO



DISTRICT OF PORT EDWARD

7a

REPORT FOR COUNCIL

Date: October 10, 2023
To: Elsie Lemke, CAO
From: Lorraine Page, Director of Finance
Subject: **Water Rates & Regulations Amendment Bylaw No. 747**

RECOMMENDATION: That Council give 1st, 2nd and 3rd readings to the attached Water Rates & Regulations Amendment Bylaw No. 747, 2023.

BACKGROUND: Our goal is to achieve sustainable service delivery. This requires appropriately pricing the sale of service to cover the cost of the service. At this point we are not generating enough revenue to cover the cost of providing water services. I am proposing a moderate increase in water rates for January 2024 to all water customers. The last increase in water rates was January 2022. This amendment also includes a rate for bulk water sales.

Submitted by

Approved for submission to Council



Lorraine Page, Director of Finance



Chief Administrative Officer



DISTRICT OF PORT EDWARD BYLAW NO. 747

WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 747, 2023

A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD WATER RATES & REGULATIONS BYLAW NO. 535, 2013

WHEREAS Council for the District of Port Edward wishes to amend the water rates within the Municipality; and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve requirements in relation to municipal services;

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

1. That the water users rates set out in "Schedule A" of the Water Rates & Regulations Bylaw No. 535, 2013 be amended; and
2. That the water user rates be replaced by "Schedule A" attached to this bylaw.

CITATION

This Bylaw may be cited as the "WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 747, 2023".

REPEALS

That "WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 724, 2021" and its amendments be repealed in its entirety.

READ a first time this ___ day of October, 2023;
READ a second time this ___ day of October, 2023;
READ a third time this ___ day of October, 2023;

RECONSIDERED AND ADOPTED THIS ___ day of October, 2023.

Knut Bjordal
Mayor

Polly Pereira
Director of Corporate Administrative Services

SCHEDULE A
(Effective January 1, 2024)

1. <u>WATER RATES</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	\$ 110.00
Trailer Parks, Manufactured Home Parks Each site, space, or pad whether or not occupied by a trailer or manufactured home	\$ 110.00
Campground Each cabin or camping space whether or not occupied by a Recreational Vehicle	\$ 55.00
Rooming or Boarding House Plus for each Housing Unit Plus for each sleeping room	\$ 110.00 \$ 110.00 \$ 55.00
Restaurant, Café, Coffee Shops Snack Bars (Unlicenced)	\$ 286.00
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 434.50
Hotel, Motels Plus for each unit with kitchen facilities Plus for each unit without kitchen facility	\$ 286.00 \$ 110.00 \$ 55.00
Schools	\$ 495.00
Business Premises, Stores, Offices Workshops Garages & Service Stations (without car washes) Warehouses, Industrial buildings or Other Commercial undertakings not otherwise classified	\$ 165.00
Private Clubs, Service Clubs, Churches	\$ 110.00

2. **BULK WATER RATE** \$ 10.00 PER CUBIC METER

3. **WATER METER RATES**

(1) Where it is deemed that any user, requires 1,000 or more cubic meters of water per month, the applicant will be required to install and maintain an acceptable water meter. Those users may be **business premises including stores, offices, workshops, garages and service stations with car wash, warehouses, industrial buildings or other commercial undertakings not otherwise classified.** The following monthly rates per cubic meters will apply:

CONSUMPTION (Cubic Meters)	BASIC RATE (Monthly)	PLUS COST PER CUBIC METER
0 - 2,800	\$ 130.00	\$ 0.90
Over 2,800	\$130.00	\$ 1.10

(2) Should the meter become inoperative, the owner shall cause the necessary repairs to be completed within thirty (30) days. This period of repairs will be billed at the average rate for the preceding twelve months.

4. **CONNECTION CHARGES**

19 mm-25 mm connection	\$ 2,000.00 minimum plus actual costs incurred over this amount
38mm connection	\$ 2,500.00 minimum plus actual costs incurred over this amount
51mm connection or larger	\$ 2,500.00 minimum plus actual costs incurred over this amount

For all connections, the minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.

5. **WATER TURN ON/OFF FEE**

Between 8:00 am- 4:30pm Monday to Friday (except Statutory Holidays)	\$ 0.00
All other times	\$ 250.00

6. **FIRE HYDRANTS**

First day fee	\$ 300.00
Each additional day	\$ 100.00



DISTRICT OF PORT EDWARD BYLAW NO. 724

WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 724, 2021

A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD WATER RATES & REGULATIONS BYLAW NO.
535, 2013

WHEREAS Council for the District of Port Edward wishes to amend the water rates within the Municipality;
and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve
requirements in relation to municipal services;

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

1. That the water users rates set out in "Schedule A" of the Water Rates & Regulations Bylaw No. 535,
2013 be amended; and
2. That the water user rates be replaced by "Schedule A" attached to this bylaw.

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

This Bylaw may be cited as the "WATER RATES & REGULATIONS AMENDMENT BYLAW NO. 724, 2021".

READ a first time this 23rd day of November, 2021;

READ a second time this 23rd day of November, 2021;

READ a third time this 23rd day of November, 2021;

RECONSIDERED AND ADOPTED THIS 14th day of December, 2021.


Knut Bjørndal
Mayor


Polly Pereira
Director of Corporate Administrative Services

SCHEDULE A
(Effective January 1, 2022)

1. <u>WATER RATES</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit,	\$ 100.00
including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	
Trailer Parks, Manufactured Home Parks	\$ 100.00
Each campsite, space, or pad whether or not occupied by a trailer or manufactured home	
Rooming or Boarding House	\$ 100.00
Plus for each Housing Unit	\$ 100.00
Plus for each sleeping room	\$ 50.00
Restaurant, Café, Coffee Shops Snack Bars (Unlicenced)	\$ 260.00
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 395.00
Hotel, Motels	\$ 260.00
Plus for each unit with kitchen facilities	\$ 100.00
Plus for each unit without kitchen facility	\$ 50.00
Schools	\$ 450.00
Business Premises, Stores, Offices Workshops Garages & Service Stations (without car washes) Warehouses, Industrial buildings or other Commercial undertakings not otherwise classified	\$ 150.00

Private Clubs, Service Clubs, Churches

\$ 100.00

2. TREATED WATER METER RATES

(1) Where it is deemed that any user, requires 1,000 or more cubic meters of water per month, the applicant will be required to install and maintain an acceptable water meter. Those users may be **business premises including stores, offices, workshops, garages and service stations with car wash, warehouses, industrial buildings or other commercial undertakings not otherwise classified**. The following monthly rates per cubic meters will apply:

CONSUMPTION (Cubic Meters)	BASIC RATE (Monthly)	PLUS COST PER CUBIC METER
0 - 2,800	\$130.00	\$ 0.70
Over 2,800	\$130.00	\$ 0.90

(2) Should the meter become inoperative, the owner shall cause the necessary repairs to be completed within thirty (30) days. This period of repairs will be billed at the average rate for the preceding twelve months.

3. CONNECTION CHARGES

19 mm-25 mm connection	\$ 1,300.00
38mm connection	\$ 1,500.00
51mm connection	\$ 2,000.00

For larger than 51 mm connection, the minimum charge shall be \$ 2,000.00 plus any costs incurred over this amount

All road crossings and rock excavating would be additional cost.

4. WATER TURN ON/OFF FEE

Between 8:00 am- 4:30pm Monday to Friday (except Statutory Holidays)	\$ 0.00
All other times	\$ 150.00

5. FIRE HYDRANTS

First day fee	\$250.00
Each additional day	\$75.00



**DISTRICT OF PORT EDWARD
WATER RATES & REGULATIONS
BYLAW NO. 535**

**A BYLAW TO REGULATE THE EXTENSION OF AND CONNECTIONS TO THE
WATER WORKS OF THE MUNICIPALITY AND TO IMPOSE CONNECTION FEES
AND USER RATES FOR USE OF SAID WATER WORKS**

WHEREAS it is expedient that all lands or real property within the Municipality which require the service and are capable of being served by the water works should be so served;

AND WHEREAS it is necessary from time to time to extend the said water works to provide service to other residents of the Municipality;

AND WHEREAS it is deemed just that the cost of making such extensions to the said water works should not be permitted to place any undue burden upon the revenues of this system;

AND WHEREAS it is expedient to provide for the connection of water lines from houses and other buildings with the water distribution system of the District of Port Edward and to regulate same;

NOW THEREFORE the Council of the District of Port Edward in open meeting assembled enacts as follows;

1. CITATION

This Bylaw may be cited as “Water Rates & Regulations Bylaw No. 535, 2013”

2. REPEALS

That “Water Rates and Regulation Amendment Bylaw No. 491 and 450” and its amendments be repealed in its entirety.

3. INTERPRETATION

(1) In this Bylaw:

“**Applicant**” shall mean an owner or his agent making application for a water service connection and from whom the District may expect to receive revenue on a continuing basis for this service.

“**Building Code**” has the same meaning as the "British Columbia Building Code" in the Building Regulations of British Columbia.

“**Collector**” shall mean the Collector of the District of Port Edward appointed by Council pursuant to the provisions of the Community Charter.

“Council” shall mean the municipal Council of the District of Port Edward.

“District” shall mean the municipality of the District of Port Edward.

“Dwelling” shall mean any building or place occupied or used as a dwelling place of living by one or more tenants, including each suite of a multiple dwelling or each unit of an apartment block.

“Large Volume Raw Water User” shall mean commercial businesses using in excess of 5,000 cubic metres of raw water monthly.

“Quarter” means the relevant 3 month period ending on the last day of March, June, September, December of any year.

“Superintendent” shall mean the Superintendent of Public Works or such person appointed by Council.

“Water Main” shall mean and shall include any water main upon, or under, any public street, lane, right-of-way, or easement which water main is owned or maintained by the District, whether laid by it or any other person whomsoever.

4. SERVICE CONNECTIONS

- (1) For the purposes of this bylaw, the Superintendent shall have charge and control of all properties and works in connection with the water system and of all the engineering and mechanical work in connection therewith.
- (2) All applications for the installation of water connections shall be made to the Collector by the Applicant. The Applicant shall, on making application as aforesaid, pay to the Collector the sum as laid down in Schedule "A" of this bylaw.
- (3) If the Superintendent approves the said application, he will as soon as convenient thereafter, provide and lay, free of further cost, a water connection from the appropriate water main to the owner's property. If the Superintendent does not approve the said application, he shall notify the Applicant accordingly and the Collector shall refund the fees paid.
- (4) No work of any kind connected with the water system either for laying new or repairing old services shall be done upon or under any street or lane in the District by anyone other than the employees or agents of the District.
- (5) No person shall make any connection whatsoever to any public or private water main in the District without first obtaining the written consent of the Superintendent or his designate.

- (6) All water pipes from houses or other buildings and from private property to the property line shall be constructed by and at the expense of the owner with Copper Type K pipe or in accordance with the specifications contained in the BC Building Code. Pipes must be buried at a depth in accordance of the BC Building Code.
- (7) The applicant shall notify the Superintendent or his designate when any water connection or any other work carried out under the provisions of this bylaw is ready for inspection and no water connection or any other work shall be covered until it has been inspected and approved by the Superintendent. If any such water connection or other work has been covered without first having been inspected and approved by the Superintendent, the applicant shall, when requested by the Superintendent or his designate, have such water connection or other work uncovered forthwith so that it may be inspected.

5. INSPECTION

- (1) The Superintendent or any employee in the Public Works Department is hereby authorized to enter, at all reasonable times, on any property to ascertain whether the provisions of this bylaw are being observed.

6. FEES

- (1) There shall be and is hereby imposed and levied a water user charge against the owner or occupier of real property whose property or premises is connected to a water main.
- (2) Each parcel of land or premises shall be classified in accordance with the categories set out in "Schedule A" attached hereto and forming part of this bylaw and the user charge imposed shall be the rate shown opposite the relevant category.
- (3) In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the water connection was made. If made on or before the fifteenth (15th) day of the month, the user charge shall be for the total month, or if made after the fifteenth (15th) day of the month, the charge shall be Fifty Percent (50%) of the current monthly user charge.
- (4) The user rates and charges as set forth in Schedule "A", Section 1 - Water Rates, shall be payable quarterly unless otherwise specified or required, at the office of the Collector.
 - (a) All quarterly accounts shall become due and payable on or before the last business day of the current quarter for which the billing is made and subject to an interest penalty on the current charges equal to the rate as set by the Ministry of Municipal Affairs for arrear and delinquent taxes if not paid on or before the due date as printed on the utility bill.
 - (b) Annual prepayment of water fees are eligible for a 10% discount provided fees are prepaid for one year by March 31 of each year.

Bylaw # 535
District of Port Edward

- (5) All monthly accounts shall become due and payable on the 30th day of the following month and subject to an interest penalty on the current charges equal to the rate as set by the Ministry of Municipal Affairs for arrear and delinquent taxes if the account is not paid on or before the due date as printed on the utility bill.

7. PENALTIES

- (1) Any person who violates any of the provisions of this bylaw shall be guilty of an offense and shall be liable on summary conviction to a fine not exceeding the sum of Five Hundred Dollars (\$500.00) and costs for each offense.

READ a first time this 23rd day of April, 2013
READ a second time this 23rd day of April, 2013
READ a third time this 23rd day of April, 2013

Adopted this 14th day of May, 2013.



Mayor



Director of Corporate Services

SCHEDULE "A"

(Effective May 28, 2013)

<u>1. WATER RATES</u>	<u>MONTHLY RATE</u>	<u>PER QUARTER</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or Each unit within an Apartment Block - Each unit	\$ 21.50	\$ 64.50
Trailer Parks, Manufactured Home Parks - each campsite, space, or pad whether or not occupied by a trailer or manufactured home	\$ 21.50	\$ 64.50
Rooming or Boarding House - Plus for each Housekeeping Unit - Plus for each sleeping room	\$ 21.50 \$ 21.50 \$ 10.75	\$ 64.50 \$ 64.50 \$ 27.25
Restaurants, Cafes, Coffee Shops, Snack Bars (Unlicensed)	\$ 69.32	\$ 207.96
Hotels, Motels - Plus for each unit with kitchen facilities - Plus for each unit without kitchen facility	\$ 69.32 \$ 21.50 \$ 10.75	\$ 207.96 \$ 64.50 \$ 27.25
Licensed Lounges, Licensed Restaurants, Licensed Coffee Shops, Licensed Cafes	\$ 100.10	\$ 300.30
Schools	\$ 130.00	\$ 390.00
Business Premises, Stores, Offices, Workshops Garages & Service Stations (without car washes) warehouses, Industrial buildings or other commercial undertakings not otherwise classified	\$ 35.75	\$ 107.25

Bylaw # 535
 District of Port Edward

**All business Premises on meters \$ 130.00
 including Stores, offices, workshops,
 garages and service stations with car
 wash, warehouses, industrial
 buildings or other commercial
 undertakings not otherwise classified**

**Private Clubs, Service Clubs, \$ 21.50
 Churches**

**Large Volume Raw Water \$35,000
 Commercial Users (Annual Rate)**

2. METER RATES

(1) Where it is deemed that any user shall require large volumes of water, the applicant will be required to install and maintain an acceptable water meter, with the following monthly rates to apply;

<u>CONSUMPTION</u> <u>In Cubic Meters</u>	<u>BASIC RATE</u>	<u>PLUS COST PER CUBIC METER</u> <u>For Volume Used</u>
0-2,800	100.00	\$0.40
Over- 2,800	100.00	\$0.30

(2) Should the meter become inoperative, the owner shall cause the necessary repairs to be completed within thirty days. This period of repair will be billed at the average rate for the preceding twelve months.

3. CONNECTION CHARGES

19 mm to 25 mm connection	\$ 1100.00
38 mm connection	\$ 1200.00
51 mm connection	\$ 1300.00

For larger than 51 mm connection, the minimum charge shall be \$1,300.00 plus any costs incurred over this amount.

All road crossings and rock excavating would be additional cost.

Bylaw # 535
District of Port Edward

4. MISCELLANEOUS CHARGES

(1) WATER TURN ON AND OFF FEE:

between the hours of 8:00 am - 4:30 pm Monday to Friday inclusive
(except Statutory Holidays)

	\$ 0.00
- all other times	\$125.00

(2) FIRE HYDRANTS:

The rate for use of a fire hydrant shall be:

per day	\$200.00
for each additional day	\$ 60.00



REGULAR COUNCIL REPORT FOR DECISION

Date: October 10, 2023
To: Mayor and Council
From: Elsie Lemke, Interim Chief Administrative Officer

Subject: **Zoning Amendment Bylaw 748, 2023**
Located at 293 – 295 Bayview Drive, Port Edward.

Recommendation: That Council give first, second and third reading to Zoning Amendment Bylaw 748, 2023.

Background:

The property located at 293 – 295 Bayview Drive has operated previously under Sakura Seafood, for at least 10 – 20 years. Prior to that, a grocery store was located on the property, and the zoning was C-1 Core Commercial. For some reason the zoning was not updated when the business changed to primarily fish processing. Coldfish Seafoods Co. Inc. has now taken over ownership, and a business licence application triggers the need to correct the zoning on the properties. The owners have applied for M2 Waterfront/General Industrial, which is a more appropriate zoning for the current land uses.

The OCP designates these properties as Industrial, therefore no public hearing is required. According to the Local Government Act Section 464(2) "A local government is not required to hold a public hearing on a proposed zoning bylaw if

- (a) An official community plan is in effect for the area that is the subject of the zoning bylaw, and
- (b) The bylaw is consistent with the official community plan."

Notice is still required to be provided to owners/occupiers within 60 metres of the subject properties, and we will post it on our Notice Boards as well. This notice process is intended for information only, as no public hearing is being held.

This is essentially a paperwork exercise to correct the zoning map to current uses.

Approved for Submission to Council:



Elsie Lemke, Interim CAO

- Well Planned Finances
- Well Planned, Maintained, Financed Public Works & Infrastructure
- Growing & Progressive Economic Development
- High Quality of Life & Community Development
- Excellent Organization

Attachment:

- Zoning Amendment Bylaw 748, 2023
- Zoning Application



District of Port Edward

REZONING AND/ OR OFFICIAL COMMUNITY PLAN AMENDMENT APPLICATION FORM

Date of Application: Sep 26, 2023

Application Fee (evaluate government engineers' plan charges in detail)

Fees are determined by type of application.

Zoning Bylaw Amendment

\$250 + Public Hearing / Advertising Fee

Official Community Plan Amendment

\$250 + Public Hearing/ Advertising Fee

Official Community Plan Amendment Combined with Zoning Bylaw Amendment

\$500 + Public Hearing/ Advertising Fee

Public Hearing/ Advertising Fee (required for all applications)

At Cost

Applicant Information (fill out for all applications)

Applicant's Name: Ross Bailey

Corporation (if applicable): Coldfish Seafoods Co. Inc.

Address: 1670 East Kent Ave South, Vancouver BC

Postal Code: V5P 2S7

Telephone: Business: 1-888-989-8789

Home: _____

Fax: 604-899-2286

Email: accounting@coldfish.ca

Property Information

Civic Address: 293 - 295 BAYVIEW DR

Property within 800m of a Controlled Access Highway (Yes/No): N/A

Parcel Identifier(s): 004-368-002, 005-042-798, 024-917-249

Legal Description(s): LOT 1, PLAN 11261, LOT 2, PLAN 10981, BLOCK D RANGES DL446

Existing Zoning: CI

Proposed: Waterfront/General Industrial (M2)

Existing Official Community Plan Designation: INDUSTRIAL

Proposed: N/A

Areas to be Amended (m² or ha): 6422.36 m²

Description of Proposed Development or Text Amendment (attach maps, plans and documents in support of application where applicable): To be consistent with proposed use

Application Checklist (Requirements in italics)

Document	Included (check where applicable)	
	Yes	No
Current Title Search		<input checked="" type="checkbox"/>
Site Profile		<input checked="" type="checkbox"/>
Appointment of Agent (if applicable)		<input checked="" type="checkbox"/>
Application Fee	<input checked="" type="checkbox"/>	



DECLARATION

TO: THE DISTRICT OF PORT EDWARD

I/WE, Ross Bailey

(Applicant)

DO HEREBY declare that I/we have read the attached documents, information and drawings and that they are true and correct to the best of my knowledge and belief. Further, I/we do hereby agree to submit further documents, information and drawings to assist in the consideration of the application, as determined by the District of Port Edward. Further, this statement is made with the knowledge that misrepresentation or failure to disclose, or failure to submit the appropriate application fee, may be deemed sufficient cause for the rejection by the District of Port Edward of any application. Further, I am aware that later discovery of an omission or misrepresentation made in the attached statements, documents, information and drawings may be grounds for a determination of ineligibility or revocation of any future permit or approval that may be granted;

AND I/WE HEREBY acknowledge that if the District of Port Edward grants a permit or approval, it will be granted only to the person(s) named in the application, or to the private corporation containing the principal shareholders and executive officers named in the application, or to the public corporation or society containing the executive officers named in the application;

AND I/we understand that the personal information on this form is collected under the authority of the *Community Charter, Local Government Act* and the District of Port Edward's bylaws for the purpose of processing this application and for administration and enforcement.

AND I/WE HEREBY acknowledge that this application and all documents, information and drawings submitted with the application become part of the District of Port Edward's records and are subject to the *Freedom of Information and Protection of Privacy Act*, and this application and associated documentation may become a public record and be published in Council's public agenda.

FURTHER, I/WE HEREBY voluntarily submit this declaration with full knowledge of the above.

Applicant Signature

Sep 26, 2023

Date Signed

TITLE SEARCH PRINT

2023-09-27, 08:47:39

File Reference:

Requestor: Lorraine Page

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District	PRINCE RUPERT
Land Title Office	PRINCE RUPERT
Title Number	CB640608
From Title Number	CA2835394
Application Received	2023-05-24
Application Entered	2023-05-26
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	1415807 B.C. LTD., INC.NO. BC1415807 1670 EAST KENT AVENUE SOUTH VANCOUVER, BC V5P 2S7
Taxation Authority	Port Edward, District of
Description of Land	
Parcel Identifier:	004-368-002
Legal Description:	LOT A DISTRICT LOT 446 RANGE 5 COAST DISTRICT PLAN 11261
Legal Notations	NONE
Charges, Liens and Interests	NONE
Duplicate Infeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

TITLE SEARCH PRINT

File Reference:
Declared Value \$2000000

2023-09-27, 08:48:25
Requestor: Lorraine Page

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District Land Title Office	PRINCE RUPERT PRINCE RUPERT
Title Number From Title Number	CB640607 CA2835393
Application Received	2023-05-24
Application Entered	2023-05-26
Registered Owner in Fee Simple Registered Owner/Mailing Address:	1415807 B.C. LTD., INC.NO. BC1415807 1670 EAST KENT AVENUE SOUTH VANCOUVER, BC V5P 2S7
Taxation Authority	Port Edward, District of
Description of Land Parcel Identifier: Legal Description:	005-042-798 LOT 2 DISTRICT LOT 446 RANGE 5 COAST DISTRICT PLAN 10981 EXCEPT PLAN 11261
Legal Notations	NONE
Charges, Liens and Interests	NONE
Duplicate Infeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

TITLE SEARCH PRINT

2023-09-27, 08:49:03

File Reference:

Requestor: Lorraine Page

****CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN****

Land Title District
Land Title Office PRINCE RUPERT
PRINCE RUPERT

Title Number
From Title Number CB640609
CA2835395

Application Received 2023-05-24

Application Entered 2023-05-26

Registered Owner in Fee Simple
Registered Owner/Mailing Address: 1415807 B.C. LTD., INC.NO. BC1415807
1670 EAST KENT AVENUE SOUTH
VANCOUVER, BC
V5P 2S7

Taxation Authority Port Edward, District of

Description of Land
Parcel Identifier: 024-917-249
Legal Description:
BLOCK D DISTRICT LOT 446 RANGE 5 COAST DISTRICT

Legal Notations NONE

Charges, Liens and Interests

Nature: UNDERSURFACE AND OTHER EXC & RES
Registration Number: PP45840
Registration Date and Time: 2000-12-19 14:20
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks: SECTION 50 LAND ACT

Nature: STATUTORY RIGHT OF WAY
Registration Number: PP102622
Registration Date and Time: 2000-12-19 14:21
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY

Duplicate Infeasible Title NONE OUTSTANDING

Transfers NONE

TITLE SEARCH PRINT

File Reference:

2023-09-27, 08:49:03
Requestor: Lorraine Page

Pending Applications

NONE



**DISTRICT OF PORT EDWARD
BYLAW NO. 748, 2023**

A Bylaw to amend the District of Port Edward Zoning Bylaw No. 713, 2020

WHEREAS there has been an application to rezone three particular parcels of properties;

AND WHEREAS the Council of the District of Port Edward has deemed it desirable that an amendment be made to Zoning Bylaw No. 713, 2020 to amend "Schedule C" Zoning Townsite Map to allow the rezoning of Lot A; District Lot 446; Range 5; Plan 11261; PID 004-368-002; Lot 2; District Lot 446; Range 5; Plan 10981 except Plan 11261; PID 005-042-798; Block D, District Lot 446; Range 5; PID 024-917-249 from Core Commercial (C1) to Waterfront/General Industrial (M2). The purpose of the rezoning is to accommodate the use of the land as industrial.

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

1. That the District of Port Edward Zoning Bylaw No. 713, 2020 be, and is, hereby be amended by changing "Schedule C" Zoning Townsite Map the land shown in bold outlined in Schedule A attached to this bylaw from "Core Commercial" to "Waterfront/General Industrial", in order to support the use of the land as industrial.
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 Zoning Amendment Bylaw No. 748, 2023**".

READ a first time by Council this day of October, 2023

READ a second time by Council this day of October, 2023

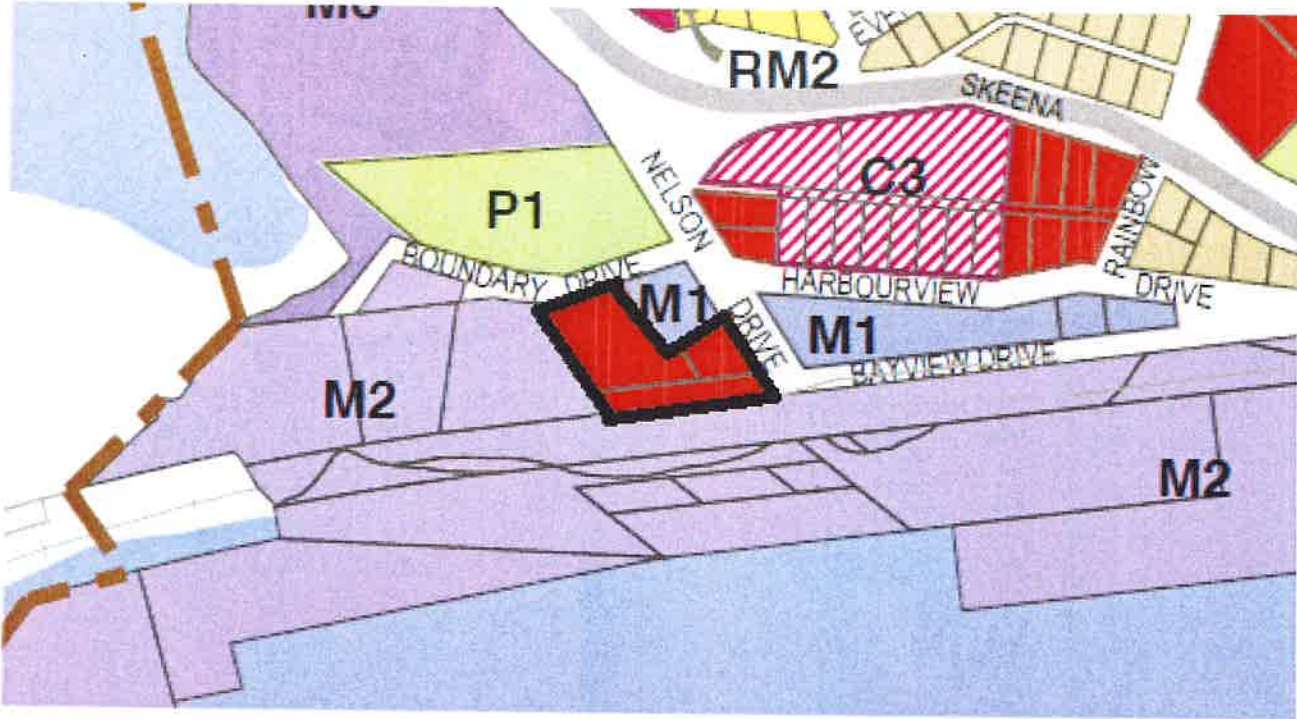
READ a third time by Council this day of October, 2023

RECONSIDERED and **ADOPTED** by Council this day of November, 2023

Knut Bjorndal, Mayor

Polly Pereira, Director of Corporate Administrative Services

Schedule A



Core Commercial (C1) to Waterfront/ General Industrial (M2)



DISTRICT OF PORT EDWARD

7C

REPORT FOR COUNCIL

Date: October 10, 2023
To: Elsie Lemke, CAO
From: Lorraine Page, Director of Finance
Subject: Sewer Rates & Regulations Amendment Bylaw No. 749

RECOMMENDATION: That Council give 1st, 2nd and 3rd readings to the attached Sewer Rates & Regulations Amendment Bylaw No. 749, 2023.

BACKGROUND: Proposed is a slight increase in sewer rates for January 2024 to all sewer customers. The last increase in sewer rates was January 2016. There is also a change in connection fees to include minimum charges and actual costs.

Submitted by

Approved for submission to Council

Lorraine Page, Director of Finance

Chief Administrative Officer



DISTRICT OF PORT EDWARD BYLAW NO. 749

SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 749, 2023

A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD SEWER RATES & REGULATIONS BYLAW NO. 397, 1997

WHEREAS Council for the District of Port Edward wishes to amend the sewer rates within the Municipality; and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve requirements in relation to municipal services;

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

1. That the sewer rates set out in "Schedule A" of the Sewer Rates & Regulations Bylaw No. 397, 1997 be amended; and
2. That the sewer rates be replaced by "Schedule A" attached to this bylaw.

CITATION

This Bylaw may be cited as the "SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 749, 2023".

REPEALS

That "SEWER RATES & REGULATIONS AMENDMENT BYLAW NO. 668, 2015" and its amendments be repealed in its entirety.

READ a first time this __ day of October, 2023;
READ a second time this __ day of October, 2023;
READ a third time this __ day of October, 2023;

RECONSIDERED AND ADOPTED THIS __ day of October, 2023.

Knut Bjorndal
Mayor

Polly Pereira
Director of Corporate Administrative Services

SCHEDULE A
(Effective January 1, 2024)

1. <u>SEWER RATES</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	\$ 48.00
Trailer Parks, Manufactured Home Parks Each site, space, or pad whether or not occupied by a trailer or manufactured home	\$ 48.00
Campground Each cabin or camping space whether or not occupied by a Recreational Vehicle	\$ 24.00
Rooming or Boarding House Plus for each Housing Unit Plus for each sleeping room	\$ 48.00 \$ 48.00 \$ 24.00
Restaurant, Café, Coffee Shops Snack Bars (Unlicenced)	\$ 77.00
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 188.00
Hotel, Motels Plus for each unit with kitchen facilities Plus for each unit without kitchen facility	\$ 77.00 \$ 48.00 \$ 24.00
Schools	\$ 300.00
Business Premises, Stores, Offices, Workshops, Garages & Service Stations, Warehouses, and Industrial Buildings or Other commercial undertaking not otherwise Classified: With 9 employees of less With more than 9 employees	\$ 77.00 \$ 188.00

Private Clubs, Service Clubs, Churches \$ 48.00

Public Hall, or Church Halls \$ 77.00

2. SANITARY SEWER CONNECTION CHARGES

100 mm connection \$ 2,000.00 minimum plus actual costs incurred over this amount

150 mm connection or larger \$ 2,500.00 minimum plus actual costs incurred over this amount

For all connections, the minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.

3. STORM SEWER CONNECTION CHARGES

\$ 2,000.00 minimum plus actual costs incurred over this amount

The minimum charge will be paid in advance of work performed.

All road crossings and rock excavating shall be actual costs.



**DISTRICT OF PORT EDWARD
SEWER RATES & REGULATIONS AMENDMENT
BYLAW NO. 668**

**A BYLAW TO AMEND THE DISTRICT OF PORT EDWARD SEWER RATES & REGULATIONS BYLAW
No. 397, 1997**

WHEREAS Council for the District of Port Edward wishes to amend the sewer rates within the Municipality; and

WHEREAS pursuant to the Community Charter, a Council may by bylaw regulate, prohibit and improve requirements in relation to municipal services;

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

1. That the sewer rates set out in "Schedule A" of the Sewer Rates & Regulations Bylaw No. 397, 1997 be amended; and
2. That the sewer rates be replaced by "Schedule A" attached to this bylaw.

CITATION

This Bylaw may be cited for all purposes as the "Sewer Rates & Regulations Amendment Bylaw No. 668".

READ a first time this 8th day of December, 2015
READ a second time this 8th day of December, 2015
READ a third time this 8th day of December, 2015

ADOPTION this 15th day of December, 2015



Mayor



Director of Corporate Services

SCHEDULE A

(Effective January 1, 2016)

1. <u>SEWER RATE</u>	<u>QUARTERLY RATE</u>
Each self contained dwelling unit, including each Suite within a Multiple Dwelling or each unit within an Apartment Block - Each unit	\$ 47.00
Trailer Parks, Manufactured Home Parks Each campsite, space, or pad whether or not occupied by a trailer or manufactured home	\$ 47.00
Rooming or Boarding House	\$ 47.00
Plus for each Housekeeping Unit	47.00
Plus for each Sleeping room	23.50
Restaurant, Café, Coffee Shops	\$ 75.60
Snack Bars (Unlicenced)	
Licensed Lounge, Licensed Restaurant, Licensed Coffee Shops, Licensed Cafes	\$ 185.00
Hotel, Motels	\$ 75.60
Plus for each unit with kitchen facilities	47.00
Plus for each unit without kitchen facility	23.50
Schools	\$ 294.00

**Business Premises, Stores, Offices,
Workshops, Garages & Service Stations,
Warehouses, and Industrial Buildings or
Other commercial undertaking not otherwise
Classified:**

With 9 employees or less	\$ 75.60
With more than 9 employees	185.00
Warehouses, Industrial buildings or other Commercial undertakings not otherwise classified	

Private Clubs, Service Clubs, Churches \$ 47.00

Public Hall, or Church Halls \$ 75.60

2. CONNECTION CHARGES

100 mm sanitary sewer connection	\$ 1,300.00
150 mm sanitary sewer connection	\$ 1,500.00

For larger than 150 mm sewer connection, the minimum charge shall be \$ 1,500.00 plus any costs incurred over this amount.

All road crossings and rock excavating would be additional cost.

Storm sewer connection	Cost
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**DISTRICT OF PORT EDWARD
BYLAW NO. 397**

A BYLAW TO REQUIRE OWNERS OF PROPERTY TO CONNECT THEIR BUILDINGS AND STRUCTURES TO THE APPROPRIATE SEWER CONNECTIONS;

TO IMPOSE A CONNECTION CHARGE AND FIX THE TERMS AND CONDITIONS OF PAYMENT;

TO REGULATE THE DESIGN AND INSTALLATION OF SEWAGE WORKS PROVIDED BY PERSONS OTHER THAN THE MUNICIPALITY;

AND TO IMPOSE A CHARGE AGAINST THE OWNER OR OCCUPIER OF REAL PROPERTY FOR THE USE OF THE SANITARY SEWER SYSTEM.

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

1. CITATION

This bylaw may be cited as the "Sewer Rates and Regulations Bylaw No. 397, 1997".

2. INTERPRETATION

In this bylaw, unless the context otherwise requires;

Building Inspector shall mean a person or persons appointed from time to time by the Council of the District of Port Edward as Building Inspector and includes Deputy and Assistant Building Inspectors.

Building Sewer shall have the meaning as described in the B.C. Plumbing code as amended from time to time.

Common sanitary sewer shall mean and shall include any sewer main upon or under, any public street, lane, right-of-way, or easement, for the purpose of bearing sewage, which sewer main is owned or maintained by the District, whether laid by the District or any other person whomsoever.

Quarter shall mean the relevant 3 month period ending on the last day of March, June, September, and December of any year.

Storm Sewer shall mean and includes any sewer main upon or under, any public street, lane, right-of-way, or easement, for the purpose of bearing drainage water, which sewer main is owned or maintained by the District, whether laid by the District or any other person whomsoever.

Superintendent of Public Works shall mean the Superintendent of Public Works appointed by the Council of the District of Port Edward.

3. SANITARY SEWER CONNECTION REQUIRED

Every owner of real property which abuts a street or lane or other public right-of-way upon or under which there is laid a common sanitary sewer, or is within 20 m of such common sanitary sewer and upon which there is situated a building or structure shall connect or cause to be connected, the said building or structure to the common sanitary sewer in the manner provided by this bylaw.

4. STORM SEWER CONNECTION

Owners of real property may connect, where available, a building or structure to the storm sewer in the manner provided by this bylaw.

5. APPLICATION FOR CONNECTION

- (1) All applications for an installation of all sewer connections shall be made to the Superintendent of Public Works by the owner or his agent.
- (2) The said applications shall be accompanied by the required connection charge as laid down in Schedule "A" of this bylaw.
- (3) Upon approval of the application, the Superintendent of Public Works shall cause to be laid, a sewer connection extending from the common sanitary or storm sewer to the applicant's building sewers at the property line.
- (4) If the application is rejected, the Superintendent of Public Works shall notify the owner of the reasons for rejection and return the connection charge which accompanied the application.
- (5) Any extension to any sewers shall be at the owners expense, in accordance with the provisions of this bylaw.
- (6) Where a new building or structure is being built and will come within the provisions of this bylaw, the owner or his agent shall make applications for a connection permit and pay the connection charge at the time he makes application for the connection permit.

6. CONNECTION CHARGE

- (1) The connection charge covers:
 - (a) the connection to the sewers to the property line of the applicant;
 - (b) the inspection of the applicant's building sewer.

7. FAILURE TO CONNECT

- (1) In the event of any owner failing to make application for a connection required under this bylaw, the Superintendent of Public Works may serve on the owner a notice stating that the said owner shall connect or cause to be connected, his buildings or structures to the common sewer within thirty (30) days of the date of the notice, or the Municipality will have the work done at the expense of the owner, including a 15% administration fee.
- (2) After the expiration of the thirty (30) day period, the Municipality may enter upon the property of the owner and cause the connection to be made. The total cost and expense of making the connection, including the cost of installing the building sewer and the sewer connection, shall be charged against the owner of the property, including a 15% administration fee. Any amount remaining unpaid on the 31st day of December shall be added to and form part of the taxes payable in respect of that real property as taxes in arrears.
- (3) In the event of failure to make a proper connection to the satisfaction of the Building Inspector, the Superintendent of Public Works shall give notice to correct within 30 days of notice.

8. USE OF SEWERS

- (1) No person shall discharge or cause to be discharged:
 - (a) Any storm water, surface water, ground water, roof run-off, or unpolluted industrial process water to any sanitary sewer;
 - (b) Any sewage into a storm sewer;
 - (c) Any inflammable liquid, including gasoline, naphtha, or explosive substance or any grease, oil, lye, free acid, mud, grit, plaster of paris, lime, clay or any other trade or industrial waste which may injure or impair the efficiency of any sewer;
 - (d) Any steam exhaust, blow-off or drip from drip-pipe or any heated water into any sewer until the temperature has been reduced to at least 65 degrees C provided that steam exhausts shall be discharged into a blow-off or condensing tank and so such tank may be connected to the sewer until the Health Inspector has approved in writing the design, construction and location of such tank.

- (2) In the case of any commercial or industrial premises where there exists a possibility that such noxious wastes as described in subsection (1) may be harmlessly discharged into the common sewer, a permit to connect the sewer may be issued by the Health Inspector when he has approved the layout and design of the protective devices by means of which the applicant proposes to prevent or neutralize the discharge of the said noxious wastes into the common sewer.

9. BUILDING SEWERS

- (1) The minimum diameter of every sewer and sewer connection shall be 150 mm.
- (2) Each lot must be separately and independently connected with any sewer.
- (3) All sewers from houses and other buildings shall be installed by and at the cost of the owner and shall be constructed of one of the following materials:
 - (a) Plastic PVC SDR 35.
 - (b) Such other material as may be approved from time to time by the B.C. Plumbing Code.
- (4) The building sewer shall be laid to an even slope of not less than one to fifty in the direction of flow in the case of 100 mm, and not less than one to one hundred in the case of 150 mm.
- (5) The pipe shall be laid not less than 0.90 m below the finished surface of the ground, as measured to the top of the pipe, except where the resultant grade would be less than specified in Section 4 of this bylaw, due to the lack of depth to the main sewer.
- (6) The pipe shall be laid concentric to each adjacent pipe and the joints shall be flush, even, and free of any internal obstruction.
- (7) Where couplings are provided by the manufacturer the couplings shall be installed in accordance with the manufacturer's specifications.
- (8) Bell and spigot pipe shall be laid with the spigot end facing in the direction of the flow.
- (9) Excavating for house sewer trenches shall have a uniform grade at the bottom. Each length of pipe shall be given a solid, even bearing.
- (10) No work of any kind connected with the sewer system either for laying new or repairing old services shall be done upon or under any street or lane in the District by any other than the employees or agents of council.

- (11) Where the building sewer is laid near any shrub or tree whose roots may penetrate the pipe joints, the Building Inspector may require that special joint-material be used.
- (12) At every change of direction, the owner shall install a long sweep bend whose radius shall be at least 0.90 m.
- (13) Immediately inside the premises and in an accessible position, the owner shall install a clean-out of the same diameter as the connection.
- (14) Where the building sewer is laid over filled ground or in ground which may be subject to settling, the Building Inspector may require that the cast iron soil pipe or other materials than those mentioned in subsection (3) be used.

10. INSPECTION OF BUILDING SEWERS

- (1) When the owner has completed the installation of his building connection, but before the same has been backfilled, he shall inform the Building Inspector that the installation is complete and the Building Inspector shall forthwith make an inspection of the work.
- (2) The owner or agent shall test the house connection for water-tightness in the presence of the Building Inspector. The test shall be performed by sealing the building sewer at the property line, using an approved plug, and then filling the line with water so that a head of not less than 1.8 m is placed on all sections of the building sewer. The rate at which water escapes from the building sewer, when calculated under this test, shall not exceed 1 litre for each 3 m of building sewer.
- (3) The backfilling of the building sewer shall not be commenced until the Building Inspector has signified in writing that he is satisfied that the materials and workmanship employed are to his satisfaction and that the pertinent sections of this and other bylaws have been adhered to.
- (4) Materials and workmanship which, in the opinion of the Building Inspector are defective, or otherwise not in accordance with the provisions of this bylaw shall be removed and replaced by the owner, at the direction of the Building Inspector and the building sewer shall not be backfilled unless and until the said house sewer has been accepted and approved by the Building Inspector. Failure to replace materials of workmanship as provided in this section shall be cause for the municipality to proceed with the issuance of a notice referred to in Section 6 (3) of this bylaw.

11. USER CHARGE

- (1) There shall be and is hereby imposed and levied a sewer user charge against the owner or occupier of real property whose property or premises is connected any sewer system.

- (2) Each parcel of land or premises shall be classified in accordance with the categories set out in "Schedule A" attached hereto and forming part of this bylaw and the user charge imposed shall be the rate shown opposite the relevant category.
- (3) In the case of a connection being made during any year, the charge imposed shall begin with the month during which the final inspection of the sewer connection was made, if made on or before the fifteenth (15th) day of the month, the user charge shall be for the total month, or if made after the fifteenth (15th) day of the month, the charge shall be for Fifty Percent (50%) of the current monthly user charge.
- (4) The user rates and charges as set forth in Schedule A - Section I shall be payable quarterly, unless otherwise required, at the office of the Superintendent of Public Works, on or before the last business day of the current quarter.

12. OFFENSES

Any person who violates any of the provisions of this bylaw shall be guilty of an offense and shall be liable on summary conviction to a fine not exceeding the sum of Five Hundred Dollars (\$500.00) and costs for each offense.

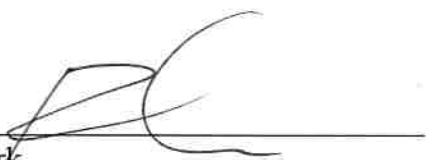
13. REPEAL

This bylaw will repeal "Sewer Rates and Regulations Bylaw No. 376, 1995" and all amendments thereto.

READ a first time this 9th day of December, 1997.
READ a second time this 9th day of December, 1997.
READ a third time this 9th day of December, 1997.
ADOPTED this 23rd day of December, 1997.

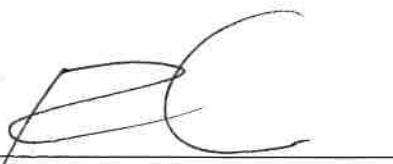


Mayor



Clerk

Certified a true copy of bylaw
cited as "Sewer Rates & Regulations
Bylaw No. 397, 1997".



Clerk

SCHEDULE "A"

I	<u>Sewer Rates</u>	<u>Monthly</u>	<u>Quarter</u>
a)	1. Each self contained dwelling unit, including each Suite within a multiple dwelling or each apartment within an Apartment Block -Each Unit	\$ 15.00	\$ 45.00
	2. Trailer Parks, Manufactured Home Parks -each campsite, space, or pad whether or not occupied by a trailer or Manufactured Home	\$ 15.00	\$ 45.00
	3. Rooming or boarding House- -Plus for Each Housekeeping Unit -and for each Sleeping Room	\$ 15.00 \$ 15.00 \$ 7.50	\$ 45.00 \$ 45.00 \$ 22.50
	4. Restaurant, Cafe, Coffee Shop, Snack Bar (Unlicensed)-	\$ 24.00	\$ 72.00
	5. Hotels, Motels & Auto Courts- -For each unit with Kitchen Facilities -For each unit without Kitchen Facilities	\$ 24.00 \$ 15.00 \$ 7.50	\$ 72.00 \$ 45.00 \$ 22.50
	6. Licensed Lounges, Licensed Restaurants, Licensed coffee Shops Licensed Cafes -	\$ 58.50	\$176.00
	7. Schools	\$ 93.33	\$ 280.00
	8. Business Premises, Stores, Offices, Workshops, Garages and Service Stations, Warehouses, and Industrial Buildings or other commercial undertaking not otherwise classified: -With 9 employees or less -With more than 9 employees	\$ 24.00 \$ 58.50	\$ 72.00 \$176.00
	9. Private Clubs, Service Clubs, Churches	\$ 15.00	\$ 45.00
	10. Public Halls, or Church Halls	\$ 24.00	\$ 72.00

II **CONNECTION CHARGES**

100 mm sanitary sewer connection	\$1100.00
150 mm sanitary sewer connection	\$1200.00

For larger than 150 mm sewer connection, the minimum fee is \$1200.00 plus any costs incurred over this amount.

All road crossings and rock excavating would be additional cost

150 mm storm sewer connection	Cost
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DISTRICT OF PORT EDWARD

7d

REPORT FOR COUNCIL

Date: October 10, 2023
To: Elsie Lemke, CAO
From: Lorraine Page, Director of Finance
Subject: Council Remuneration Amendment Bylaw No. 750

RECOMMENDATION: That Council give 1st, 2nd and 3rd readings to the attached Council Remuneration Amendment Bylaw No. 750, 2023.

BACKGROUND: The attached Council Remuneration Amendment Bylaw is presented to Council for consideration. In the past this bylaw has been presented every three years with rate increases calculated using the BC Consumer Price Index. It is proposed that all future year increases be calculated this way.

Submitted by

Approved for submission to Council



Lorraine Page, Director of Finance



Chief Administrative Officer



DISTRICT OF PORT EDWARD BYLAW NO. 750

COUNCIL REMUNERATION AMENDMENT BYLAW NO. 750, 2023

A BYLAW TO AMEND THE COUNCIL REMUNERATION BYLAW NO. 740, 2023

WHEREAS Pursuant to the Community Charter which provides for the payment of remuneration to Council members and expenses to Council and provide for special expenditures;

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

1. That the Council remuneration rates set out in "Schedule A" of the Council Remuneration Bylaw No. 740, 2023 be amended; and
2. That the Council remuneration rates be replaced by "Schedule A" attached to this bylaw.

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

CITATION

This Bylaw may be cited as the "COUNCIL REMUNERATION AMENDMENT BYLAW NO. 750, 2023".

REPEALS

That "COUNCIL REMUNERATION AMENDMENT BYLAW NO. 742, 2023" and its amendments be repealed in its entirety.

READ a first time this __ day of October, 2023;

READ a second time this __ day of October, 2023;

READ a third time this __ day of October, 2023;

RECONSIDERED AND ADOPTED THIS __ day of October, 2023.

Mayor

Director of Corporate Services

Certified a true copy of Bylaw No. 750
cited as "Council Remuneration Amendment Bylaw No. 750, 2023."

SCHEDULE "A"

ANNUAL INDEMNITIES AND ALLOWANCE FOR MAYOR AND COUNCILLORS

	2023	
MAYOR	\$20,425	This rate will be increased annually effective January 1st, by the "all items" consumer price index percentage for British Columbia as published by Statistics Canada.
COUNCILLORS	\$11,935	This rate will be increased annually effective January 1st, by the "all items" consumer price index percentage for British Columbia as published by Statistics Canada.

ANNUAL CELL PHONE ALLOWANCE FOR THE USE OF PERSONAL CELL PHONE TO FACILITATE COMMUNICATION WITH STAFF AND TO CONDUCT COUNCIL BUSINESS IF NECESSARY

MAYOR	Phone supplied by the District
COUNCILLORS	\$180

ANNUAL CAR ALLOWANCE FOR THE USE OF PERSONAL VEHICLE TO ATTEND COUNCIL BUSINESS WITHIN THE PRINCE RUPERT AND PORT EDWARD AREA FOR MAYOR AND COUNCILLORS

MAYOR	\$150
COUNCILLORS	\$150



DISTRICT OF PORT EDWARD COUNCIL REMUNERATION AMENDMENT BYLAW NO. 742, 2023

WHEREAS Pursuant to the Community Charter which provides for the payment of remuneration to Council members a correction is necessary to amend Council Remuneration Bylaw No. 740, 2023
“Schedule A”

1. This bylaw may be cited for all purposes as the "Council Remuneration Amendment Bylaw No. 742, 2023."

READ a first time this 28th day of February, 2023;
READ a second time this 28th day of February, 2023;
READ a third time this 28th day of February, 2023;

RECONSIDERED AND ADOPTED this 14th day of March, 2023;


Knut Bjørndal
Mayor


Polly Pereira
Director of Corporate Administrative Services

Certified a true copy of Bylaw No. 742
cited as “District of Port Edward Council
Remuneration Amendment No. 742, 2023.”

SCHEDULE "A"

ANNUAL INDEMNITIES AND ALLOWANCE FOR MAYOR AND COUNCILLORS

	2021	2022	2023
MAYOR	\$18,390	\$19,053	\$20,425
COUNCILLORS	\$10,746	\$11,133	\$11,935

CAR ALLOWANCE FOR THE USE OF PERSONAL VEHICLE TO ATTEND COUNCIL BUSINESS WITHIN THE PRINCE RUEPRT AND PORT EDWARD AREA

	2021	2022	2023
MAYOR	\$150	\$150	\$150
COUNCILLORS	\$150	\$150	\$150

CELL PHONE ALLOWANCE FOR THE USE OF PERSONAL CELL PHONE TO FACILIAE COMMUNICATION WITH STAFF AND TO CONDUCT COUNCIL BUSINESS IF NECESSARY

	2021	2022	2023
COUNCILLORS	\$180	\$180	\$180



**DISTRICT OF PORT EDWARD
BYLAW NO. 740, 2023
COUNCIL REMUNERATION**

**A BYLAW TO SET THE ANNUAL INDEMNITIES AND BENEFITS PAID
TO THE MAYOR AND COUNCILLORS OF THE DISTRICT OF PORT
EDWARD**

WHEREAS Pursuant to the Community Charter which provides for the payment of remuneration to Council members and expenses to Council and provide for special expenditures;

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

1. **CITATION**

This bylaw may be cited as "Council Remuneration Bylaw No. 740, 2023."

2. **REPEALS**

That "Council Remuneration Bylaw No. 680, 2017" be repealed in its entirety.

3. **REMUNERATION**

(a) On and after the 1st day of January each year, the remuneration paid to the Mayor and Councillors of the District of Port Edward shall be as shown in Schedule "A" along with vehicle allowance and cell phone allowance.

4. **EXPENSES**

The Mayor and Councillors of the District shall be reimbursed for all reasonable travel, food, accommodation and miscellaneous expenses while representing the municipality; engaging in municipal business; and/or attending a meeting, course or convention, as follows:

- (a) Accommodations shall be reimbursed at actual cost as provided by receipts. In cases where accommodation is provided in non-commercial residences, accommodations shall be reimbursed at Thirty-five Dollars (\$35.00) per day.
- (b) Meals where travel takes Council outside the District's boundaries, shall be reimbursed at Seventy-Five Dollars (\$75.00) per day, which shall include gratuities.
- (c) Meals where travel takes Council outside of the country, shall be reimbursed at One Hundred Dollars (\$100.00) per day, which shall include gratuities.
- (d) Meals for Council attending Council business or other assigned meetings taking place inside the District's boundaries and hosted or arranged by the District and where meals are required shall be provided and paid directly by the District.
- (e) Incidentals where travel takes Council outside of the District's boundaries, shall be reimbursed at Ten Dollars (\$10) per day.

- (f) Incidentals where travel takes Council outside of the country, shall be reimbursed at Fifty Dollars (\$50) per day.
- (g) Travel insurance for out of country travel where Council members shall travel on District's business shall be provided and billed to the District.
- (h) Travel by air shall be paid at actual cost, with all arrangements to be made by the District and fares to be billed directly to the District. Changes to airfare due to changes in meeting schedules will be billed directly to the District. Changes due to personal reasons shall be paid by the individuals.
- (i) Travel by private vehicle the mileage rate shall be BC Provincial government rate per kilometer. The mileage total amount is not to exceed the amount of equivalent air fare costs. Where Council members are traveling together, this reimbursement is limited to the Mayor or Councillor who owns or is leasing the vehicle for business outside the Prince Rupert and Port Edward area.
- (j) Travel by District vehicle shall be reimbursed at the actual cost of fuel as provided by receipts, unless purchased via the District's fuel credit cards.

5. MISCELLANEOUS

- (a) Connecting travel by taxi, bus, ferry, limousine or other similar means shall be reimbursed at actual cost as provided by receipts.
- (b) Communications, business, personal or facsimile long-distance telephone calls, local telephone calls or courier services shall be reimbursed at actual cost as provided by receipts. One (1) long-distance telephone call per Councillor per day only to the traveler's home and/or regular place of business is permitted. Facsimile long-distance charges or courier services will be reimbursed only where said charges or services are for municipal business. Local telephone call charges will be reimbursed only where said charges are for municipal business.
- (b) Car rentals and full car rental insurance shall be reimbursed at actual cost as provided by receipts. Car rentals by Council members require the pre-authorization of the Administrator.

6. TRAVEL ARRANGEMENTS AND EXPENSE CLAIMS

- (a) All travel arrangements for Council shall be made by or through the Administration office, including but not limited to: registration, travel advances, hotel and air travel reservations, travel insurance, car rentals where approved and other arrangements as required.
- (b) All expense claims shall be submitted to the Administrator who shall be responsible for checking expense claims against the policies contained in this Bylaw and against the arrangements made.

7. SPECIAL EXPENDITURES

The Mayor may incur expenses to provide for receiving and entertaining distinguished guests on behalf of the Council. The Council may authorize by resolution expenses to honor persons, who have in the opinion of the Council, brought honor to the municipality.

8. **REPORTING OF REMUNERATION AND EXPENSES**

As per Section 168 (1) of the *Community Charter*, council must have prepared a report separately listing for each Council member by name

- (a) the total amount of remuneration paid to the Council member under Section 168(1) (a), including any amount specified as an expense allowance, and,
- (b) the total amount of expense payments for the Council member made under Section 168(1) (b), (c) and (d).
- (c) The report will be considered by the Council once per year at a public meeting of the Council and a copy of the report will be available for public inspection.

READ a first time this 24th day of January, 2023

READ a second time this 24th day of January, 2023

READ a third time this 24th day of January, 2023

RECONSIDERED and ADOPTED this 14th day of February, 2023



Mayor



Director of Corporate Services

Certified a true copy of Bylaw No. 740
cited as "District of Port Edward Council
Remuneration No. 740, 2023."

SCHEDULE "A"

ANNUAL INDEMNITIES AND ALLOWANCE FOR MAYOR AND COUNCILLORS

	2021	2022	2023
MAYOR	\$18,390 plus CPI	2022 salary plus CPI	2023 salary plus CPI
COUNCILLORS	\$ 10,746 plus CPI	2022 salary plus CPI	2023 salary plus CPI

- Consumer Price Index in BC

CAR ALLOWANCE FOR THE USE OF PERSONAL VEHICLE TO ATTEND COUNCIL BUSINESS WITHIN THE
PRINCE RUPERT AND PORT EDWARD AREA

	2021	2022	2023
MAYOR	\$150	\$150	\$150
COUNCILLORS	\$150	\$150	\$150

CELL PHONE ALLOWANCE FOR THE USE OF PERSONAL CELL PHONE TO FACILITATE COMMUNICATION
WITH STAFF AND TO CONDUCT COUNCIL BUSINESS IF NECESSARY

	2021	2022	2023
COUNCILLORS	\$180	\$180	\$180

Board Highlights

September 2023

Delegations:

Des Nobels provided an update of the Groundfish Development Authority. The Chair of the Board thanked Mr. Nobels for his delegation.

Board Business:

1. The Board resolved to provide a letter of support to the Misty Isles Economic Development Society for its application to the Rural Economic Diversification and Infrastructure Program for up to \$50,000.
2. The Board resolved to approve the use of 2022 Local Government Climate Action Program funding to fund the purchase of new recycling bins in Port Edward, B.C.
3. The Board resolved to direct staff to initiate and maintain an ongoing public education campaign for planning services in rural areas.
4. The Board resolved to support approval of renewing tenure for the operation of the Sandspit Harbour Marina.
5. The Board resolved to direct staff to prepare a grant application to the B.C. Active Transportation Infrastructure Grant Program for active transportation network planning at the Anvil Trail.
6. The Board appointed members to the Haida Gwaii Accessibility Committee.

For complete details of NCRD Board meetings, the Agenda and Minutes are posted online at www.ncrdbc.com.