



The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

36 Cedar Avenue West  
PO Box 198  
Port Clements, BC  
V0T1R0  
OFFICE: 250-557-4295  
Public Works: 250-557-4295  
FAX: 250-557-4568  
Email: [office@portclements.ca](mailto:office@portclements.ca)  
Web: [www.portclements.ca](http://www.portclements.ca)

**7:00 PM Regular Meeting of Council, Monday, September 18<sup>th</sup>, 2023**

**AGENDA**

*This meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.*

**1. ADOPT AGENDA**

**2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**

D-1— Quarterly Policing Report/RCMP Role with Municipal Bylaw Enforcement -- Sergeant Damon MacDonald, RCMP Masset Detachment

D-2— BC Ambulance Service-- Tom Soames, BC Ambulance

**3. MINUTES**

M-1—August 22<sup>nd</sup>, 2023, Regular Council Meeting Minutes

M-2— August 29<sup>th</sup>, 2023, Special Council Meeting Minutes

M-3—September 5<sup>th</sup>, 2023, Special Council Meeting Minutes

M-4—September 5<sup>th</sup>, 2023, Committee of the Whole Meeting Minutes

**4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**

**5. ORIGINAL CORRESPONDENCE**

C-1—INFORMATION – Board Highlights – North Coast Regional District

C-2—INFORMATION – NCRD Solid Waste Management Plan Consultation Update – North Coast Regional District

C-3—INFORMATION – Quesnel Highway 97 North-South Interconnector Project – Village of McBride

C-4—INFORMATION/REQUEST – New Tank Farm - Terry Wallace

C-5—REQUEST – Support for Grant Application -- Misty Isles Economic Development Society

C-6—REQUEST – Support for Grant Application – Haida Gwaii Regional Recreation Commission

C-7—INVITATION—Heritage Conservation Act Transportation Project Sessions – HCA transformation Project Team

C-8—INVITATION—Crown Land Application – FrontCounterBC

C-9—RESPONSE— Bulkley Valley District Hospital in Smithers -- Honourable Minister Dix, Ministry of Health

**6. FINANCE**

**7. GOVERNMENT**

G-1— Recommendation from COTW

G-2—Request for Permissive Tax Exemption/Permissive Tax Exemption Bylaw, No. 482, 2023

G-3—Berthage and Moorage Bylaw #483, 2023

*Recommended motion: THAT Council does 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading of "Berthage and Moorage Bylaw #483, 2023"*

**8. NEW BUSINESS**

**9. REPORTS & DISCUSSIONS**

R-1—INFO—Regular Report on Current Operations – CAO Marjorie Dobson

R-1—INFO – Crown Land Purchase process

**10. ACTION ITEMS**

A-1—Action Item List

**11. QUESTIONS FROM THE PUBLIC & PRESS**

**12. IN-CAMERA**

90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;

**13. ADJOURNMENT**



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Email: cao@portclements.ca

**Delegation to Council Application Form**

Applicant Group/Individual Name: Set Damon Macdonald  
Mailing Address: Box 39, Masset, BC V0T 1M0  
Telephone: (250) 626-3771 Email: \_\_\_\_\_

Subject of Delegation: Police Report & Discuss / Answer Questions

**Purpose of Delegation:**

*\*\*Please note that delegations regarding any aspect of an Official Community Plan or a zoning application are prohibited between the conclusion of a Public Hearing and the adoption of a Bylaw and may not come before Council at that time.\*\**

- ☐ Question for council
- ☐ Requesting information
- ☐ Requesting a letter of support
- ☐ Requesting funding

☒ Other (provide details): Police Report

Contact Person (if different from above): \_\_\_\_\_  
Telephone number: \_\_\_\_\_ Email: \_\_\_\_\_

*It is recommended that if an applicant has a deadline or specific time constraint then the applicant should make their delegation application to a Council Meeting that has at least one other Council Meeting occurring before this deadline.*

*Please note that your delegation may not be on the date requested due to prior commitments, staff resources or at the Chief Administrative Officers' discretion due to subject matter. Your delegation is not confirmed until it is approved by the CAO and you have been contacted by Village staff.*

Council Meeting date requested: 2023.09.18  
Attending delegate (if different from above): \_\_\_\_\_

D-1

### Delegation Requirements:

If approved the name of the delegation and its subject will be published in the Council Meeting Agenda, which is made available to the public and on our website. This is not optional and cannot be withdrawn from the public record.

If you wish to provide supporting documentation to be published in the Agenda, it must be provided to our office no later than **1:00 PM on the Wednesday prior to the Council Meeting**. After the Agenda's deadline the delegation must bring its supporting document to the Council Meeting for distribution. It is mandatory to bring 7 copies for Council and Staff

### Delegation Rules at Council Meetings:

1. **The delegation has a 10 minute time limit for speaking to Council.** This limit is regardless of how many speakers the delegation presents as part of their delegation. This limit also includes time for any questions.
2. The presentation must be directed at Council in a respectful and collaborative manner. The meeting Chairperson will indicate who has the turn to speak and in what order: interrupting and talking over someone when they are speaking is strongly discouraged. Disrespectful and abusive language will not be tolerated.
3. **Do not expect an immediate answer or response to your delegation:** Council may refer to staff for more information or postpone it to another meeting for further consideration. Council reserves the right to make its decision in its own time and will not be pressed to a decision due to a delegate's deadline.

I understand and agree that I have been advised on the rules and requirements of a delegation to Council and I agree to these terms.

Name: Damon Macdonald

Date: 2023-09-05

Signature: [Signature]

### For Office Use Only:

Date Application Received: Sept 5, 2023 Documents Submitted with Application: 1

Application Received by: Elizabeth Cummins Signature: [Signature]

☒ Approved

☐ Declined

☐ Other (please specify): \_\_\_\_\_

Council Meeting Appearance date of Delegation: September 18, 2023

[Signature]  
Signature of Chief Administrative Officer

Sept. 7, 2023  
Signature Date

D-1

# Village of Port Clements

## Community Policing Report

**\*\*Hand deliver original to Mayor and Council\*\***

To: Mayor and Council Village of Port Clements 36 Cedar Avenue West P.O. Box 198 Port Clements, BC V0T 1R0	From: Sgt. Damon MacDonald Masset RCMP-GRC 2042 Collision Avenue P.O. Box 39 Masset, BC V0T 1M0	Month of April 2023 to June 2023
		Date Prepared: 2023-07-18
		Phone No. (250) 626-3991

### OFFENCES REPORTED AND/OR COMMITTED IN THE VILLAGE OF PORT CLEMENTS

A) Criminal Code		C) Liquor	
1. Sexual Assaults	0	1. Liquor offences	0
2. Assaults – Spousal/Other	2	2. Prevention efforts	0
3. Mischief	2	D) Traffic	
4. Break & Enter & Theft	0	1. Accidents	0
5. Theft	1	2. Charges	0
6. Impaired Operation	1	E) Assistance/Services	
7. Disturbing the Peace	0	1. Missing Persons	0
8. Fraud	0	2. Sudden Deaths	0
B) Drugs		3. Assistance-General Public	0
1. Possession of Drugs	0	4. Town By-laws	0
2. Trafficking	0	5. Other (Wildlife Act)	0

Sgt. Damon MacDonald  
Detachment Commander

Mayor Scott Cabianca  
Mayor and Council

2023-07-18

Date

D-1

## **NARRATIVE INTERPRETATION OF ABOVE STATISTICS**

### **1. Crime trends / problems:**

Masset Detachment responded to 19 calls for service within the community of Port Clements between April 1<sup>st</sup> and June 30<sup>th</sup>, 2023. Calls for service are monitored to identify any developing trends or issues.

During the first quarter the detachment received no reports of impaired driving. Members will respond to all complaints of impaired driving but encourage the public to provide as much detail as possible when reporting such crimes. Helpful information includes a description of the vehicle (including make, model and licence plate number if possible), number of occupants (identity of driver if known), direction of travel and anything that makes the vehicle unique (such as decals, after market rims/effects, etc).

In the first quarter there were no assaults reported to the detachment. Any type of persons related violence would be encouraged to be reported to the police so a thorough investigation can be completed.

During the first quarter the detachment continued their proactive traffic enforcement initiatives. These initiatives resulted in numerous vehicles being stopped to ensure that the vehicle were insured and that the drivers were sober and properly licenced.

Other significant investigations included:

2023-04-03 – Masset RCMP members responded to a complaint of a loud music. Members spoke with the complainant who advised that a neighbour deliberately was playing loud rock music in an effort to annoy others who lived nearby. Members diffused the situation and addressed the complainant's concerns providing information and clarification on the threshold for certain criminal charges.

2023-05-26 – Masset RCMP members responded to a complaint of a Criminal Harassment. Members spoke with the complainant and learned that the suspect had been behaving in a threatening manner. The suspect had been leering at the complainant before walking toward him and striking an axe in a wooden fence post. The suspect was arrested and released on protective conditions. No one was injured in this incident. This matter is currently before the Courts.

2023-06-08 – Masset RCMP were dispatched to a warehouse fire. Members attended to provide assistance with traffic control while firefighting efforts attempted to control the blaze. The building was a total loss. There appeared to be no criminality with regards to this fire. No one was injured as only three people were in the building at the time and everyone was able to exit to safety.

## **2. Crime Prevention Initiatives:**

Detachment members conduct proactive traffic enforcement when feasible and use these initiatives not only for enforcement efforts but also as educational opportunities.

## **3. Feed Back from Community Consultative Groups / Justice Committees / Community Leadership:**

The Village of Port Clements does not have a CCG or a Justice Committee.

Sgt. MacDonald continues to have regular contact with Village CAO. There have been no policing issues brought to Sgt. MacDonald's attention from Community Leadership.

## **4. Other Significant Issues:**

Masset RCMP is currently under-staffed. Our full complement is 1 Sgt, 1 Cpl and 7 Csts with 2 of those positions being assigned to the FNP.

## **5. Document Feedback and indicate delivery method:**

Report delivered via email to Mayor and Council by Sgt. Damon MacDonald and addressed during general council meeting.

## **6. APP update to community:**

Priority initiatives continue to be actioned by Masset members. Port Clements Mayor and Council have identified road safety and police visibility as priorities for the 23/24 fiscal year.

## **7. Community Familiarization:**

A familiarization package is available at the detachment and is reviewed by all new incoming members.





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Email: cao@portclements.ca

**Delegation to Council Application Form**

**Applicant Group/Individual Name:** Tom Soames

**Mailing Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_ **Email:** tom.soames@bcchs.ca

**Subject of Delegation:** BC Ambulance Service

**Purpose of Delegation:**

*\*\*Please note that delegations regarding any aspect of an Official Community Plan or a zoning application are prohibited between the conclusion of a Public Hearing and the adoption of a Bylaw and may not come before Council at that time.\*\**

- ☐ Question for council
- ☐ Requesting information
- ☐ Requesting a letter of support
- ☐ Requesting funding
- ☒ Other (provide details): BC Ambulance Service - Invitation to make presentation to Council

**Contact Person (if different from above):** \_\_\_\_\_

**Telephone number:** \_\_\_\_\_ **Email:** \_\_\_\_\_

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*Please note that your delegation may not be on the date requested due to prior commitments, staff resources or at the Chief Administrative Officers' discretion due to subject matter. Your delegation is not confirmed until it is approved by the CAO and you have been contacted by Village staff.*

**Council Meeting date requested:** September 18, 2023

**Attending delegate (if different from above):** \_\_\_\_\_

D-2

### Delegation Requirements:

If approved the name of the delegation and its subject will be published in the Council Meeting Agenda, which is made available to the public and on our website. This is not optional and cannot be withdrawn from the public record.

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I understand and agree that I have been advised on the rules and requirements of a delegation to Council and I agree to these terms.

Name: N/A

Date: \_\_\_\_\_

Signature: N/A

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### For Office Use Only:

Date Application Received: N/A Documents Submitted with Application: N/A  
Application Received by: N/A Signature: \_\_\_\_\_

☒ Approved

☐ Declined

☐ Other (please specify): \_\_\_\_\_

Council Meeting Appearance date of Delegation: September 18/2023

[Signature]  
Signature of Chief Administrative Officer

August 25/2023  
Signature Date

D-2



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**6:00 PM Regular Meeting of Council, Tuesday, August 22<sup>nd</sup>, 2023**

Present:

Mayor Scott Cabianca  
Councillor Brigid Cumming - via conferencing  
Councillor Kazamir Falconbridge – via conferencing  
Councillor Wayne Nicol  
Councillor Dennis Reindl

CAO Marjorie Dobson  
Deputy CAO Elizabeth Cumming

Members of the public: Anwar Khan

**Meeting Called to Order at 6:02 PM**

Mayor Scott Cabianca: I call to order this meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

**1. ADOPT AGENDA**

2023-08-184—Moved by Councillor Falconbridge, seconded by Councillor Cumming  
THAT Council adopts the August 22<sup>nd</sup>, Regular Council Meeting with the removal of D-1, postponing D-2 to when Danielle Wiese is able to join the meeting, and the late add of G-5-UBCM Convention.  
**CARRIED**

**2. PETITIONS, DELEGATIONS & OPENING OF SEALED TENDERS**

D-2—EV Charging Stations Information - Danielle Wies  
*Presenter did not join the meeting, so delegation did not occur*

**3. MINUTES**

M-1—July 17<sup>th</sup>, 2023, Regular Council Meeting Minutes  
2023-08-185—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT the July 17<sup>th</sup>, 2023, Regular Council Meeting Minutes be adopted as presented.  
**CARRIED**

M-2—July 18<sup>th</sup>, 2023, Special Council Meeting Minutes  
2023-08-186—Moved by Councillor Falconbridge, seconded by Councillor Cumming  
THAT the July 18<sup>th</sup>, 2023, Regular Council Meeting Minutes be adopted as presented.  
**CARRIED**

M-3—August 8<sup>th</sup>, 2023, Committee of the Whole Meeting Minutes  
2023-08-187—Moved by Councillor Falconbridge, seconded by Councillor Cumming  
THAT the August 8<sup>th</sup>, 2023, Regular Council Meeting Minutes be adopted as presented.  
**CARRIED**

**4. BUSINESS ARISING FROM THE MINUTES & UNFINISHED BUSINESS**

**5. ORIGINAL CORRESPONDENCE**

C-1—INFORMATION – Board Highlights – Misty Isles Economic Development Society  
C-2—INFORMATION – Annual Report – Misty Isles Economic Development Society

M-1

C-3—INFORMATION – Recycling Program -- Township of Spallumcheen  
C-4—INFORMATION – Medal of Good Citizenship – BC Honours and Awards  
C-5—INFORMATION/INVITATION – Report Released -- BC Forest Practices Board  
C-6—INFORMATION/INVITATION – UBCM Convention Reminder – Ministry of Municipal Affairs  
2023-08-188—Moved by Councillor Cumming, seconded by Mayor Cabianca  
THAT Council receives items C-1 to C-6 for information.

**CARRIED**

2023-08-189—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT Council directs staff to resubmit the application to nominate Craig Beachy for the Medal of Good Citizenship.

**CARRIED**

C-7—INVITATION – Virtual Engagement Session -- North Coast Regional District  
2023-08-190—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT Council receives for discussion the invitation from the North Coast Regional District for the virtual engagement session.

**CARRIED**

2023-08-191—Moved by Councillor Falconbridge, seconded by Mayor Cabianca  
THAT Council directs staff to respond to invitation.

**CARRIED**

*\*\*\* Councillor Falconbridge and Mayor Cabianca*

C-8—INVITATION – Resource Breakfast Series – C3 Alliance Corp  
C-9—REQUEST – Resolution Endorsement at UBCM -- Peace River Regional District  
C-10—REQUEST – Request for Support – City of Quesnel  
C-11—REQUEST/INVITATION – Cannabis Store Licence Cap – Ministry of Public Safety and Solicitor General  
2023-08-192—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT Council receives C-8, C-9, C-10, and C-11 for information.

**CARRIED**

C-12—REQUEST/INVITATION—LRS Temp Relocation Regulation -- Ministry of Public Safety and Solicitor General  
2023-08-193—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT Council receives C-12 for information.

**CARRIED**

## **6. FINANCE**

## **7. GOVERNMENT**

G-1— Recommendation from COTW

2023-08-14—Moved by Councillor Reindl, seconded by Mayor Cabianca

THAT Council accept the recommendation from the Committee of the Whole Meeting to accept Elizabeth Stewart's offer to volunteer to pursue the research into the descendants of Willaim Vyse in regards to the Vyse Cemetery, and then revisit the topic with Council after the results of her assistance are provided including revisiting the idea of a columbarium in the event that the Village cannot obtain the Vyse Cemetery

**CARRIED**

G-2-- Set Topics for next Four COTW Meetings

2023-08-195—Moved by Mayor Cabianca, seconded by Councillor Falconbridge

THAT Council sets the next four Committee of the Whole Meetings (September, October, November, December) with the possible topics for discussion of:

- *Fireworks and Similar Events/Dog Control and Issues (September)*
- *Bayview/Dyson Corner (October)*
- *M&B Subdivision/Housing (November)*
- *Water/Sewer (December)*

**CARRIED**

*Councillor Falconbridge disconnected from the meeting at 7:00 PM.*

*Councillor Falconbridge rejoined the meeting at 7:01 PM.*

*Councillor Cumming disconnected from the meeting at 7:30 PM.*

*Councillor Cumming rejoined the meeting at 7:30 PM*

2023-08-196—Moved by Mayor Cabianca seconded by Councillor Reindl  
THAT Council directs staff to put winter maintenance on the agenda.

**CARRIED**

*Councillor Cumming left the meeting at 7:46 PM.*

2023-08-197—Moved by Mayor Cabianca, seconded by Councillor Reindl  
THAT Council directs staff to reach out to Bill Lore with the Museum and have an informal meeting and ask for more information on their decision to shut down for the winter and their current circumstances/usage and provide a report to Council on the response.

**CARRIED**

*Councillor Cumming returned to the meeting at 7:57 PM.*

G-3—Fireworks and Similar Events Bylaw Potential

2023-08-198—Moved by Councillor Cumming, seconded by Mayor Cabianca

THAT Council forwards the report to the scheduled Committee of the Whole Meeting on the topic.

**CARRIED**

G-4—Procedure Bylaw Review

2023-08-199—Moved by Councillor Cumming, seconded by Mayor Cabianca

THAT Council review the procedure bylaws and circulates their recommendations of changes to staff by September 8<sup>th</sup> who will then collate and bring them back to the next council meeting for consideration.

**CARRIED**

G-5-UBCM Convention

2023-08-200—Moved by Councillor Cumming, seconded by Councillor Reindl

THAT Council sends Mayor Scott Cabianca and CAO Marjorie Dobson to attend the UBCM Convention.

**CARRIED**

**8. NEW BUSINESS**

**9. REPORTS & DISCUSSIONS**

R-1—INFO—Regular Report on Current Operations – CAO Marjorie Dobson

*Mayor Cabianca: has been off-island since last meeting, think we should dig into the subdivision project as we may become a more desirable location to move to given the situation of the rest of the province (on fire).*

*Councillor Cumming: Attended one Community Futures meeting, attended council meetings.*

17-1

*Councillor Falconbridge: Nothing to report.*

*Councillor Nicol: Vibrant Community Commission has had no meetings, looking for update on follow up.*

*Councillor Riendl: Attended meeting with Port Clements Housing and Restoration Society, who have made progress on their plans though some plans are not able to be funded (no longer government funding available), while others are. Attended MIEDS meetings, they are still looking sometime in the future getting a process where they are looking for ideas/guidance from Councils on how MIEDS should move forward with what it is doing. Concerned with MIEDS purpose/where it is heading.*

2023-08-201—Moved by Councillor Cumming, seconded by Mayor Cabianca  
THAT Council receives the verbal and written reports from Staff and Council as presented.  
**CARRIED**

## **10. ACTION ITEMS**

A-1—Action Item List

## **11. QUESTIONS FROM THE PUBLIC & PRESS**

**Question** - Anwar Khan: Identified multiple concerns to Council:

- There is a dog problem in the community: dogs on loose that have attacked him, while owners present who do not control their dogs (just laugh and say “sorry” which is not an acceptable response) and amounts to a security problem Where it seems that people are disregarding the rules or there are rules for some people but not others, which makes it seems like there are double standards, and dogs being prioritized more than people when they are not more important.
- Other concerns with people ignoring rules and regulations, such as people drunk driving.
- No public transportation on Island, concern that it pushes people, such as those who do not have vehicles or vulnerable (such as the homeless, mentally ill, experiencing drug addiction, recent immigrants), to hitchhike which is illegal and unsafe. It cost \$130 to get from Skidegate to Port Clements by taxi. If you want people to come to the community, it must be welcoming and have ways to get around.
- No one came to help him while homeless in the community – there are no food banks, no community services (offered ticket to Prince Rupert at one point), and he went seeking support from the church. Identified that he was treated one way when people thought he was a tourist, and then treated differently when people knew he would stay.
- Concern that while the community has to look after older people, it also has to look after other marginalized people as well (ex. homelessness, mental illness, drug addiction).
- Concern that his fire got taken down and area that he had set up.

**Answer:** thank you for identifying your concerns.

## **12. IN-CAMERA**

90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

- (a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;
- (c) labour relations or other employee relations;
- (g) litigation or potential litigation affecting the municipality;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;

AND 90(2) A part of a council meeting must be closed to the public if the subject matter being considered relates to one or more of the following:

(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or federal government or both and a third party;

Councillor Reindl and Cumming left the meeting at 8:58 PM

Councillor Reindl rejoined the meeting at 9:01 PM.

Councillor Cumming rejoined the meeting at 9:01 PM.

2023-08-202—Moved by Mayor Cabianga, seconded by Councillor Cumming

THAT Council moves in-camera as per section 90(1)(a)(c)(g)(j) and 90(2)(b) of the *Community Charter* at 9:02 PM.

**CARRIED**

**13. ADJOURNMENT**

2023-08-203—Moved by Councillor Reindl,

THAT Council adjourns this meeting at 9:44 PM.

**CARRIED**

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**Mayor Scott Cabianga**

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**CAO Marjorie Dobson**

11-1



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**5:00 PM Special Meeting of Council, Tuesday August 29<sup>th</sup>, 2023**

Present:

Mayor Scott Cabianca  
Councillor Brigid Cumming - via conferencing  
Councillor Kazamir Falconbridge – via conferencing  
Councillor Dennis Reindl

CAO Marjorie Dobson  
Deputy CAO Elizabeth Cumming  
Public Works Superintendent Sean O'Donoghue

Members of the public: Marilyn Bliss, Danielle Wiess (delegate)

**Meeting Called to Order at 5:07 PM**

Mayor Scott Cabianca: I call to order this special meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

**1. ADOPT AGENDA**

2023-08-204—Moved by Councillor Reindl, seconded by Councillor Cumming  
THAT council adopts the August 29<sup>th</sup>, 2023, Special Council Meeting agenda as presented.  
**CARRIED**

*Councillor Wayne Nicol arrived at the meeting at 5:15 PM*

**2. PETITITONS, DELEGATIONS & OPENING OF SEALED TENDERS**

D-1—EV Charging Stations Information - Danielle Wies

*Councillor Falconbridge left the meeting at 5:25 PM, rejoined at 5:27 PM*

**3. GOVERNMENT**

G-1— Strategic Planning

2023-08-205—Moved by Councillor Falconbridge, seconded by Councillor Cumming  
THAT Council receive the Strategic Planning Information.  
**CARRIED**

*Councilor Nicol left the meeting at 6:24 PM, rejoined at 6:34 PM via conference*

2023-08-206—Moved by Councillor Falconbridge, seconded by Mayor Cabianca  
THAT Council directs staff to circulate relevant background documents and/or reports on items of strategic planning consideration and schedule an infrastructure tour/orientation for Council.  
**CARRIED**

M-2



**4. IN-CAMERA**

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- (c) labour relations or other employee relations;
- (d) the security of the property of the municipality;
- (g) litigation or potential litigation affecting the municipality;
- (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose;
- (j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*;

2023-08-207—Moved by Councillor Cumming, seconded by Councillor Falconbridge  
THAT Council moves in-camera as per section 90(1)(a)(c)(d)(g)(i) and (j) of the Community Charter at 7:18 PM.

**CARRIED**

*Councillor Reindl left the meeting at 7:18 PM, rejoined at 7:20 PM*

**5. ADJOURNMENT**

2023-08-208—Moved by Councillor Falconbridge  
THAT Council adjourns this meeting at 8:03 PM

**CARRIED**

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**Mayor Scott Cabianca**

---

**CAO Marjorie Dobson**

M-2



The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

36 Cedar Avenue West  
PO Box 198  
Port Clements, BC  
V0T1R0  
OFFICE: 250-557-4295  
Public Works: 250-557-4295  
FAX: 250-557-4568  
Email: office@portclements.ca  
Web: www.portclements.ca

**Minutes of the Special Meeting of Council, Tuesday, September 5<sup>th</sup>, 2023**

**Present:**

Mayor Scott Cabianca  
Councillor Brigid Cumming - via conferencing  
Councillor Dennis Reindl

**Not Present:**

Councillor Kazamir Falconbridge

CAO Marjorie Dobson  
Deputy CAO Elizabeth Cumming

Members of the public: Sharon Petitpas, Manzanita Snow, Marilyn Bliss, Marion Pierce, Elizabeth Stewart (via conferencing), Greg Stewart (via conferencing),

**Meeting Called to Order at 6:03 PM**

Mayor Scott Cabianca: I call to order this special meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.

**1. ADOPT AGENDA**

2023-09-209—Moved by Councillor Reindl, seconded by Councillor Cumming  
THAT Council adopts the September 5<sup>th</sup>, 2023, Special Council Meeting agenda as presented.  
**CARRIED**

*Councillor Wayne Nicol arrived at 6:08 PM*

**2. GOVERNMENT**

G-1—Request for/Discussion of Municipal Property - Port Clements Housing and Restoration Society  
2023-09-210—Moved by Councillor Cumming, seconded by Mayor Cabianca  
THAT Council receives the request for/discussion of municipality property from the Port Clements Housing and Restoration Society.  
**CARRIED**

*Councillor Reindl left the meeting at 6:53 PM*

2023-09-211—Moved by Councillor Nicol, seconded by Councillor Cumming  
THAT the Village of Port Clements will "provide land in principle" to the Port Clements Housing and Restoration Society for the purpose of developing a seniors' facility to provide housing and services to Port Clements. This Memorandum of Understanding is not legally binding but rather a commitment to explore potential terms and potentially establish a lease agreement.  
**CARRIED**

**3. ADJOURNMENT**

2023-09-212—Moved by Councillor Nicol  
THAT Council adjourns this meeting at 6:56 PM  
**CARRIED**

---

Mayor Scott Cabianca

---

CAO Marjorie Dobson

4-3



The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

36 Cedar Avenue West  
PO Box 198  
Port Clements, BC  
V0T1R0  
OFFICE: 250-557-4295  
Public Works: 250-557-4295  
FAX: 250-557-4568  
Email: [office@portclements.ca](mailto:office@portclements.ca)  
Web: [www.portclements.ca](http://www.portclements.ca)

7:00 PM, Tuesday, September 5<sup>th</sup>, 2023  
Committee of the Whole Minutes

Present:

Mayor Scott Cabianca  
Councillor Brigid Cumming - via conferencing  
Councillor Wayne Nicol  
Councillor Dennis Reindl

Not Present:

Councillor Kazamir Falconbridge

CAO Marjorie Dobson  
Deputy CAO Elizabeth Cumming

Members of the public: Elizabeth Stewart (via conferencing), Greg Stewart (via conferencing), Sharon Petitpas, and Marilyn Bliss

**Meeting Called to Order at 7:03 PM**

*Mayor Scott Cabianca: I call to order this committee of the whole meeting of the Council of the Village of Port Clements being held on the traditional territory of the Haida People.*

**1. ADOPT AGENDA**

2023-09-213—Moved by Councillor Cumming,  
THAT the Committee adopts the September 5<sup>th</sup>, 2023, Committee of the Whole Agenda as presented.

**CARRIED**

**2. REPORTS & DISCUSSIONS**

**D-1-Fireworks and Similar Events/Dog Control and Issues**

- *Discussion initiated with question on differences between policies (more like operational guidelines) vs. bylaws (local laws). Many of Council's powers can only be enacted through bylaw rather than policy (ex. to regulate or to prohibit a thing has to be done by bylaw). Bylaws may also be the better avenue as they given an avenue for legal recourse (by the municipality or individuals). Issue identified that current bylaws have no teeth and have enforcement issues. If the Village wants to create a bylaw, then it needs to have teeth and a way to enforce them. Suggestions to look into ways like cao being writer of citation of offences, or an island-wide shared bylaw enforcement officer (might not need a full-time position).*
  - *Question on what RCMP role and involvement can be with enforcing local bylaws. Identified that the RCMP should be consulted, and that it should be recommended to Council to invite the RCMP to attend a regular council meeting to update and provide information to Council on how they can enforce municipal bylaws.*
  - *Suggestion that the Village look into novel cost sharing arrangements where people who report bylaw infractions can get a portion of the fine (ex. \$50 fine for dog defecation gets a \$25 reward to the person who reported [with picture/video evidence]). This approach might get more engagement from the public in reporting violations and more adherence to bylaws.*
- *Discussion on topic of dog control and issues:*

M-4

- Identified that RCMP has previously been involved in historic dog issues (enforcing after dog attacks), however, other accounts of RCMP not involving or enforcing with dog issues. Example of previous issue with puppy mill and RCMP ability to appoint a special officer with the SPCA to investigate. People often reluctant to report dog issues to RCMP, though issues should be reported to the Village and RCMP and it is important to report to both.
- Issues with compliance – people are supposed to license their dogs, and dogs should not be on the loose (should be contained or tied up). Important that the public be made aware of licensing requirements. Question on why having a bylaw about licensing or dog control if it is not being enforced.
- Question on if a dog park would be a solution? General agreement that no. Dog parks in particular have value in urban areas that do not have a green space that is not occupied by people (who may be scared of dogs, etc). The Village is in a very rural area, where there is access to green space without people so it is not a necessity. While proponents of dog parks identify it could be user-managed, likely it would fall onto Public Works to maintain upkeep, or users will come to the Village Office for management when issues arise (between users, dog issues, etc). The current dog park area, the baseball field, is not being looked after by the users who do not pick up after their dogs, leaving feces behind, which impacts the baseball players. There could be some improvement with signage and some consistency with bag supply at the baseball field (previously had bags, dispenser and collector but got vandalized/damaged – maybe investigate a hardier one).
- The Museum has experienced where visitors want access to garbage receptacles to deposit picked up dog feces (the Museum has a green space used by dog walkers).
- Discussion included consideration of whether to only permit usage of the baseball field to dogs during specific times (September – April, outside of baseball season). However, identified that compliance is unlikely to be achieved. Discussion identified that the focus should be on people picking up after their dogs, rather than limited access to facility.
- Another matter brought up was dogs being at public events, such as Canada Days. Fireworks at events set off dogs in attendance – getting loose and running off – as well as issues with dog waste, getting loose generally, getting into fights and attacking other dogs/people. General consensus that dogs should not be allowed at public events (or at least be required to be leashed). The Tlell Fall Fair for example does not permit dogs.
- In between the discussion of dog control/issues and fireworks, it was also identified that the Community Park had a lot of development opportunity and usage potential. It was brought up that some consideration should be looked at getting similar infrastructure to what Daajing Giids has in one of their community spaces (teen centre, dog water fountains, outdoor gymnasium, skate park, etc). Though this space does not have a designated dog park.
- Discussion on the topic of fireworks bylaw potential:
  - Recognition that fireworks are a contentious issue in the community, and a focus should be on finding a middle road between the two sides – maybe not an outright ban or a free for all, but potentially permitting and restrictions.
  - Pointed out that it should not be an expectation for residents (such as those with PTSD, animals, or parents of children) to accommodate extraneous activities like fireworks (lovely, but not essential) by leaving the community or their homes. There should also be consideration of wildlife, for example, maybe not permitting fireworks during nesting season.
    - Some additional suggestions that it may be beneficial for Council to get more information on there be a presentation on the impacts of fireworks on those with medical conditions (such as PTSD and autism, etc).

11-11

- *A middle ground could be a permitting system, or permitting fireworks only on certain days of the year without permits (such as Halloween or New Years, but not on Canada Days) and otherwise limiting/restricting them by requiring permits, as well as other components such as limiting location (not permitted on beaches/docks or municipal infrastructure), limiting time (banned after certain hours such as after 11 PM, for example), age of use (no minors), or types of fireworks used. There could be requirement to use "silent" fireworks or alternative fireworks rather than the noisier, normal ones ("silent" fireworks sound more like popcorn than a bang noise).*
- *Acknowledgement that fireworks should not be held during fire ban as they are not legally permitted provincially under such bans. Haida Gwaii is currently still under a ban until October 31<sup>st</sup> that prohibits fireworks, sky lanterns, etc. There should be more awareness of fire bans & provincial fines involved (ex. issue with Smoking Joe's fireworks at mudbog during a fire ban; much loved activity to open mudbug, but should not have occurred under the fire department's supervision).*
- *Question on whether fireworks have provincial regulation for certification/training. Clarification that family fireworks do not require certification, but professional displays do.*
- *Question on whether the Village does want to do anything or not? Irrespective of what the Village imposes in a bylaw to limit fireworks, it would not necessarily limit individuals and 98% of fireworks go off around Halloween/News Years. There could be regulation, but it may not stop the problem. How would it be controlled?*

2023-09-214—Moved by Councillor Cumming,

THAT the committee makes a recommendation to Council to invite the RCMP to a Council Meeting to discuss the RCMP's role and recommendations on bylaw enforcement, such as regarding dogs and fireworks issues.

**CARRIED**

2023-09-215—Moved by Councillor Cumming,

THAT the committee recommends to Council that it not pursue a dog park at this time.

**CARRIED**

*Meeting end at 8:27 PM*

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Mayor Scott Cabianca

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CAO Marjorie Dobson

11-4



## Board Highlights

August 2023

### Delegations:

Jennifer Rutt provided an update of the Misty Isles Economic Development Society. Dale Richardson of Pacific Economic Development Canada provided an introduction to PacifiCan. The Chair of the Board thanked the delegations.

### Board Business:

1. The Board resolved to request meetings at the 2023 UBCM Convention with the Minister of Municipal Affairs and Northern Health.
2. The Board resolved to support co-hosting NCLGA 2025 with the City of Prince Rupert and the District of Port Edward.
3. The Board resolved to use the Local Government Climate Action Program funding and the Growing Communities funding to support needed equipment purchases for the Islands Solid Waste landfill operations.
4. The Board received an informational update on the Coastal Flood and Erosion Study Workshop for Sandspit, Tlell, and Tow Hill. This workshop is scheduled for Tuesday, September 12, 2023 at 7 p.m. via Zoom. Please see [website](#) for more information.
5. The Board adopted [Bylaw No. 280.3, 2023 – A bylaw to Amend the North Pacific Cannery Village Museum Grant-in-Aid Local Service Establishment Bylaw No. 280-1995](#).
6. The Board adopted [Bylaw No. 683, 2023 – Mainland Arts and Culture Contribution Bylaw](#).
7. The Board resolved to support an application to the Canada Mortgage and Housing Corporation's Housing Accelerator Fund program.
8. The Board directed staff to reach out to Fisheries and Oceans Canada (DFO) to invite a DFO delegation to a future meeting of the Board of the North Coast Regional District to discuss the invasive green crab issue and crab fisheries management.

***For complete details of NCRD Board meetings, the Agenda and Minutes are posted online at [www.ncrdbc.com](http://www.ncrdbc.com).***

C-1



## NCRD Solid Waste Management Plan Consultation Update

September 14, 2023

The North Coast Regional District (NCRD) has prepared a second draft update to its regional Solid Waste Management Plan (SWMP). This plan provides a foundation for managing garbage and recyclables in the region over the next five to ten years. The primary goal is to reduce the amount of solid waste disposed at our landfills.

Throughout September, the NCRD will host open houses in Prince Rupert, Daajing Giids, and Masset and there is a survey provided on the NCRD website to provide input. The following are opportunities to have your say on how you want to see waste managed in the region.

Review the SWMP on the NCRD Website:	<a href="https://www.ncrdbc.com/swmp">https://www.ncrdbc.com/swmp</a>
Fill out Survey #3 on the NCRD Website:	<a href="https://www.ncrdbc.com/swmp">https://www.ncrdbc.com/swmp</a>
Provide feedback by email, mail or phone:	<a href="mailto:info@ncrdbc.com">info@ncrdbc.com</a> 14, 342 3 <sup>rd</sup> Ave West, Prince Rupert, BC, V8J 1L5 250-624-2002, extension 8
Attend an Open House from 4:00 pm to 6:00 pm:	Prince Rupert Crest Hotel – Sept. 25 <sup>th</sup> Daajing Giids Community Hall – Sept. 27 <sup>th</sup> Masset Howard Philips Community Hall – Sept 28 <sup>th</sup>

Look for a Pop-Up Booth at a local store in your community

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NCRD staff and their consultant Sperling Hansen Associates will provide information to participants on the SWMP contents and proposed strategies at the events and address any questions and comments. Snacks and beverages will be provided. Participants will learn more about plans to improve communication with residents and businesses by hiring a waste reduction coordinator, compost organic waste, improve collection of recyclables in the region, change the operation of transfer stations, increase tipping fees to cover environmental upgrades at the landfills, focus on cost recovery for programs that do not cover operating costs, ensure businesses have access to services but are not subsidized, focus on moving large stockpiles of scrap metal and vehicles to processors, upgrade the septage receiving facility at the Skidegate Transfer Station, and consider changing ownership of the Prince Rupert Landfill to the NCRD.

### **Quote**

*“We are going out one more time to communities in the region to get input on planned changes to our Solid Waste Management Plan so that residents and businesses are aware of how they will be affected by the planned strategies and their implementation over the next five to ten years. We want to hear from as many people as possible over the next few weeks so that we don’t miss something important, communities accept the changes, and we get this Plan right.” – Barry Pages, NCRD Chair*

### **About the Solid Waste Management Plan Update**

Updating the SWMP was identified as a high priority by the Board of Directors in its 2019-2022 NCRD Strategic Plan. The current SWMP was adopted for the region in 1996, and since then the region and its solid waste needs have changed.

The second Draft SWMP was developed with the assistance of a Public and Technical Advisory Committee (PTAC) made up of 15 representatives plus two alternates from both the Haida Gwaii (Island Service Area) and the Mainland Service Areas and three NCRD staff members. The PTAC focused on conserving costly landfill space, making services more efficient and sustainable, keeping more things out of the landfills, complying with regulations and guidelines, and planning for future cost increases for solid waste management services.

The PTAC held seven meetings throughout 2021, 2022 and 2023 and reviewed four technical memoranda, which have been compiled into the second Draft SWMP that has been released for public consultation. Public consultation on the draft SWMP is ongoing until November, 2023.



The second Draft SWMP is available at [www.ncrdbc.com/swmp](http://www.ncrdbc.com/swmp)

*For more information on this news release contact Daniel Fish, Chief Administrative Officer for the North Coast Regional District at **250.624.2002, extension 8** or email [cao@ncrdbc.com](mailto:cao@ncrdbc.com).*

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## Corporation of the Village of McBride

P.O. Box 519  
McBride, B.C.  
V0J 2E0

Phone: 250-569-2229

Fax: 250-569-3276

August 30, 2023

City of Quesnel  
410 Kinchant Street  
Quesnel, BC  
V2J 7J5

Via Email: [llong@quesnel.ca](mailto:llong@quesnel.ca)  
[bjohnson@quesnel.ca](mailto:bjohnson@quesnel.ca)

**Re: Quesnel Highway 97 North-South Interconnector Project**

Dear Mayor and Council,

Council recognizes that Highway 97 is a significant provincial highway that is critical to the continued economic prosperity of Northern and Central BC and all British Columbia.

Additionally, Council understands that Highway 97 is at a critical stage with growing risk level for extended delays due to aged-out highway infrastructure in Quesnel. Based on the current plans by the Ministry of Transportation and Infrastructure, these plans will cause unacceptable construction delays in the future.

During their Regular Council Meeting on August 22, 2023, Council passed the following resolution in support of the Quesnel Highway 97 North-South Interconnector Project:

Kolida/Frear

*Resolved: THAT Council direct administration to reply to the City of Quesnel with a letter of support regarding the Quesnel Highway 97 North-South Interconnector Project.*

Carried

Resolution # 110822.23

Sincerely,

Mayor Eugene Runtz  
Village of McBride  
[mayor@mcbride.ca](mailto:mayor@mcbride.ca)

cc Minister of Transportation & Infrastructure, Rob Fleming  
Union of B.C. Municipalities  
North Central Local Government Association  
Northern Health Authority  
Industry & Stakeholders  
City of Quesnel, City Manager, Byron Johnson

C-3

## Elizabeth Cumming

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**From:** Terry Wallace <twallace1@hotmail.com>  
**Sent:** August 21, 2023 1:07 PM  
**To:** Mathew Stradiotti; chn.masset@haidanation.com; Duffy Edgars; cao@masset.ca; connectwithus@bchydro.com; Office  
**Subject:** Masset British Columbia Tank Farm Issue

I am a resident in Masset BC. Recently there has been lots of concerned citizens surrounding the new tank farm that is going in.

I was thinking over possible solutions. This may have already come up but I thought I should send out an email about it. I don't have proper contacts for BC Hydro or CHN so maybe this could be shared with them by people on this contact list.

My thoughts are to have some type of royalty disbursement to investors in renewable energies for the north end of Graham Island.

Investors could be BC Hydro (also the manager and payer of the system) OMVC, CHN, North Arm Transportation, Village of Masset, Village of Port Clements.

I am not sure on the total mega watt capacity that would need to be replaced at the generator and what that would equate to dollar wise for wind and solar combination but my thought is to have these entities invest in renewables. What ever the investment level of each entity is, they would get a percentage in disbursement royalties (\$ per KW produced to offset diesel).

In tern North Arm Transportation may actually generate just as much income as the tank farm would produce by supplying diesel to BC Hydro and a lot less overhead and headaches surrounding the business. It would become more of a passive income over the life of the project.

Local communities could also get a long term payback on investments. Investment money could possible come from grant or other sources.

Provinces around this country and many other countries offer this and have offered this in the past. Offering a pay out for energy production and put back into the grid, why couldn't it exist here?

Drawbacks of course are organizing and collaborating with so many groups and speed at which something like this could be accomplished.

Anyways I thought I should speak up about it.  
Good luck.

Terry Wallace  
250-626-8939

**CAUTION:** This email originated from outside of the Village of Port Clements Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

## Elizabeth Cumming

---

**From:** Jennifer Rutt <jenrutt@gohaidagwail.ca>  
**Sent:** August 23, 2023 2:32 PM  
**To:** Office  
**Cc:** CAO  
**Subject:** MIEDS Request for Council Resolution  
**Attachments:** MIEDS Strategic Planning - Request for Resolution.pdf

Hello,

REDIP requires supportive council resolutions from any local and First Nations governments involved in the project requesting funding. Attached is a briefing on the requested resolution.

Here is a sample council resolution:

"That the Village of Port Clements council supports an application by the Misty Isles Economic Development Society (MIEDS) to the Rural Economic Diversification and Infrastructure Program for up to \$50,000 towards the 2024 MIEDS Comprehensive Review and Strategic Plan."

Please let me know ASAP if there is something else you require and thank you so much for your help! If this could be handled in September that will give us enough time to submit it with our application.

Best,

Jen

**Jennifer Rutt**

Executive Director | Misty Isles Economic Development Society

[jenrutt@gohaidagwail.ca](mailto:jenrutt@gohaidagwail.ca)

mobile: 250.559.8050

[MIEDS.ca](http://MIEDS.ca) | [GoHaidaGwail.ca](http://GoHaidaGwail.ca) | [LoveHaidaGwail.com](http://LoveHaidaGwail.com)

fb: [@misty.isles.ec.dev](https://www.facebook.com/misty.isles.ec.dev) | ig: [@gohaidagwail](https://www.instagram.com/gohaidagwail) | yt: [@hgtourism](https://www.youtube.com/@hgtourism)

Connect with me on [LinkedIn](#)

The Misty Isles Economic Development Society acknowledges and respects the Haida Nation on whose territory we work, and whose relationship with the land and water continues to this day.

**CAUTION:** This email originated from outside of the Village of Port Clements Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

### **A new context for economic development**

The MIEDS Board of Directors has expressed a need for organizational strategic planning during the 2024 calendar year. The planning goal is to complete a five-year strategic plan that will guide MIEDS' future operations.

The governance landscape on Haida Gwaii has changed since MIEDS was created in 2008. In 2015, the final report of the Truth and Reconciliation Commission of Canada detailed areas of consideration in both business and economic development. Over the last 15 years, the Haida Nation has also gained many exciting firsts both provincially and federally, including the ongoing GayGahlda or Changing Tides framework for reconciliation of Haida Nation title and rights, and the Haida Nation Recognition Act. The governments of Canada and B.C. have adopted the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) as a framework for reconciliation. The reinvigoration of the All-Island Protocol Table in 2020 was another landmark for local reconciliation in action, leading to a resurgence of meetings and the commitment to a Protocol Table coordinator.

Given these changes, the 2007 agreements on economic development signed between the Council of the Haida Nation and the four MIEDS-member communities that were the foundation of MIEDS no longer address the current context for economic development on Haida Gwaii.

It is also important to note that the last time the organization participated in comprehensive strategic planning with board and stakeholder engagement was in 2012.

### **A comprehensive review of MIEDS**

A five-year strategic plan for MIEDS cannot be fully realized until a broader discussion of the organization's operating environment takes place through a strategic landscape assessment. The mandate of the organization should also be reviewed with member communities to make sure it is currently meeting member needs. The executive director has spoken with four external strategic planning consultants who concur. To perform this work, the consultants cited fees ranging from \$40,000 and up.

A strategic landscape assessment is a thoughtful analysis and evaluation of the strategic environment facing an organization. It can have an external focus (who we serve) and/or an internal one (how we operate).

A strategic landscape assessment may include:

- A PESTLE analysis (political, economic, social, technological, legal, environmental)
- Secondary data, interviews, literature reviews, and/or community surveys



- A SWOT analysis (strengths, weaknesses, opportunities, threats) or SOAR analysis (strengths, opportunities, aspirations, results)

Such an assessment would be the backbone from which the board would create a new five-year strategic plan.

Recently, the North Coast Regional District embarked on a Regional Economic Development Strategy Development project funded by the Economic Capacity funding stream of REDIP (the Rural Economic Diversification and Infrastructure Program). The executive director has confirmed with NCRD staff that MIEDS strategic planning work will complement, not compete or interfere, with NCRD planning.

#### **REDIP funding application**

On August 2, 2023, the MIEDS board of directors directed the MIEDS executive director to explore a comprehensive organizational review of MIEDS' mandate and mission as well as a new five-year strategic plan. To help fund this work, the board of directors resolved to apply for a grant of up to \$50,000 from the REDIP Economic Capacity program.

The project could include a review of MIEDS' current agreements with member communities and its economic development understanding with the Old Massett Village Council, Skidegate Band Council, and the Council of the Haida Nation. The organizational review would involve a larger group beyond MIEDS board members, such as other elected representatives on the municipal councils and regional district board as well as the respective chief administrative officers from the four local governments. The project would result in a strategic landscape analysis, a five-year strategic plan and, potentially, a more focused society mission and mandate.





**Haida Gwaii Recreation**  
2151 Tahayghen Drive, Masset, B.C. V0T1M0  
250-626-5652  
E: [info@hgrec.com](mailto:info@hgrec.com)  
W: [www.hgrec.com](http://www.hgrec.com)

September 13, 2022

Village of Port Clements

**RE: Board Resolution of Support for Seniors Program Grant Funding Application**

Haida Gwaii Recreation is seeking support from the Village of Port Clements for our application to the New Horizon's for Seniors (NHSP) grant program with a deadline of Sept 28, 2023. The NHSP is a federal grants and contributions program that issues funding for projects that make a difference in the lives of seniors (55+) and in their communities. Objectives are:

- Promote volunteerism among seniors and other generations
- Engage seniors in the community through the mentoring of others
- Expand awareness of elder abuse, including financial abuse
- Support the social participation and inclusion of seniors
- Provide capital assistance for new and existing community projects and programs for seniors

In the last couple of years, HG Rec has tried to establish more summer camp programming in the Village of Port. Unfortunately, we have had to divert students to Masset camps due to lack of demand and challenges with a small population. We have had great success in our free seniors yoga programming led by Jennifer Pigeon, with upwards of 18 seniors attending sessions. To further the good work with this active and engaged population, we met with seniors at their monthly luncheon last week, to get some group ideas and feedback on programs that they would like to see. That led HG Rec to the idea of supporting the seniors at least 1x/month in Spring/Summer months with transportation to and from Masset and/or Daajing Giids, to attend markets, recreation programs or community events, and build social cohesion among groups, while also reducing barriers (i.e., transportation). We would include Til.aal – Tlell seniors in this ask as well, as many were in attendance for the Port Clements seniors group happenings. Regina Williams of Masset has also discussed island-wide tours and events for Pickleball, the new craze, and exchanges of Masset/Port seniors that have new courts and can share equipment for tournaments.

We are looking to apply to NHSP to a maximum of \$25,000 for 1 year of funding to pilot this program. We have a quote from Toby Sanmiya of Open Door Adventures who has a 17 passenger van to drive the group to where they'd like to go, and this region of the island is so fortunate to have access to this kind of service. We will also hire someone to coordinate and attend the seniors program days, helping them navigate or attend spaces (e.g., with their banking, attending a farmers market), working as a contractor with HG Rec. Targets will be those seniors that cannot drive and are at risk of social isolation, a priority of the grant funder. If this pilot is successful, it may provide a framework for other seniors programs across Haida Gwaii. We may also leverage Gwaii Trust funding for this project.

To strengthen our application, we will highlight feasibility studies related to the need for both public transport and active transport on these islands. Haawa – thank you for your consideration. If you have any questions or require clarification, do not hesitate to contact me directly via e-mail or phone (below).

Regards,  
Alissa MacMullin  
Haida Gwaii Recreation Coordinator

C-6





August 30, 2023

**RE: Invitation to upcoming sessions on the Heritage Conservation Act Transformation Project (Fall 2023)**

The Joint Working Group on First Nations Heritage Conservation (JWG) is pleased to provide an update on the Heritage Conservation Act Transformation Project (HCATP) and invite stakeholders to participate in virtual engagement sessions on proposed near-term policy changes.

Beginning in July 2022, First Nations and external stakeholders (industry, heritage and archaeological professionals, local/regional governments, construction and land developers, etc.) were invited to engage on the *Heritage Conservation Act* (HCA) and its administration to identify priority areas for transformation. The outcomes of engagement have been captured in What We Heard Reports; the stakeholder report will be available shortly and accessible on the [HCATP website](#).

Informed by that feedback, a near-term suite of legislative, regulatory, policy and programmatic changes been co-developed through the JWG, with input from the Alliance of B.C. Modern Treaty Nations (ABCMTN). This work represents critical initial steps that lay a foundation for broader, long-term transformation of the HCA and its administration as envisioned in Action 4.35 of the Declaration Act Action Plan 2022-2027, which states that the Province will “work with First Nations to reform the *Heritage Conservation Act* to align with the UN Declaration, including shared decision-making and the protection of First Nations cultural, spiritual, and heritage sites and objects.”

**Virtual Engagement Sessions**

These two upcoming virtual stakeholder engagement sessions will provide an opportunity for meaningful discussion on the proposed suite of near-term legislative, regulatory, policy, and programmatic changes being proposed for Cabinet consideration and ultimately legislative introduction in Spring 2024.

Details are as follows:

Date	Time	TEAMS Registration Link
September 26, 2023	1:00-4:00pm PDT	<a href="#">September 26<sup>th</sup> Session Registration Link</a>
September 28, 2023	1:00-4:00pm PDT	<a href="#">September 28<sup>th</sup> Session Registration Link</a>

To register for the session that best works for your schedule, click the link above to receive a Microsoft Teams registration invitation and meeting link.

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Materials to support the sessions are under development and will be provided in the coming weeks. In the meantime, supplementary documentation on the HCATP background and engagement to date are available on the [HCATP website](#).

### **Closing Comments**

We appreciate you taking the time to engage on this important initiative and look forward to meeting with you. If you have any questions, concerns, or additional input regarding the HCATP, please send an email to [EngageHCA@gov.bc.ca](mailto:EngageHCA@gov.bc.ca).

Sincerely,

*Judith Sayers*

---

Judith Sayers, JWG Co-Chair  
President  
Nuu-chah-nulth Tribal Council

*MPorter*

---

Michelle Porter (a/ADM) on behalf of:  
Matt Austin, JWG Co-Chair  
Assistant Deputy Minister  
Integrated Resource Operations Division  
Ministry of Forests

1-57

## Elizabeth Cumming

---

**From:** FrontCounterBC@gov.bc.ca  
**Sent:** August 21, 2023 3:28 PM  
**To:** Office  
**Subject:** Lands File # 1414742 Province of BC Referral Request on a Community Institutional application  
**Attachments:** 2022-04-19\_Site\_Plan\_1414742.pdf; 2022-04-19\_Site\_Plans\_2\_1414742.pdf; 2022-04-19\_Site-Map\_Plan\_1414742.pdf; 2022-06-15\_MP\_1414742.pdf; 2020-05-11\_Shapefile\_6405935.kml; 2022-04-19\_Site\_Photos\_1414742.pdf; RedactedApplicationForm.pdf

Village of Port Clements  
Ruby Decock

Community Institutional  
Referral Number: 160886879 - 008  
Reference Number: 669774  
Request Sent: August 21, 2023  
Response Due: September 20, 2023

You are invited to comment on the following Crown land application. A response is required in order for the application and adjudication process to move ahead.

Applicants Name: Sandspit Harbour Society

Legal Description: That part of District Lot 3077, Queen Charlotte District, Containing 32.68 Hectares, more or less.

Unique ID: 1414742 SHS Marina Lease Sandspit 19-Apr-22

Lands File Number: 1414742

Tenure Type: Lease

Purpose: Marina

Policy: Community Institutional

Total Ha: 32.68

Term: 30 Years

General Location: Sandspit

Comments: The Sandspit Harbour Society constructed and operated the Sandspit Marina under Lands Act Licence of Occupation ? for commercial wharf purposes (file # 6405935) from 1995 until the Licence of Occupation expired in 2004. The Sandspit Harbour Society has continued to operate the marina but declined to replace the tenure until now. A lease under Land Act community institutional policy is being sought for a 30-year term.

Please [Click Here](#) to respond to this referral. You must be logged in using your BCeID account to view associated information. Forwarding or otherwise distributing this email will provide access to the associated information only if the

receiver has a corresponding account.

Note that it can take an extended period of time to connect from the BCeID login to the E-Referrals website, this is normal. Avoid re-clicking the "Next" button or you could extend this connection time.

\*\*\*Please DO NOT reply to this email.\*\*\*

For "how-to" instructions on how to respond to this request, visit <https://portal.nrs.gov.bc.ca/web/client/-/e-referrals> for instructional videos. To obtain a BCeID, visit <https://www.bceid.ca/>

For technical assistance with E-Referrals, contact FrontCounter BC at 1-877-855-3222.

For more information regarding this referral, use the email link at the bottom of this message or use the "Email Coordinator" link located within the referral to contact the Referral Coordinator.

Gordon Clark

FrontCounter BC  
Resource Clerk

(250) 559-6200  
[Gordon.Clark@gov.bc.ca](mailto:Gordon.Clark@gov.bc.ca)

**CAUTION:** This email originated from outside of the Village of Port Clements Network. Do not click links or open attachments unless you recognize the sender and know the content is safe.



# Crown Land Tenure Application

Tracking Number: 100381687

## Applicant Information

If approved, will the authorization be issued to  
an Individual or Company/Organization? Company/Organization  
What is your relationship to the Agent  
company/organization?

## APPLICANT COMPANY/ORGANIZATION CONTACT INFORMATION

Applicant is an Individual or an Organization to whom this authorization Permit/Tenure/Licence will be issued, if approved.

Name: Sandspit Harbour Society Inc.  
Doing Business As:  
Phone: 250-637-5700  
Fax:  
Email: sandspitharbour2@outlook.com  
BC Incorporation Number:  
Extra Provincial Inc. No:  
Society Number: No. S-0032769  
GST Registration Number:  
Contact Name: Evan Putterill  
Mailing Address: - redacted -

## REFERRAL / PUBLIC COMMENT CONTACT INFORMATION

Company / Organization: All Tides Consulting & Design Inc.  
Contact Name: Adam Thomsen  
Contact Address: 5431 Carnaby Pl.  
Sechelt, BC  
V7Z0M3  
Contact Phone: 604-885-8465  
Contact Email: alltidesconsulting@gmail.com

## AGENT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name: Adam Mark Thomsen  
Doing Business As: All Tides Consulting & Design Inc.  
Phone: 604-885-8465  
Fax:  
Email: alltidesconsulting@gmail.com  
BC Incorporation Number:  
Extra Provincial Inc. No:  
Society Number:  
GST Registration Number:  
Contact Name: Adam Thomsen  
Mailing Address: 5431 Carnaby Place  
Sechelt BC V7Z0M3  
Letter(s) Attached: Yes (Signed Letter of Agency.pdf)

## CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email: alltidesconsulting@gmail.com  
Contact Name: Adam Thomsen

## ELIGIBILITY

Question

Answer Warning

CS

Do all applicants and co-applicants meet the eligibility criteria for the appropriate category as listed below? Yes

Applicants and/or co-applicants who are Individuals must:

1. Be 19 years of age or older and
2. Must be Canadian Citizens or permanent residents of Canada (Except if you are applying for an aquatic tenure adjacent to privately owned upland)

Applicants and/or co-applicants who are Organizations must either:

1. Be incorporated or registered in British Columbia (Corporations also include registered partnerships, cooperatives, and non-profit societies which are formed under the relevant Provincial statutes) or
2. First Nations who can apply through Band corporations or Indian Band and Tribal Councils (Band or Tribal Councils require a Band Council Resolution).

## TECHNICAL INFORMATION

Please provide us with the following general information about you and your application:

### EXISTING TENURE DETAILS

Do you hold another Crown Land Tenure? No

### ALL SEASONS RESORTS

The All Seasons Resorts Program serves to support the development of Alpine Ski and non-ski resorts on Crown land. For more detailed information on this program, please see the operational policy. If you have further questions, please contact FrontCounter BC.

Are you applying within an alpine ski resort? No

### WHAT IS YOUR INTENDED USE OF CROWN LAND?

Use the "Add Purpose" button to select a proposed land use from the drop down menu.

In some situations, such as short-term, low-impact use of Crown land or docks/moorage that meet specific criteria, Crown land use is allowed without needing to apply for authorization. Some examples are uses listed within the Land Use Policy - Permissions and, for docks/moorage, within the Private Moorage policy.

For all application types, you should review the Land Use Policy that describes your intended use of Crown land to determine if your activity is permissible under the Land Act.

Purpose	Tenure	Period
Marina Sandspit Harbour Society . Crown Land Tenure Application Renewal for Licence #634365 / File #6405935	Lease	More than thirty years

### ACCESS TO CROWN LAND

Please describe how you plan to access your proposed crown land from the closest public road: Through upland property and via water

### MARINA

Marinas and Yacht Clubs can be established on Foreshore and/or Aquatic Crown land through tenures available from the Province of British Columbia. Marinas and Yacht Clubs are tenured through the Commercial General program. Click here to review the policy. You may also require a Section 9 Water Act authorization

**Specific Purpose:** Sandspit Harbour Society . Crown Land Tenure Application Renewal for Licence  
**Period:** #634365 / File #6405935  
**Tenure:** More than thirty years  
 Lease

#### TOTAL APPLICATION AREA

Please give us some information on the size of the area you are applying for.

**Please specify the area:** 33.8 hectares

#### PROJECT DETAILS

**Are you the waterfront upland owner?** No

If your application is located adjacent to a water body owned by another person, an Upland Owner Consent Letter is also required. A Sample letter document can be found here. For more information about the requirements to complete this form, please contact FrontCounter BC.

**Please upload the upland owner's written consent.**

FileName	Description
The upland area is not owned by a private party.pdf	The upland area is not owned by a private party.

**Are you planning to sell gas at the proposed marina?** Yes

#### ALL SEASONS RESORT

If your activities include more than one million dollar in the Recreational Infrastructure and more than 100 Commercial Bed Units, your activities may fall under the All Seasons Resort Policy.

**Are you applying to build an all season resort as defined under the All Seasons Resort Policy, including more than one million dollars in Recreational Infrastructure and more than 100 Commercial Bed Units?** No

#### IMPORTANT CONSIDERATIONS

Selecting yes to any of the following questions may indicate that you will require further or additional authorizations under the Land Act or other legislation.

**Is your proposed activity within the Okanagan, Kalamalka and Wood Lakes, Skaha Lake, Vaseux Lake, or Christina Lake areas?** No

**Is your proposed activity within the Shuswap, Mara, Mable, or Little Shuswap Lake areas?** No

#### ADDITIONAL QUESTIONS

In many cases, you might require other authorizations or permits in order to complete your project. In order to make that determination and point you in the right direction, please answer the questions below. In addition, your application may be referred to other agencies for comments.

**Is the Applicant or any Co-Applicant or their Spouse(s) an employee of the Provincial Government of British Columbia?** No

**Are you planning to cut timber on the Crown Land you are applying for?** No

**Are you planning to use an open fire to burn timber or other materials?** No

**Do you want to transport heavy equipment or materials on an existing forest road?** No

**Are you planning to work in or around water?** Yes

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1. If you will be working in or around fresh water, you will require a Water Sustainability Act Change Approval or Notification from the Province.
2. The federal Department of Fisheries and Oceans might need to review your project.
3. Review the Transport Canada website if the Navigation Protection Act applies.

Does your operation fall within a park area?

No

## LOCATION INFORMATION

## LAND DETAILS

## DRAWINGS

Please provide information on the location and shape of your Crown land application area. You can use one or more of the tools provided.

☒ I will upload a PDF, JPG or other digital file(s)

## MAP FILES

Your PDF, JPG or other digital file must show your application area in relation to nearby communities, highways, railways or other land marks.

Description	Filename	Purpose
Metes and bounds of existing tenure area	Sandspit Harbour Society . ...	Marina

## ATTACHED DOCUMENTS

Document Type	Description	Filename
General Location Map	Site Plans	Sandspit Harbour Society . ...
Management Plan	Management Plan	Sandspit Harbour Society . ...
Shoreline Photographs	Photo pages	Sandspit Harbour Society . ...
Site Plan	Site Plans	Sandspit Harbour Society . ...

## PRIVACY DECLARATION

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

## IMPORTANT NOTICES

- Once you click 'Next' the application will be locked down and you will NOT be able to edit it any more.

## DECLARATION

☒ By submitting this application form, I, declare that the information contained on this form is complete and accurate.

## OTHER INFORMATION

Is there any other information you would like us to know?

Please contact Adam Thomsen at All Tides Consulting & Design with any questions, comments, or if additional information/documentation is required to move forward.

**APPLICATION AND ASSOCIATED FEES**

Item	Amount	Taxes	Total	Outstanding Balance
Crown Land Tenure Application Fee	\$500.00	GST @ 5%: \$25.00	\$525.00	\$0.00

**OFFICE**

Office to submit application to: Haida Gwaii

**PROJECT INFORMATION**

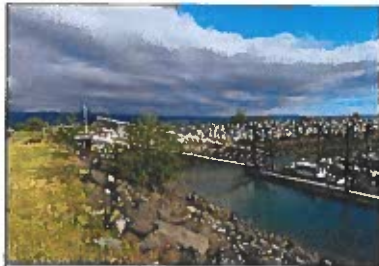
Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC? No

**OFFICE USE ONLY**

Office Haida Gwaii	File Number	Project Number
	Disposition ID	Client Number

C-8





HARBOUR OVERVIEW (A)



HARBOUR OVERVIEW (B)



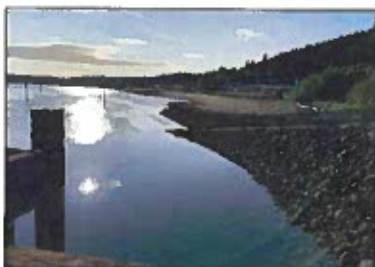
HARBOUR OVERVIEW (C)



HARBOUR OVERVIEW (D)



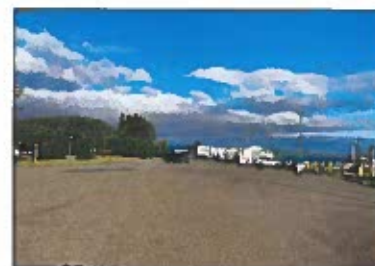
BREAKWATER #2 LOOKING NORTH



BOAT LAUNCH AND BREAKWATER #2 FROM WHARF



BOAT LAUNCH



PARKING LOT LOOKING WEST



APPROACH/GANGWAY #1 LOOKING WEST



GANGWAY #1 LOOKING SOUTH



WHARF LOOKING NORTH



APPROACH AND GANGWAY #1 LOOKING NORTH

Drawing Refs:



**ALLTIDES**  
CONSULTING & DESIGN

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Client: SANDSPIT HARBOUR SOCIETY			
Drawing Title: PHOTO PAGE #1		Location: HAIDA GWAI	
Drawn By: A.T.	Date: NOV. 2020	Check'd and Signed-off By: Date:	Scale:
Drawing Number: P-1914-01		Sheet No. P1	Rev. No.

8

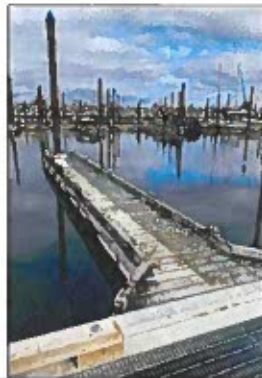
COAST GUARD FLOAT LOOKING NORTH

EMERGENCY RESPONSE STORAGE BOX





FLOAT C ANCHOR PILE BRACKET



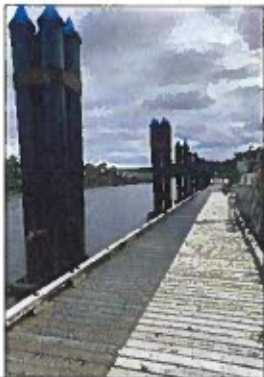
FLOAT C FINGER FLOAT



FLOAT C LOOKING NORTH



FLOAT D LOOKING NORTH



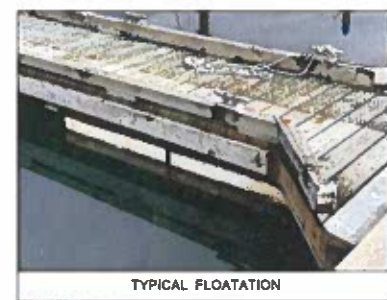
FLOAT G LOOKING EAST



FLOAT F LOOKING WEST



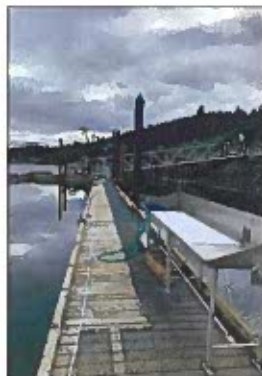
TRANSITION PLATE FROM FLOAT F TO FLOAT G



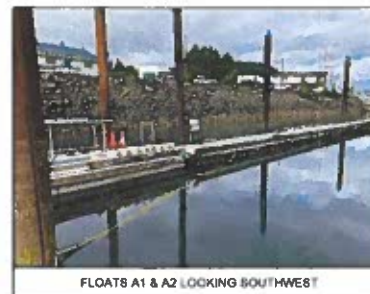
TYPICAL FLOATATION



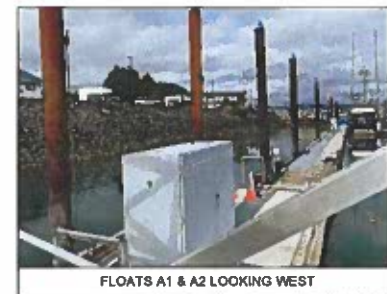
GANGWAY #2 LOOKING SOUTH



FLOAT A1 & A2 LOOKING EAST



FLOATS A1 & A2 LOOKING SOUTHWEST



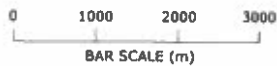
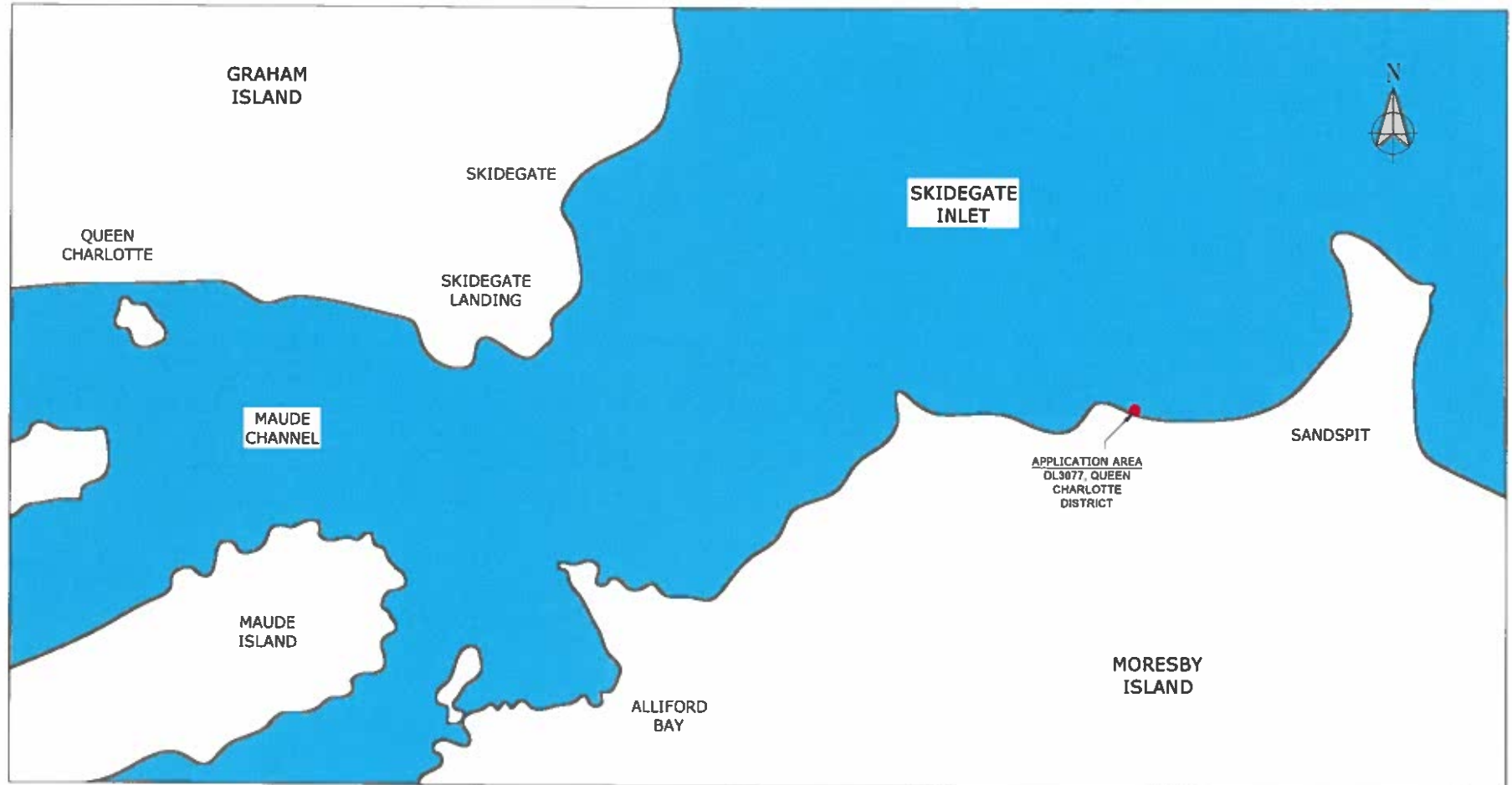
FLOATS A1 & A2 LOOKING WEST

Client: SANDSPIT HARBOUR SOCIETY			
Drawing Title PHOTO PAGE #3		Location: HAIDA GWAIL	
Drawn By: A.T.	Date: NOV. 2020	Check'd and Signed-off By: Date:	Scale:
Drawing Number: P-1914-01		Sheet No. P3	Rev. No.



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Client: SANDSPIT HARBOUR SOCIETY			
Drawing Title: LOCATION MAP		Location: HAIDA GWAIL, B.C.	
Drawn By: A.T.	Date: NOV. 2021	Check'd and Signed-off By: Date	Scale: 1 : 60,000
Drawing Number: P-1914-01		Sheet No. 1 OF 13	Rev. No.

Drawing Ref's: Site Map - Modification Agreement - FLNRO File #6405935 - October 31, 1997.  
iMapBC - GIS online mapping system  
SQCRD - Sandspit/Moresby Island Schedule 'A' - Zoning

28

**DISTRICT LOT 3077**  
32.8ha (+/-)

450m (+/-) @ 87°  
466m (+/-) @ 122°  
268m @ (-/-) 108°55'

**SHINGLE BAY, SKIDEGATE INLET**

**DRAWING NOTE:**  
- NATURAL BOUNDARY, LOT LINES AND TENURE  
BOUNDARY REFERENCED FROM: SITE MAP -  
MODIFICATION AGREEMENT - PLNRD FILE  
#6405935-OCTOBER 31, 1997, MAPBC-GIS ONLINE  
MAPPING SYSTEM, & SQCRD - SANDSPIT/MORESBY  
ISLAND SCHEDULE 'A' - ZONING.  
- UTM COORDINATE LOCATIONS INDICATED ARE  
3m +/- OF ACTUAL LOCATION.

**UTM COORDINATE**  
0308892/5902728

**BREAKWATER #1**

**SANDSPIT HARBOUR MARINA**

**BOAT LAUNCH**  
UTM COORDINATE  
0309037/5902502

**BREAKWATER #2**  
UTM COORDINATE:  
0309390/5902387

**HAANS CREEK**  
140m (+/-)

**UTM COORDINATE**  
0308788/5902567

**BEACH ROAD**

**NATURAL BOUNDARY**

**BEACH ROAD**

**PROPERTY LINE**

**PID: 004-367-073**  
**PID: 004-367-081**  
**PID: 004-367-138**  
**PID: 004-367-146**

**ALLFORD BAY CREEK**

SANDSPIT, B.C.



Drawing Title SITE MAP

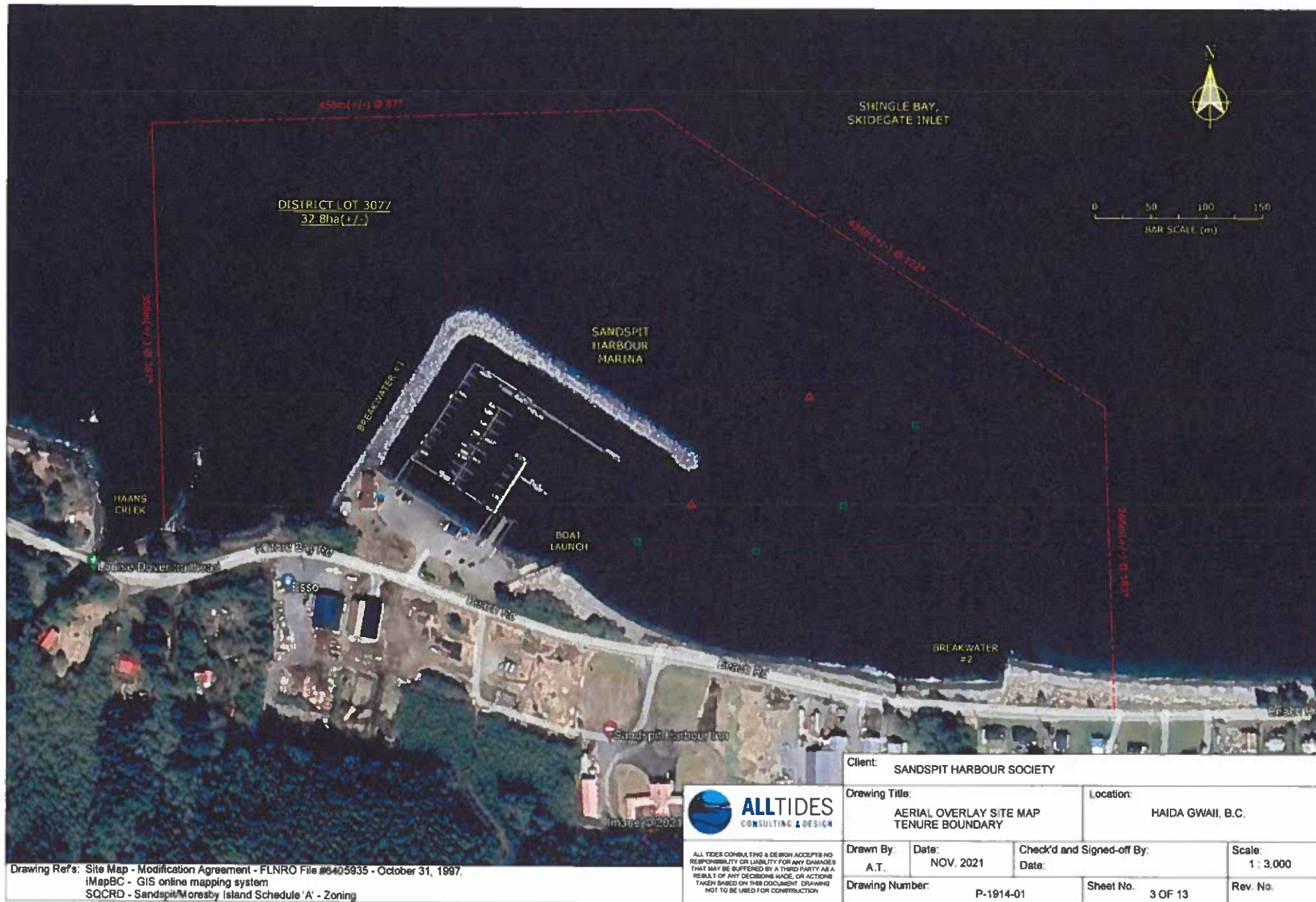
Location: HAIDA GWAII, B.C.

Drawn By: _____	Date: _____	NOV. 2021	Date: _____	Scale: 1" = 4'-0"
Check'd and Signed-off By: _____				

[illegible]

Drawing Refs Site Map - Modification Agreement - FLNRO File #6405935 - October 31 1997  
MapBC - GIS online mapping system  
SQC RD - Sandspit/Moresby Island Schedule A - Zoning

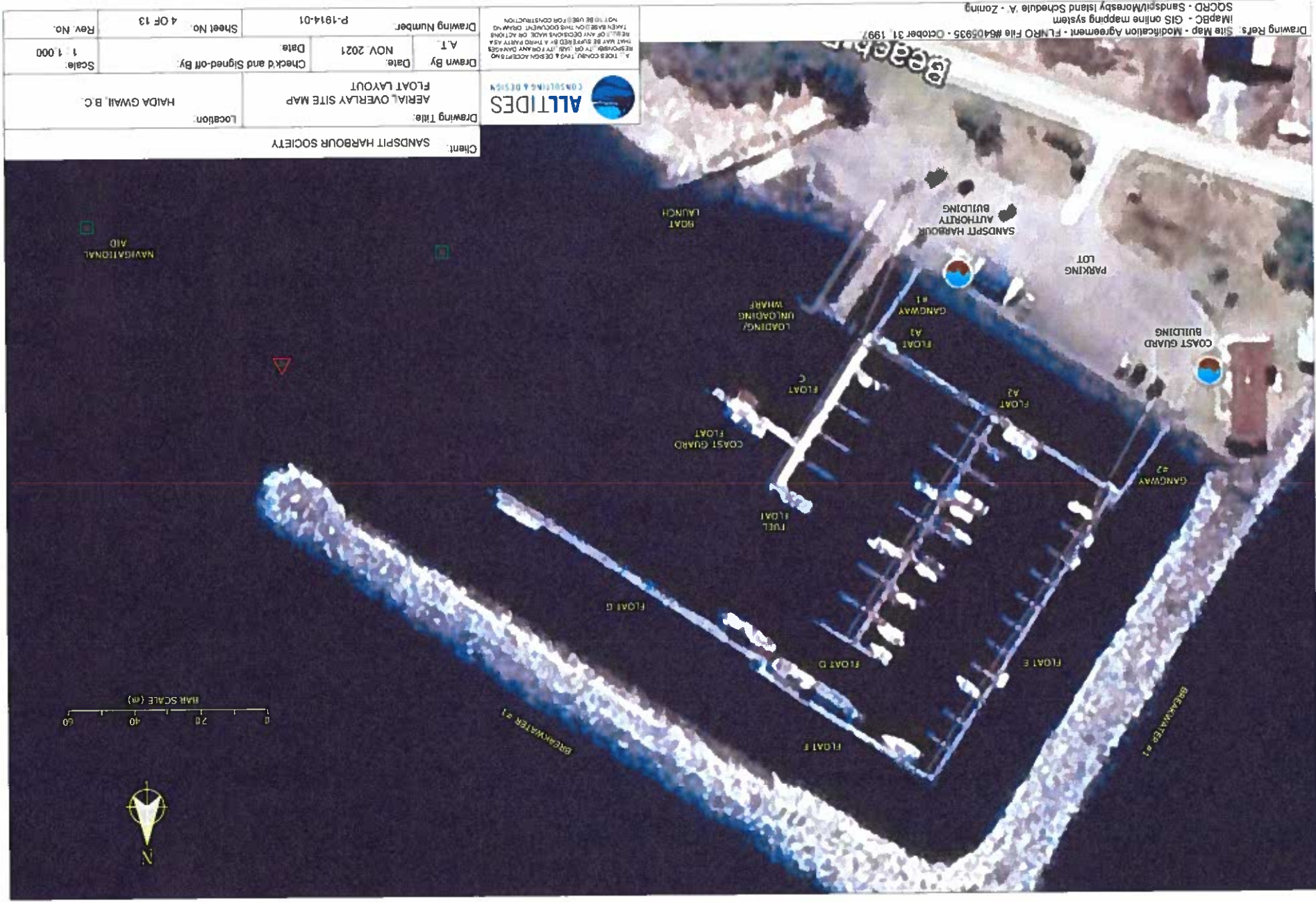


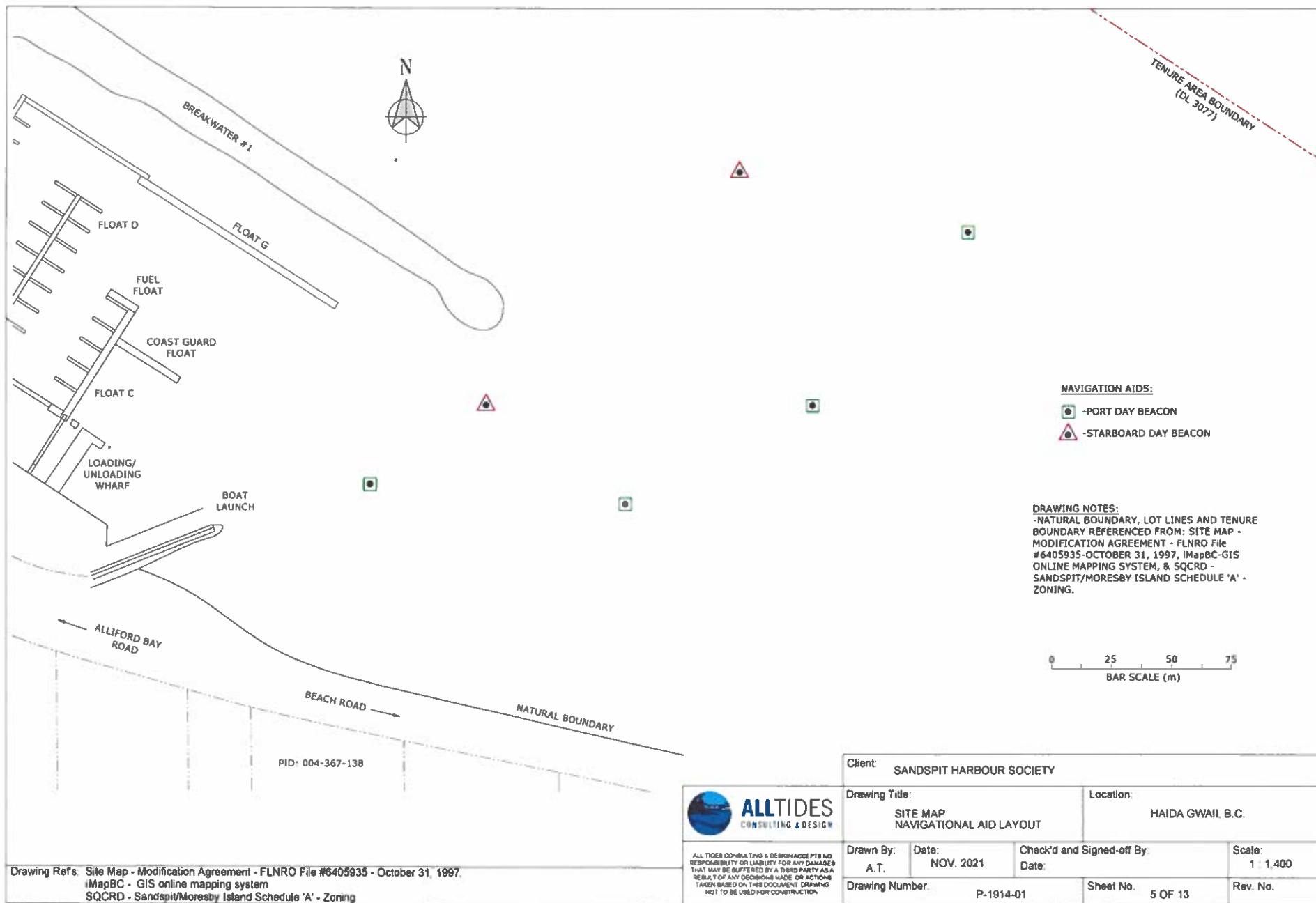


C8



C-8





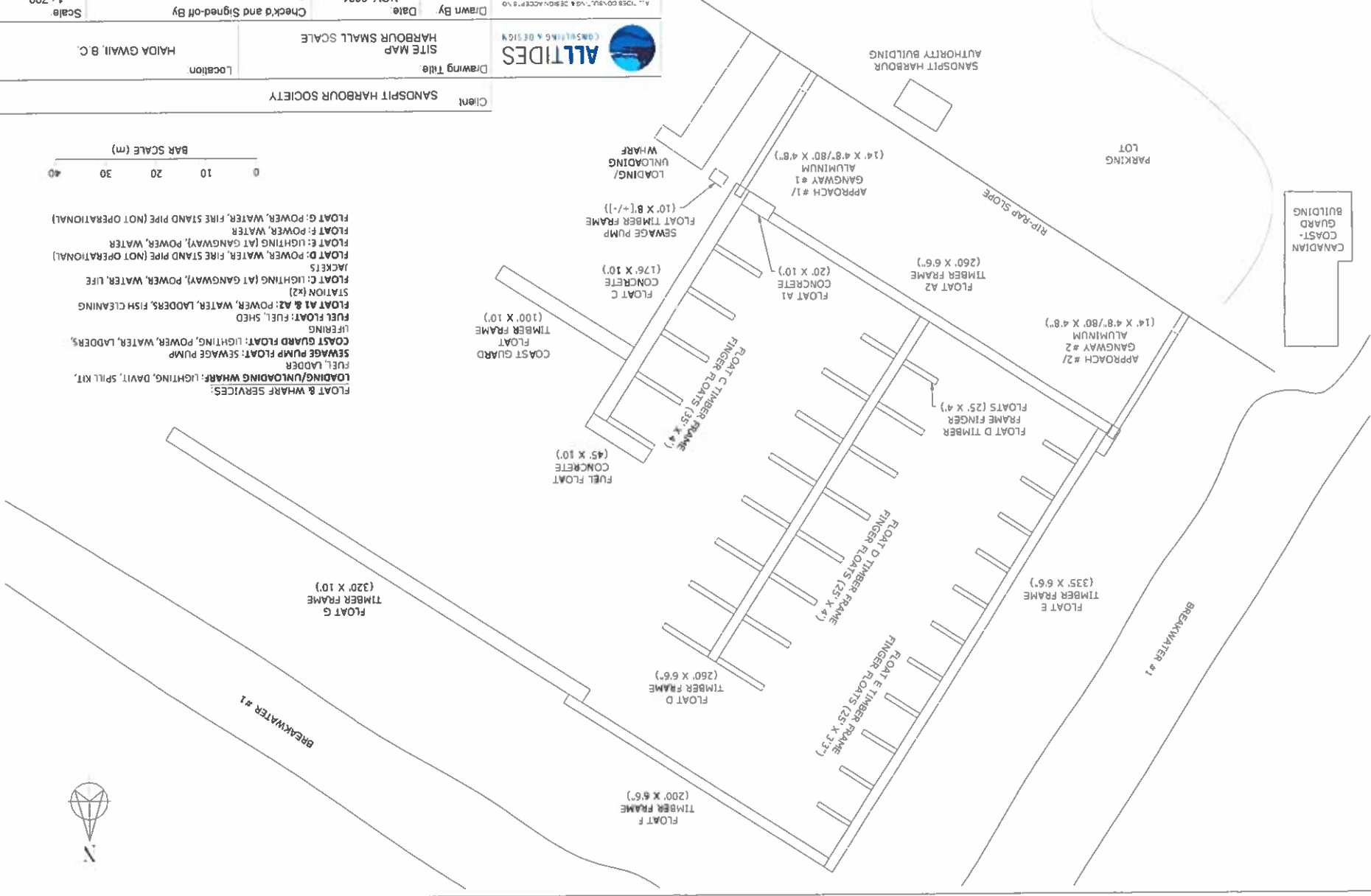
c-8

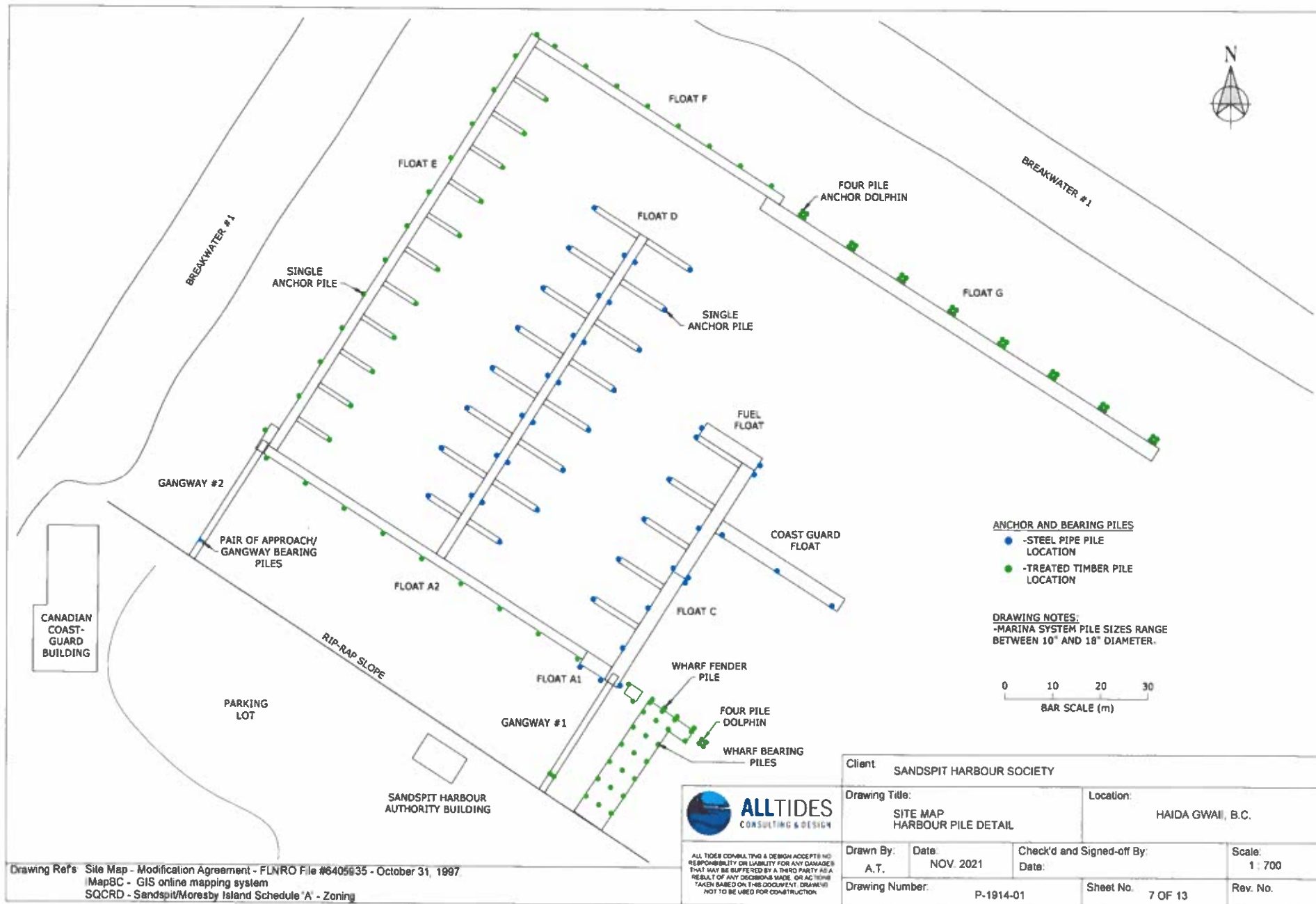


Client **SANDSPIT HARBOUR SOCIETY**

Scale  
1 - 700

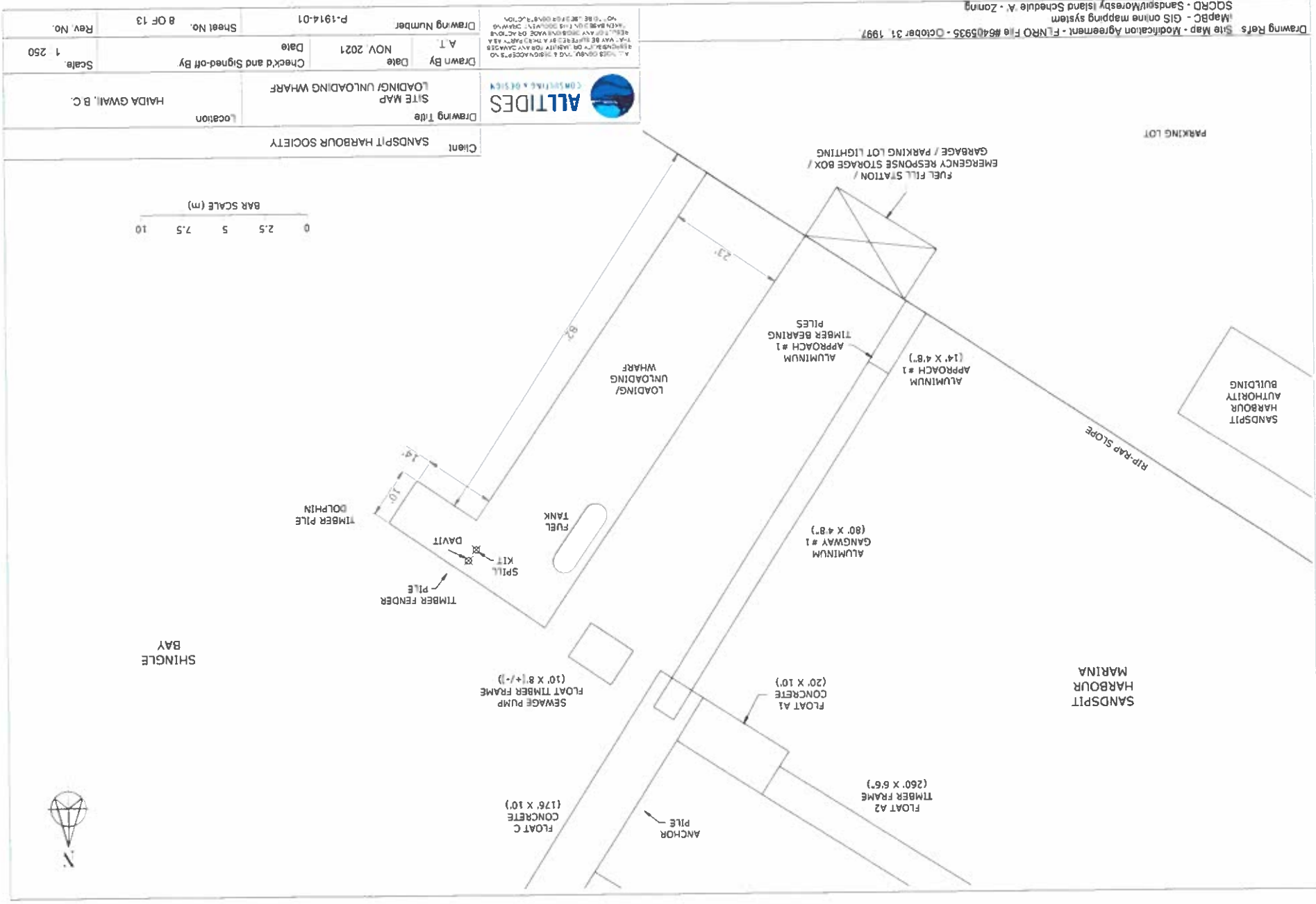
FLOAT & WHARF SERVICES:  
LOADING/UNLOADING WHARF: LIGHTING, DAVIT, SPILL KIT, FUEL LADDER  
SEWAGE PUMP FLOAT: SEWAGE PUMP  
COAST GUARD FLOAT: LIGHTING, POWER, WATER, LADDERS, LIFELINE  
FUEL FLOAT: FUEL, SHED  
FUEL AT & AHEAD: POWER, WATER, LADDERS, FISH CLEANING STATION (x2)  
JACKETS  
FLOAT D: LIGHTING (A) GANGWAY), POWER, WATER, LIFE  
FLOAT D: POWER, WATER, FIRE STRAND PIPE (NOT OPERATIONAL)  
FLOAT G: LIGHTING (A) GANGWAY), POWER, WATER  
FLOAT G: POWER, WATER, FIRE STRAND PIPE (NOT OPERATIONAL)

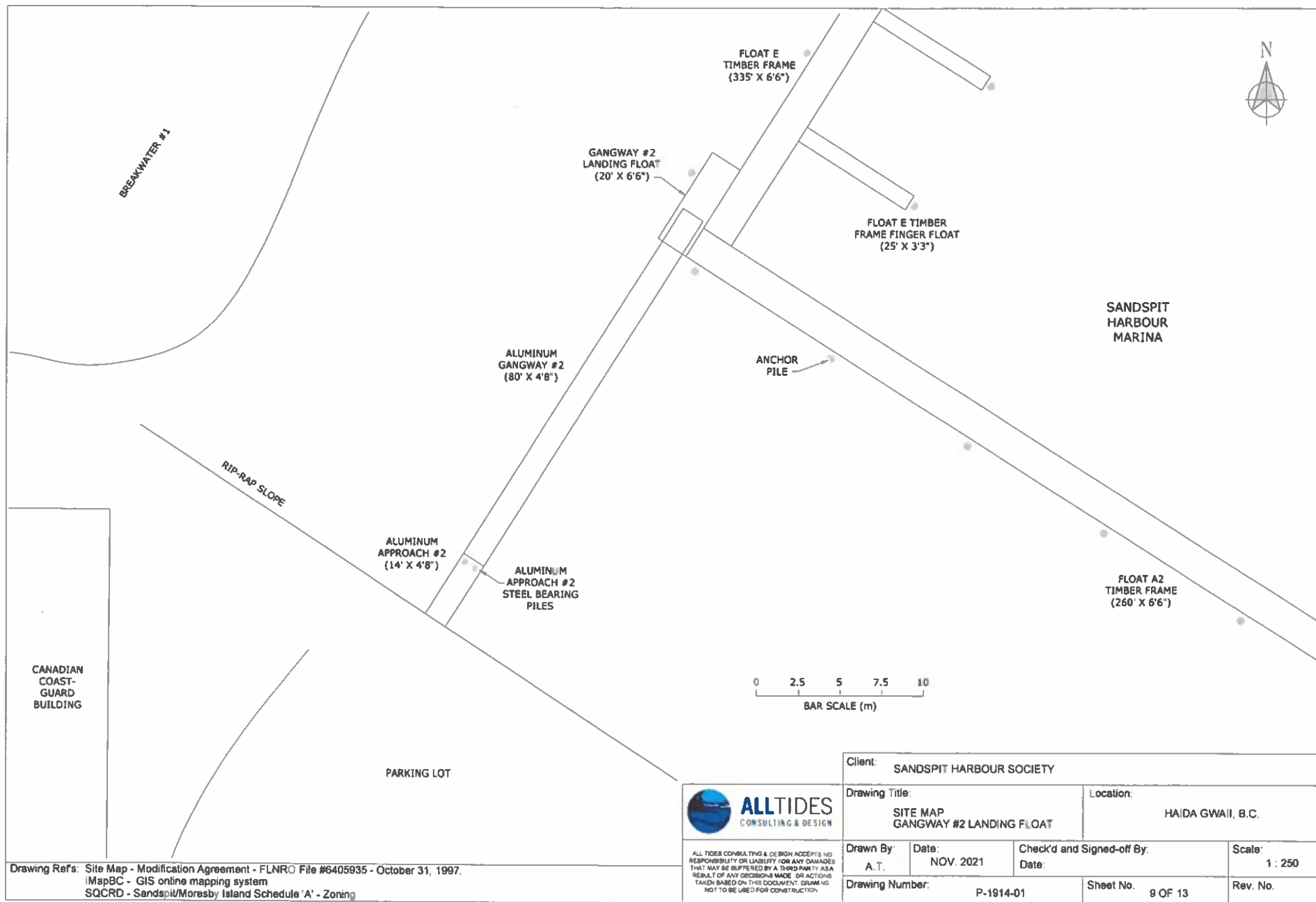




Drawing Refs: Site Map - Modification Agreement - FLNRO File #6405635 - October 31, 1997  
 MapBC - GIS online mapping system  
 SQCRD - Sandspit/Moresby Island Schedule 'A' - Zoning

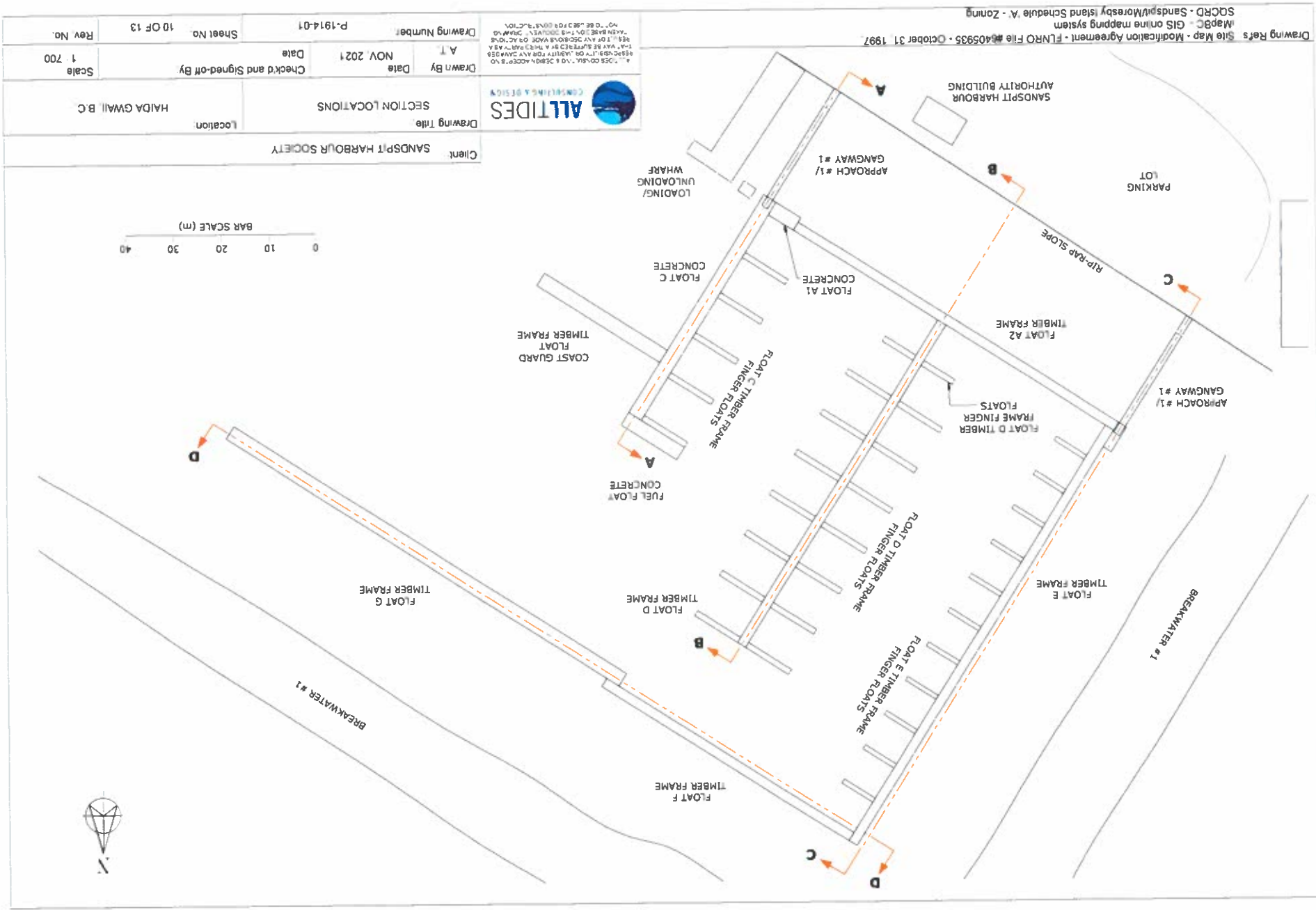
1-8





C-8

6-8



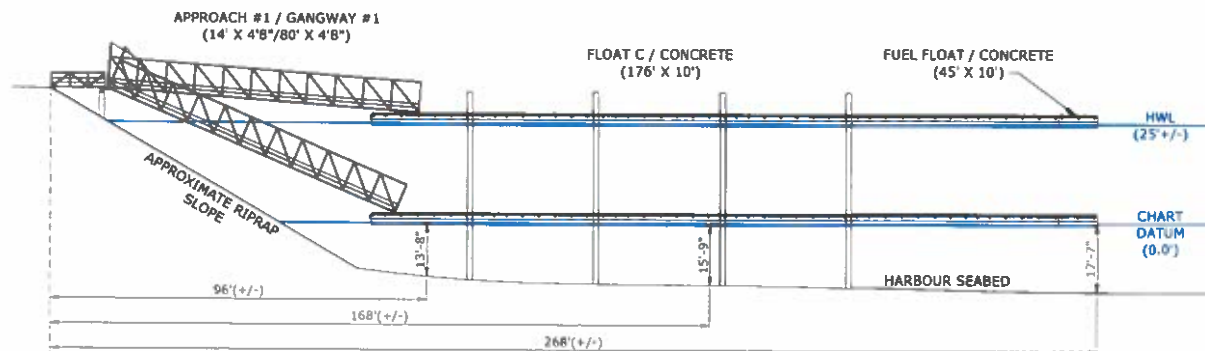
Client: SANDSPIT HARBOUR SOCIETY		Drawing Title: SECTION LOCATIONS		Location: HAIDA GWAII, B.C.	
Drawn By: A.T.	Date: NOV 2021	Check'd and Signed-off By:	Scale: 1:700		
Drawing Number: P-1914-01	Sheet No: 10 OF 13	Rev. No:			

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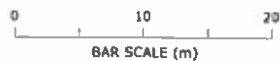
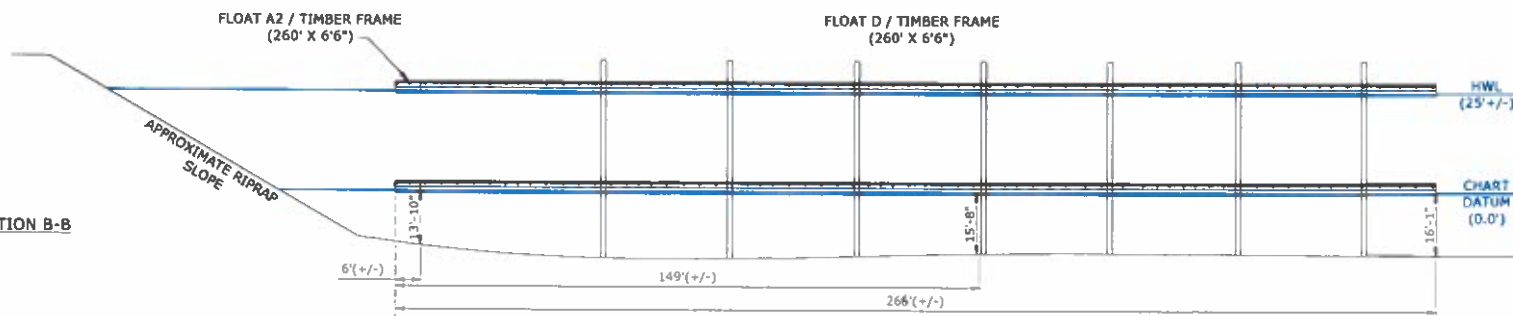
ALLTIDES CONSULTING & DESIGN is a registered professional engineering firm under the Engineering Act of British Columbia. The firm is authorized to prepare and seal engineering drawings for the purpose of obtaining permits from the relevant government authorities. The firm is not responsible for the accuracy or completeness of the information provided in this drawing. The client is responsible for providing accurate and complete information and for obtaining all necessary permits and approvals. The firm is not responsible for the accuracy or completeness of the information provided in this drawing. The client is responsible for providing accurate and complete information and for obtaining all necessary permits and approvals.

Drawing Refs: Site Map - Modification Agreement - FLNRO File #405935 - October 31, 1997  
 MapBC - GIS online mapping system  
 SOCRD - Sands/Moresby Island Schedule A - Zoning

# SECTION A-A



# SECTION B-B



Drawing Refs: Site Map - Modification Agreement - FLNRO File #6405935 - October 31, 1997.  
 IMapBC - GIS online mapping system  
 SQCRD - Sandspit/Moresby Island Schedule 'A' - Zoning

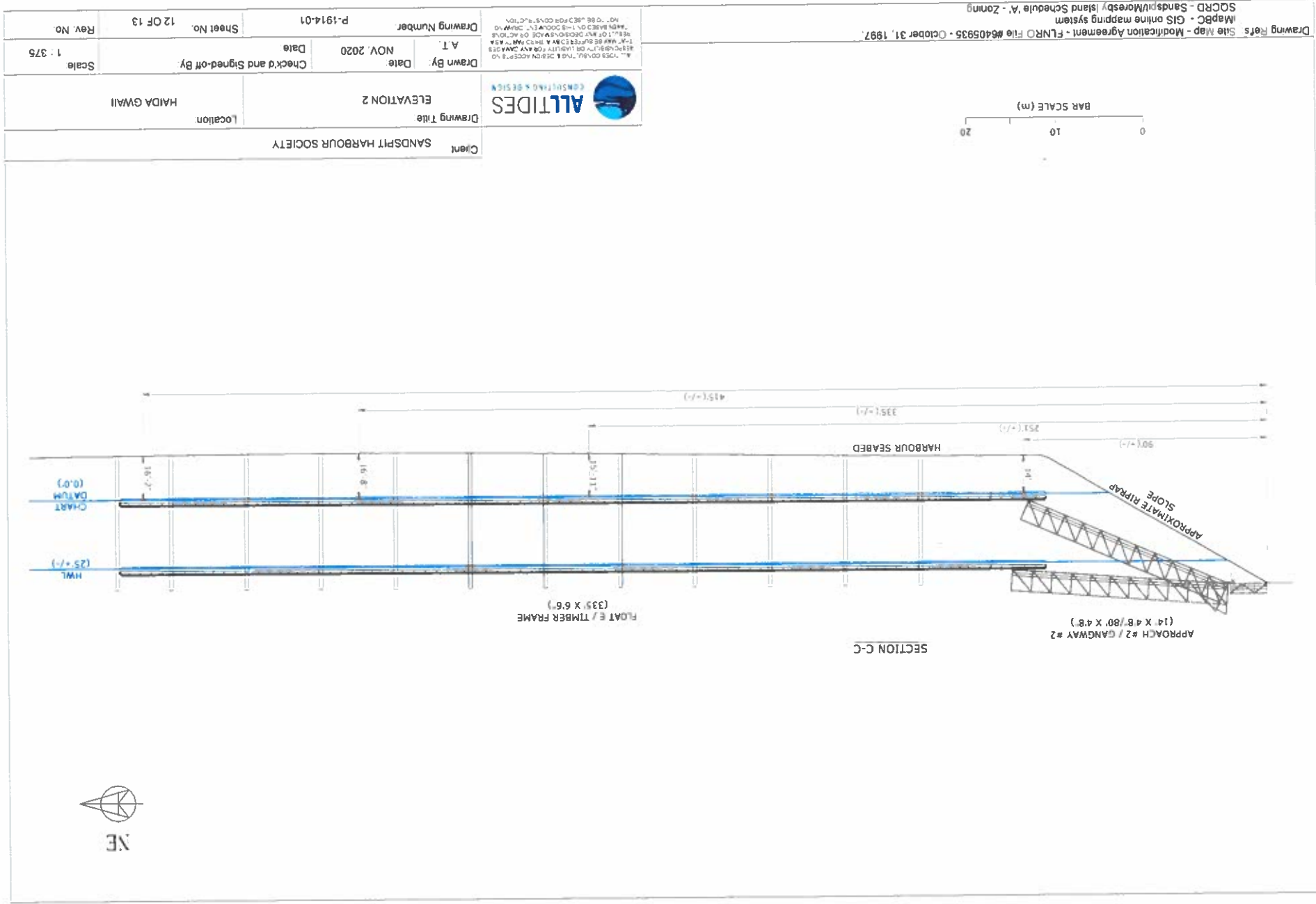


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Client: SANDSPIT HARBOUR SOCIETY			
Drawing Title: ELEVATION 1		Location: HAIDA GWAIL	
Drawn By: A.T.	Date: NOV. 2020	Check'd and Signed-off By: Date:	Scale: 1 : 375
Drawing Number: P-1914-01		Sheet No. 11 OF 13	Rev. No.

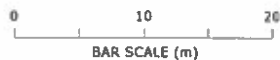
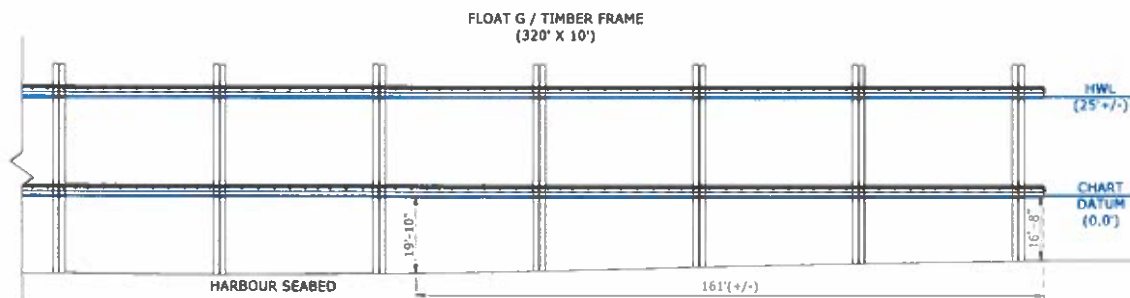
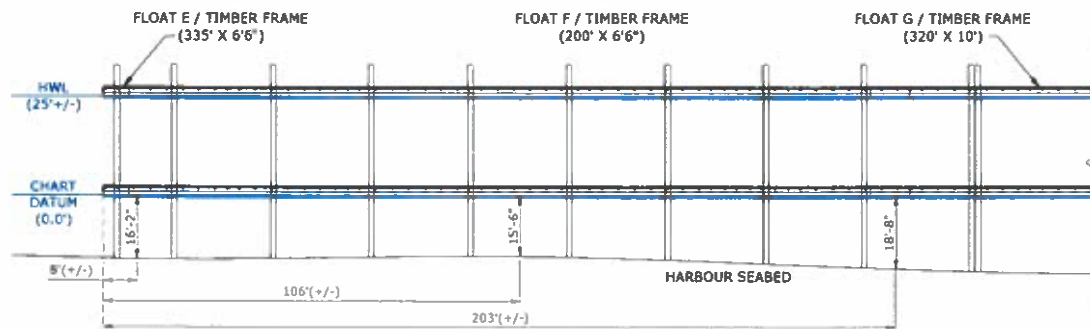
C-8

C-8





SECTION D-D



Drawing Refs: Site Map - Modification Agreement - FLNRO File #6405935 - October 31, 1997.  
iMapBC - GIS online mapping system  
SQCRD - Sandspit/Moresby Island Schedule 'A' - Zoning



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Client: SANDSPIT HARBOUR SOCIETY			
Drawing Title: ELEVATION 3		Location: HAIDA GWAI	
Drawn By: A.T.	Date: NOV. 2020	Check'd and Signed-off By: Date:	Scale: 1 : 375
Drawing Number: P-1914-01		Sheet No. 13 OF 13	Rev. No.

C-8





SEP 05 2023

1256483

Via email: [deputy@portclements.ca](mailto:deputy@portclements.ca)

Elizabeth Cumming  
Deputy Chief Administrative Officer  
Village of Port Clements  
36 Cedar Ave West  
PO Box 198  
Port Clements BC V0T 1R0

Dear Elizabeth Cumming:

Thank you for your letter of March 30, 2023, regarding the Bulkley Valley District Hospital (BVDH) in Smithers and its master plan. I apologize for the delay in responding.

The 2019 BVDH master plan was revised in February 2020 and submitted to the Ministry of Health (the Ministry) in July 2020 along with a request to proceed to concept planning. Master planning is a decision-making tool to inform future clinical services, physical expansion and improvement of a health care site, or new site, over a set time frame—usually 20 years—within a comprehensive framework to inform long-term capital investment planning. Master planning will consider the existing situation, including the functional and physical condition of buildings; infrastructure risk, such as seismic risk; service delivery needs; opportunities for development and phasing strategies; and high-level capital costs.

Government is investing in new and existing public health care facilities so we can relieve the pressure that many of our hospitals feel and ensure people are able to access the care they need. Significant investments in the northwest include \$633 million to replace Mills Memorial Hospital, \$11 million to redevelop the Prince Rupert Regional Hospital emergency department, approximately \$8 million at BVDH, and the Ministry is reviewing a business plan for long-term care projects in Smithers and Hazelton. At this time, the availability and timing of capital funding for the proposed redevelopment project has not been confirmed. The Ministry will continue to look at opportunities and options for capital investment at BVDH within its long-term capital plan.


...2

1-9

- 2 -

Thank you again for your letter and your support for a replacement of the Bulkley Valley District Hospital. I appreciate the opportunity to respond.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adrian Dix', with a stylized flourish extending to the right.

Adrian Dix  
Minister

pc: Cathy Ulrich, President and Chief Executive Officer, Northern Health Authority  
Michael Hoefer, Executive Director, Capital Planning, Facility Operations and  
Logistics, Northern Health Authority

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The Village of  
**PORT CLEMENTS**  
*"Gateway to the Wilderness"*

36 Cedar Avenue West  
PO Box 198  
Port Clements, BC  
V0T1R0  
Phone :250-557-4295  
FAX :250-557-4568  
Email : [cao@portclements.ca](mailto:cao@portclements.ca)  
Web : [www.portclements.ca](http://www.portclements.ca)

March 30, 2023

COPY

To: Honourable Minister Dix  
Ministry of Health  
PO BOX 9050  
Stn. Prov Govt  
Victoria, BC V8W 9E2

Re: Replacement of the Bulkley Valley District Hospital in Smithers

Dear Minister Dix,

The Village of Port Clements sends this letter to clearly express its support for the replacement of the Bulkley Valley District Hospital in Smithers. Our Council was informed that a master plan for this project was submitted to the province in 2019 but it has not received approval to move forward to date. Council finds it concerning that such a vital project would be stalled at this step and unable to move forward.

The Bulkley Valley District Hospital currently has a Facility Condition Index of .68. It is an 18-bed acute care facility which also integrates home and community care services. The Bulkley Valley District Hospital provides services for Smithers and the surrounding rural areas and First Nations communities. Given the time required for the development and approval of a concept plan and a business plan our Council asks that you look at this master plan and provide direction to move this project forward. By approving the master plan the replacement of this vital facility will be moved closer to reality.

Our Council hopes to hear good news on the sought-after direction being given and this project being able to move forward.

Sincerely,

Elizabeth Cumming, Deputy Chief Administrative Officer  
Village of Port Clements

CC: North West Regional Hospital District

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## REPORT TO COUNCIL

Author: Elizabeth Cumming, Deputy CAO  
Date: September 18<sup>th</sup>, 2023  
RE: Recommendations from COTW

---

### BACKGROUND:

At the September 5<sup>th</sup>, 2023, Committee of the Whole Meeting (COTW) on the topic of Fireworks and Similar Events/Dog Control and Issues recommendations were made for Council's consideration.

### DISCUSSION:

The motion of recommendations made at the COTW meeting were:

"2023-09-214—Moved by Councillor Cumming,

THAT the committee makes a recommendation to Council to invite the RCMP to a Council Meeting to discuss the RCMP's role and recommendations on bylaw enforcement, such as regarding dogs and fireworks issues.

**CARRIED**

2023-09-215—Moved by Councillor Cumming,

THAT the committee recommends to Council that it not pursue a dog park at this time.

**CARRIED"**

Council can receive or accept these recommendations from the COTW.

<b>STRATEGIC</b>	<b>(Guiding Documents Relevancy)</b> N/A
<b>FINANCIAL</b>	<b>(Corporate Budget Impact)</b> N/A
<b>ADMINISTRATIVE</b>	<b>(Workload Impact and Consequence)</b> N/A

Respectfully submitted: Elizabeth Cumming, Deputy CAO.



## REPORT TO COUNCIL

Author: Ronda Bell  
Date: September 12, 2023  
RE: Request for a tax exemption

---

### BACKGROUND:

The Village has received a request from the Trustees of Haida Gwaii Congregation of Jehovah's Witnesses for a municipal tax exemption for the land and building at #9 May Ave as it is used for public worship.

A municipality may provide tax exemptions providing the property conforms to the following requirements from the *Community Charter*:

#### *Division 6 – Statutory Exemptions - 220*

- (1) Unless otherwise provided for in this Act or the *Local Government Act*, the following property is exempt from taxation to the extent indicated:
  - (h) a building set apart for public worship, and the land on which the building stands, if title to the land is registered in the name of
    - (i) the religious organization using the building,
    - (ii) trustees for the use of that organization, or
    - (iii) a religious organization granting a lease of the building and land to be used solely for public worship;
- (4) An exemption under subsection (1) (b), (d), (g), (h), (i) or (l) extends only to taxation under section 197 (1) (a) [*municipal property taxes*]

#### *Annual property tax bylaw - 197*

- (1) Each year, after adoption of the financial plan but before May 15, a council must, by bylaw, impose property value taxes for the year by establishing tax rates for
  - (a) the municipal revenue proposed to be raised for the year from property value taxes, as provided in the financial plan, and [...]

#### *Division 7 – Permissive Exemptions*

##### *General authority for permissive exemptions - 224*

- (1) A council may, by bylaw in accordance with this section, exempt land or improvements, or both, referred to in subsection (2) from taxation under section 197 (1)(a) [*municipal property taxes*], to the extent, for the period and subject to the conditions provided in the bylaw.
- (2) Tax exemptions may be provided under this section for the following:
  - (f) in relation to property that is exempt under section 220 (1)
  - (h) [*buildings for public worship*],
  - (i) an area of land surrounding the exempt building,

G-2

- (ii) a hall that the council considers is necessary to the exempt building and the land on which the hall stands, and
  - (iii) an area of land surrounding a hall that is exempt under subparagraph (ii);
- (g) and or improvements used or occupied by a religious organization, as tenant or licensee, for the purpose of public worship or for the purposes of a hall that the council considers is necessary to land or improvements so used or occupied;
- (4) Subject to subsection (5), a bylaw under this section
  - (a) must establish the term of the exemption, which may not be longer than 10 years,
  - (b) may only be adopted after notice of the proposed bylaw has been given in accordance with section 227 *[notice of permissive tax exemptions]*, and
  - (c) does not apply to taxation in a calendar year unless it comes into force on or before October 31 in the preceding year.
- (5) Subsection (4) (a) and (b) does not apply in relation to exemptions under subsection (2) (f), (h) and [....]

#### **DISCUSSION:**

Under Section 220, a building set apart for public worship and the land the building stands on is exempt from property taxation if title to the land is registered in the name of the trustees for the use of that organization unless otherwise provided in the *Local Government Act*. The land is registered in the name of the Trustees of the Haida Gwaii Congregation of Jehovah's Witnesses.

Under Section 224, Council may, by bylaw, authorize a permissive exemption to property taxation in relation to buildings for public worship and the surrounding land that are exempt under section 220. Council has previously granted an exemption for public worship with Bylaw 454, 2019 for the Cedarview Pentecostal Church that grants an exemption from property taxation from 2020 – 2029 inclusive.

Under Section 224, (5) Council does not have to establish a specific term for the exemption nor does Council have to give notice of adoption but Council does need to pass the exemption Bylaw before October 31<sup>st</sup> for it to apply in the following year.

If Council wants to pursue an open-ended exemption for the property at #9 May Ave, it is recommended to repeal Bylaw 454, 2019 (because of the time limit) and grant the same open-ended exemption for the property owned by Cedarview Church unless Council does not wish to grant tax exemptions.

Under Section 224, (7), A Bylaw under this section ceases to apply to property which no longer qualifies for exemption, and, after this, the property is liable to taxation.

#### **CONCLUSION:**

Under the *Community Charter Section 224*, Council has the authority to grant an exemption from property taxation at Lot A, Block 54, Plan PRP13227 DL 746, owned by Cedarview Pentecostal Church and at Lot A, PID 031-947-913, Plan EPP93133 DL 746, owned by Trustees of the Haida Gwaii Congregation of Jehovah's Witnesses until these properties no longer qualify for exemption or until Council no longer wishes to provide the exemption.

#### **IMPLICATIONS:**

Public Places of Worship have a role in enhancing quality of life within a community, socially and culturally. Ensuring and improving the quality of life in the community is identified as a goal under the Official Community Plan.

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**FINANCIAL:**

Exemptions do not affect the total amount of collected tax revenue for the municipality, they only affect the distribution of who pays the municipal taxes.

**ADMINISTRATIVE:**

Temporary workload increased related to bylaw development.

**RECOMMENDATIONS:**

THAT Council do the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> reading of Permissive Tax Exemption Bylaw No. 482, 2023.

Respectfully submitted, Ronda Bell, Sr. Finance Manager

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**VILLAGE OF PORT CLEMENTS**  
**PERMISSIVE TAX EXEMPTION BYLAW,**  
**BYLAW NO. 482, 2023**

This bylaw is established to define the areas exemption from taxation pursuant to Section 224 of the *Community Charter* and will be cited for all purposes as "Permissive Tax Exemption Bylaw, No. 482"

The Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

WHEREAS:

1. As per the *Community Charter* [Section 224], Council may, by bylaw, exempt properties from taxation by the Village of Port Clements;
2. And as per the *Community Charter* [Section 224 (5)] which identifies that where bylaws are exempting properties under subsection 2(f) in relation to property that is exempt under section 220(1) [buildings for public worship] the requirements for an identified set term (of no more than 10 years) and public notice requirements before adoption does not apply;
3. Unless the properties or portion of properties no longer qualify for exemption under the *Community Charter* [as per Section 224(7)] or Council choses the option to no longer provide a tax exemption, the following properties or portions of properties situated in the Village of Port Clements, shall be and are hereby exempt from property taxation by the Village of Port Clements for the year 2024 and future years:
  - a. Lot A, DL 746, Plan EPP93133 owned by Trustees of the Haida Gwaii Congregation of Jehovah's Witnesses and used as a public place of worship.
  - b. Lot A, Block 54, Plan PRP13227, DL 746 owned by Cedarview Pentecostal Church and used as a public place of worship.
4. The Village of Port Clements "Permissive Exemption Bylaw, No. 454, 2019" Is hereby repealed.

READ A FIRST TIME THIS \_\_\_\_ DAY OF SEPTEMBER 2023  
READ A SECOND TIME THIS \_\_\_\_ DAY OF SEPTEMBER 2023  
READ A THIRD TIME THIS \_\_\_\_ DAY OF SEPTEMBER 2023

RECONSIDERED AND FINALLY ADOPTED THIS \_\_\_\_ DAY OF OCTOBER 2023

\_\_\_\_\_  
Scott Cabianca  
MAYOR

\_\_\_\_\_  
Marjorie Dobson  
CAO

\_\_\_\_\_  
CERTIFIED TO BE A TRUE COPY OF "PERMISSIVE TAX EXEMPTION BYLAW  
NO. 482, 2023."

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COPY

**VILLAGE OF PORT CLEMENTS**  
**PERMISSIVE EXEMPTION BYLAW,**  
**BYLAW NO. 454, 2019**

This bylaw is established to define the areas exemption from taxation pursuant to Section 224 of the *Community Charter* and will be cited for all purposes as "Permissive Exemption Bylaw, No. 454"

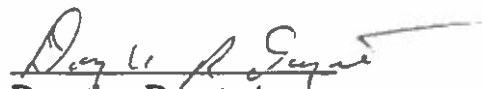
The Council of the Village of Port Clements, in open meeting assembled, enacts as follows:

**WHEREAS:**

1. As per the Community Charter [Section 224], Council may by bylaw exempt properties from taxation by the Village of Port Clements for a set term.
2. The following properties or portions of properties situated in the Village of Port Clements, B.C. shall be and are hereby exempt from property taxation by the Village of Port Clements for the years 2020 – 2029 inclusive.
  - a. Lot A, Block 54, Plan PRP13227, DL 746 owned by Cedarview Pentecostal Church and used as a public place of worship.

**READ A FIRST TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019**  
**READ A SECOND TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019**  
**READ A THIRD TIME THIS 16<sup>th</sup> DAY OF SEPTEMBER 2019**

**RECONSIDERED AND FINALLY ADOPTED THIS 21<sup>ST</sup> DAY OF OCTOBER 2019**

  
Douglas Daugert  
MAYOR

  
Ruby Decock  
CAO

**CERTIFIED TO BE A TRUE COPY OF "PERMISSIVE EXEMPTION BYLAW NO. 454, 2019."**

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## VILLAGE OF PORT CLEMENTS BYLAW 483, 2023

---

### A BYLAW TO ESTABLISH FEES AND REGULATIONS FOR BERTHAGE AND MOORAGE

---

WHEREAS the *Community Charter* gives Council the power to impose a fee payable in respect of all or part of a service of the municipality, to establish different rates or levels of fees in relation to different factors, and to establish terms and conditions for payment of a fee, including discounts, interest and penalties, by bylaw;

NOW THEREFORE the Council of the Village of Port Clements in open meeting assembled enacts as follows:

**TITLE:**

This bylaw may be cited as "Berthage and Moorage Bylaw #483, 2023"

**DEFINITIONS:**

*Berthage*: the space where a vessel may anchor, dock, or tie up.

*Moorage*: the fee applicable to pay for berthage.

**BODY:**

1. There are two appendixes attached to and forming a part of this bylaw, *Appendix A* outlines fees and *Appendix B* is the *Application for Berthage at the Small Craft Harbour*.
2. The Village of Port Clements "Berthage and Moorage Bylaw #471, 2021" is hereby repealed.

READ A FIRST TIME THIS \_\_ DAY OF SEPTEMBER, 2023

READ A SECOND TIME THIS \_\_ DAY OF SEPTEMBER, 2023

READ A THIRD TIME THIS 20 DAY OF SEPTEMBER, 2023

RECONSIDERED AND FINALLY ADOPTED THIS \_\_ DAY OF OCTOBER, 2023

\_\_\_\_\_  
Scott Cabianca  
Mayor

\_\_\_\_\_  
Marjorie Dobson  
Chief Administrative Officer

\_\_\_\_\_  
CERTIFIED A TRUE COPY OF  
Berthage and Moorage Bylaw #483, 2023

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## Appendix "A"

### Attached to and forming part of BERTHAGE AND MOORAGE BYLAW #483, 2023

Only the Small Craft Harbour is available for regular use of berthage for vessels within the Village of Port Clements. No other municipal operated or owned facility or infrastructure is permitted to be used for berthage unless authorized under a licence agreement for each occasion of usage.

If the Council of the Village of Port Clements grants a licence for use for another municipal operated or owned facility or infrastructure, such as the Rainbow Wharf, the fees and terms of usage will be set out in the terms and conditions of the licence.

All vessels including barges shall pay the following moorage rates when docked at the Small Craft Harbour:

Monthly- \$12.20 per meter  
Daily- \$2.20 per meter

*The monthly rate comes into effect when a vessel berths at the Small Craft Harbour for five (5) or more days of usage within a calendar month.*

Hydro for all vessels	Daily	Monthly
110V 20 A Service Minimum Rate	\$3.00	\$ 65.00
220V 30A Service Minimum Rate	\$5.00	\$100.00
220V 50A Service Minimum Rate	\$7.50	\$150.00

Should an economical method of metering per boat become available, the Village of Port Clements maintains the right to charge clients additional charges if actual usage exceeds the rate set out above. By using the power provided users agree to these charges.

All Vessels wishing to gain access to the Small Craft Harbour are to fill out the *Application for Berthage at the Small Craft Harbour* as attached in Appendix B.

#### Miscellaneous Rates:

1. A fee for returned cheques is \$25.00
2. Interest of 2% per month will be charged on accounts unpaid for 30 days

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## Appendix "B"

Attached to and forming part of  
BERTHAGE AND MOORAGE BYLAW #483, 2023

### Application for Berthage at the Small Craft Harbour

Name of Owner: \_\_\_\_\_

Name of Vessel: \_\_\_\_\_

Name of Operator if different from Owner: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_ Vessel ID #: \_\_\_\_\_

Contact Email Address: \_\_\_\_\_

Vessel Length: \_\_\_\_\_ Vessel Width: \_\_\_\_\_

Mailing/Billing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Date of start of vessel berthage: \_\_\_\_\_

Date of vessel departure/end of berthage: \_\_\_\_\_

I hereby understand that by using the Small Craft Harbour that I am consenting to follow all municipal bylaws in relation to the use of the facility and Harbour (*Port Clements Harbour Regulation Bylaw #318, 2001*).

I further agree to pay the rates as set out in Berthage and Moorage Bylaw #483, 2023 for use of the facility and Harbour.

I also understand that any damages caused by my vessel being moored at the Small Craft Harbour will be my responsibility to ensure that all damages are paid or fixed accordingly as agreed upon by the Village of Port Clements.

In addition, I will maintain the peace and enjoyment of the facility and will not create a nuisance on the Harbour, to other vessels, and persons wishing to access the Harbour.

I will comply with all Transport Canada Safety Rules and Regulations.

Attached with this application for berthage, I agree to submit a picture of my vessel for visual identification purposes of my vessel.

Effective Date of this agreement: \_\_\_\_\_

\_\_\_\_\_  
Owner/Operator

\_\_\_\_\_  
Municipal Staff

U-3



# REPORT TO COUNCIL

Author: Marjorie Dobson, Chief Administrative Officer

Date: September 18, 2023

RE: Regular Report on Current Operations

---

## **BACKGROUND:**

The CAO/Acting CAO updates Council at the Regular Council Meetings on current operations and challenges.

## **DISCUSSION:**

The report is not an exhaustive list of operational activities that have occurred since the last update or are occurring, but to provide a general update and identify notable occurrences in current operations for Council.

## **Administration:**

### **Augmenting Public Works Staff Complement:**

The process of interviewing applicants for the position of Public Works Assistant has started. To date, five applicants have been selected and have completed the preliminary interview. The position will remain open until filled.

### **Accessibility British Columbia Act**

The Haida Gwaii Accessibility Committee convened its first meeting on September 13, 2023, where members were able to identify accessibility and inclusion barriers that organizations and community members experience or may experience while interacting with organizations. This exercise aims to facilitate the Accessibility Planning process.

### **The Official Community Plan (OCP)**

The internal review of the OCP is completed, and the document has been distributed to external organizations to complete the review process before it goes to Council.

### **Critical Infrastructure**

#### **(i) Sewage Lagoon Project**

The Application for the use of Crown land for the new Sewage Lagoon is being amended to move the licence to the construction phase and add an additional 0.4 hectares to the tenure area which brings the total area to 4 hectares. We have been assured that this amendment will not affect our tendering process or construction phase of the project.

The Construction phase of the project will be out for tender before the end of 2023.

#### **(ii) Water System Upgrade**

The outfitting of Well #3 for incorporation into the existing water system continues to be affected by delays in supplies of materials. We are hopeful that before the year ends some concrete plan will be established to move the project forward.

### **Other Capital Projects:**

Work continues on the following projects:

- The Community Park upgrade

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- Sunset Park Revitalization
- Public works Yard: An extension is being sought to extend the project completion date because of the uncertainty in meeting the November 2023 deadline.

### **2023 Next Generation 911 Funding**

The NG911 programme refers to the modernization of 911 networks and infrastructure across Canada. A grant of \$45,000.00 has been approved for the Village under the Next Generation 911 (NG911) funding programme. The funding is good for three (3) years, and the intent of the programme is to support local government in preparing for the implementation of NG911 and to provide funding to support the transition and operational readiness of existing 911 services to ND911 in compliance with the Canadian Radio-television and Telecommunications Commission (CRTC) mandate. Although Port Clements does not have 911 Emergency Service, we signed the agreement for the funds and asked UMCB to hold it for us for a maximum period of three (3) years. Over this three-year period there may be a need to utilize the funds.

### **Fire Department**

Going forward, our Fire Department will have an email address associated with the Village of Port Clements. This will become the department's official email address, thereby eliminating the need to use personal emails for official business.

October is Fire Prevention Awareness month. The goal is to raise fire safety awareness and help to protect homes and families. The Port Clements Fire Department will be doing a presentation to the Port Clements Elementary school during the week of October 8<sup>th</sup> -14<sup>th</sup>. The Village plans to observe a 'Volunteer Fire Fighters Week' during the month also.

### **Finance:**

- Routine activities in accounts payable, accounts receivable, payroll and bank reconciliations continue.

### **Public Works**

Site visit conducted with Raven Rescue re: Confined Space Inventory and Program required by Worksafe BC. Awaiting new Hazard Assessments and recommendations towards building a comprehensive program for VOPC. This has been a long arduous task brought on by both WSBC NOC (notice of compliance order) as well as requirements on behalf of engineering for the Wastewater Treatment Upgrades project. PW believes as a result of this site visit and the ensuing work that will be engaged with Raven Rescue, there is light at the end of this long tunnel.

Potholes: The crew has embarked on pothole patching to keep our roads in a safe condition until major repairs and repaving are done.

Respectfully submitted:

Marjorie Dobson, CAO

R-1



## REPORT TO COUNCIL

Author: Elizabeth Cumming, Deputy CAO  
Date: September 18th, 2023  
RE: Crown Land Purchase Process

---

### BACKGROUND:

The idea of purchasing crown land within municipal boundaries has been brought up in discussions at Council Meetings and Committee of the Whole Meetings. Mayor Cabianca asked staff to inquire with the relevant provincial ministry about what the process is.

### DISCUSSION:

Staff reached out to FrontCounter BC who forwarded the inquiry to the Ministry of Forests for response. Their response and guidance documents are attached to this report, as well as some of the provincial policies they provided links to.

In short, they identified that vacant Crown Land is not normally available for direct sale and may be a low priority for residential purposes if an application was submitted, however, it is possible to make an application for a direct sale.

Whether it is a direct sale or public auction they identified that the cost would be based on market value and that additional property transfer tax would be payable on sale. Which means that if Council wants to pursue this option it should be prepared for the potential to have to pay the market value and property transfer tax, which may or may not be a substantial cost (market value could be greater or lesser than assessed value).

This aspect may need to be explored in further detail, as the provincial policy documents for land sales identify that their principles for land sales include how crown lands are managed for the benefit of the public, in which local governments are included in this identification of "public". Additionally, they identify that one of the considerations for Crown Land sales is how they can further provincial government goals (of which housing has become a recent topic of concern), and they identify collaboration with local governments and other parties to identify sales opportunities where it can further their goals. Additionally, when it has previously come to licence of occupation and lease agreements (which are not purchase of land, so it is a different situation), often as a local government there is only a nominal fee involved rather than a market fee (ex. \$1.00). However, staff did clearly identify in the inquiry that it was the municipality interested in potentially purchasing crown land within our municipal boundaries, and their response was that it would cost the municipality market value and property transfer tax.

**STRATEGIC** (Guiding Documents Relevancy – Official Community Plan)  
N/A

**FINANCIAL** (Corporate Budget Impact)  
If the municipality must pay market value, as well as the property transfer tax, as has been identified in response to this inquiry, the cost could potentially be upwards of hundreds of thousands of dollars to purchase crown land within the municipality, especially with market costs being higher in recent years. This cost would likely have to be sourced from own funds as purchase of lands is usually an ineligible cost in grants, but it would have to be explored with the grant writer further.

**ADMINISTRATIVE** (Workload Impact and Consequence)  
Negligible time spent on the inquiry. However, if this avenue is pursued, potentially it could require significant staff time sorting out funding (own or grant) and handling the application (and any requirements therein).

Respectfully submitted: Elizabeth Cumming, Deputy CAO.

## Elizabeth Cumming

---

**From:** West Coast Land Referrals FOR:EX <WestCoast.LandReferrals@gov.bc.ca>  
**Sent:** September 7, 2023 10:24 AM  
**To:** Elizabeth Cumming  
**Subject:** RE: Crown Land - purchase process?  
**Attachments:** 2022 Guidance to potential applicants for Crown Land purchase.pdf

Thank you for contacting the Ministry of Forests (FOR) regarding the purchase of Crown land.

Within the West Coast Region, vacant Crown Land is likely to be sold through a public auction and not through a direct sale.

When land is purchased through an auction or occasionally through a direct sale, the purchase cost is based on the market value of the land (the price an individual would pay if the land was sold privately).

It is important to note that the Property Transfer Tax will be payable when the land is sold.

Currently, the sales of vacant crown-owned residential lots are of low priority within the FOR. Applicants interested in purchasing Crown land should be aware that it is highly unlikely any sale will occur within the next few years.

Auctions occur infrequently, however, when they do occur, they will be advertised to ensure the auction information is shared with the public. Auction information will be posted on the BC Auction website, in a newspaper advertisement, and signage will be placed on the property. Please access the BC Auction website by going to: <https://www.bcauction.ca/open.dll/welcome>.

The exception to the above is where small areas of vacant Crown land, not able to be developed as stand-alone properties, may be sold on the condition they can be added to the neighbouring property. This includes areas of filled foreshore (areas that margin a body of water that have been improved or changed by the previous owners of the property). More information on this exception can be found at: [Crown Land - Extension Holdings](#).

Additionally, Crown land grant applications by tenure holders of existing lease or licence areas are generally accepted in cases where significant improvements exist in the tenure area.

If a person still wishes to apply, they should recognize that their application is likely to be disallowed in favour of a public auction.

All applicants are encouraged to review the Crown land policies that are applicable to Crown land disposition before submitting an application. These policies can be found at: [Crown Land Policies](#).

All applications to purchase Crown land must be submitted via the Natural Resource Services website: [Crown Land Tenure Application - Authorization Guidance - Natural Resource Online Services \(gov.bc.ca\)](#).



The attached PDF provides additional information on the considerations for allowing a Crown land purchase. **Please read it over in full.**

**If, after reading this email and the attached PDF, you still have questions or require assistance, you may request to speak to a Natural Resource Specialist.**

**From:** Elizabeth Cumming <deputy@portclements.ca>  
**Sent:** Friday, September 1, 2023 2:01 PM  
**To:** FrontCounter BC FOR:EX <FrontCounterBC@gov.bc.ca>  
**Subject:** Crown Land - purchase process?

**[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.**

Good Afternoon,

Our Council is looking for information on what the process is to purchase crown land (provincial). There are several lots of crown land within our municipal boundaries, and there has been discussions of developing undeveloped areas of community (for housing, etc). One suggestion has been for the municipality to pursue obtaining crown land.

If you can provide any information that would be greatly appreciated.

Regards,

**Elizabeth Cumming**

Deputy Chief Administrative Officer

Village of Port Clements

Ph: 250.557.4295

Fx: 250.557.4568

[www.portclements.ca](http://www.portclements.ca)



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## Guidance to potential applicants for Crown Land purchase

### West Coast Authorizations

Applications for Crown land purchase may be accepted considering:

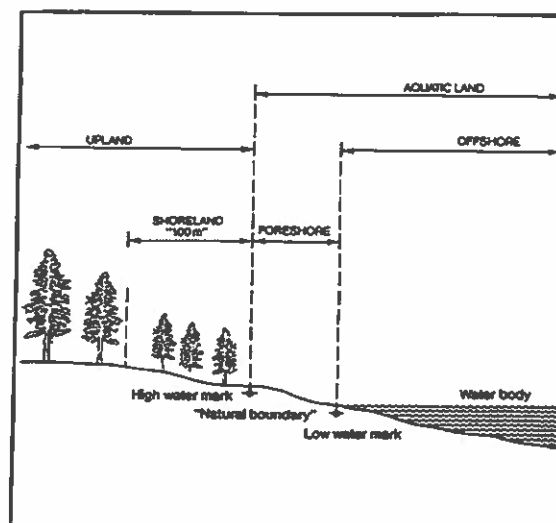
- the utility of the Crown land to the applicant and to other potential applicants,
- the extent to which the land has been improved,
- the permanence of any improvements made, and
- any other factors which may be considered relevant to the decision of whether to accept the application.

The following are examples of how applications to purchase Crown land may be considered:

#### **Smaller areas of previously filled foreshore where the applicant is the owner of the upland**

Crown grant applications by the upland owner of areas of previously filled foreshore that are too small to be of utility to others, will generally be accepted.

An upland parcel is the land parcel adjacent to the foreshore area. A foreshore area is the strip of land margining a body of water.



If a Crown grant is offered to an applicant, they are responsible for any legal survey requirements and for having the filled foreshore consolidated with the upland title.

**Existing upland lease areas where significant improvements of high permanence are present**

Crown grant applications by the tenure holder of existing lease or licence areas will generally be accepted only if significant improvements of high permanence are present.

If an application for Crown grant is made, the application should demonstrate that significant improvements are present over the full application area and that the current tenure is in good standing.

If significant portions of the lease or licence remain unimproved at time of application, these areas should generally be excluded from the Crown grant application.

**Unimproved Crown land of utility for many purposes or of interest to many potential purchasers**

Where only fee simple disposition is of interest to the applicant, an application for purchase can be submitted to the ministry. However, it is important to note that the land may proceed to public sale if through the posting and advertising process other potential purchasers of the land are identified, or if the decision-maker otherwise identifies that public sale is in the best interest of the Crown.

An alternative to an application for Crown grant is an application for a lease. A lease provides exclusive use of land to an applicant and provides an opportunity for improvements to be developed prior to a potential application for Crown grant is made. Please note - in most cases, Crown Land applications for residential/ personal use will not be considered.

Individuals applying for a Crown grant of lands that are in an area of utility for many purposes or of interest to many potential purchasers, are advised to discuss the Crown land disposition process with a member of West Coast Authorizations, Major Projects, and Crown Land Sales team before making an application.

Any person choosing to apply for a Crown land purchase is advised that First Nations consultation is a requirement of the application assessment process.

Applicants are encouraged to engage with and seek the support of First Nations communities prior to applying. All persons considering an application should review the information regarding consultation at: [Consulting with First Nations.](#)


West Coast Authorizations



## Strategic Policy Crown Land Allocation Principles

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<b>NAME OF LAND POLICY:</b>	Crown Land Allocation Principles
<b>APPLICATION:</b>	Applies to all decisions related to the use of Crown land under the authority of the <i>Land Act</i> or <i>Ministry of Lands, Parks and Housing Act</i>
<b>ISSUANCE:</b>	Assistant Deputy Minister, Tenures, Competitiveness and Innovation
<b>IMPLEMENTATION:</b>	Ministry of Forests, Lands and Natural Resource Operations
<b>REFERENCES:</b>	<i>Land Act</i> (Ch. 245, R.S.B.C, 1996) <i>Ministry of Lands, Parks and Housing Act</i> (Ch. 307, R.S.B.C, 1996)
<b>RELATIONSHIP TO PREVIOUS LAND POLICY:</b>	This policy replaces the Crown land Allocation Principles dated June 2, 2008

  
\_\_\_\_\_  
Dave Peterson, ADM  
Tenures, Competitiveness and Innovation  
Ministry of Forests, Lands and Natural  
Resource Operations

MAY 26 2011

Date:

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**EFFECTIVE DATE:** June 1, 2011  
**AMENDMENT:**

**FILE:** 12000-00

2-2

**APPROVED AMENDMENTS:**

<b>Effective Date</b>	<b>Briefing Note /Approval</b>	<b>Summary of Changes:</b>
June 1, 2011	BN 175892	Policy and Procedure update to reflect reorganization of resource ministries April 2011

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## **1. PURPOSE**

The Crown Land Allocation Principles provide guidance to public officials who are involved in making decisions related to the allocation of Crown land. This guidance is incremental to obligations under law, recognizes the statutory authority of other levels of government and guides the development of strategic and operational policy. These principles also guide decisions in the absence of existing policy direction.

## **2. PRINCIPLES**

1. Crown land values are managed for the benefit of the public.
2. Economic, environmental and social needs and opportunities are identified and supported.
3. The interests of First Nations' communities are recognized.
4. Decisions are timely, well-considered and transparent.
5. Public accountability is maintained during the allocation of Crown land.

## **3. CONSIDERATIONS FOR THE DECISION-MAKER**

### **3.1 Crown land values are managed for the benefit of the public.**

Decisions should consider social, economic and environmental outcomes that may ensue as a result of an allocation of Crown land. Benefits may be short or long term, direct or indirect.

Government goals provide guidance in determining public benefit.

The public includes British Columbian residents, businesses, organizations, local governments and First Nations.

In valuing Crown land and resources, consideration will be given to their degree of scarcity and the associated economic, social and environmental benefits.

Crown land values include the land, resources associated with the land, and related non-market goods and services.

Foreseeable future needs and opportunities should be considered in addition to present opportunities and needs when evaluating the beneficial use of Crown land and resources.

### **3.2 Economic, environmental and social needs and opportunities are identified and supported.**

Lands will be allocated to achieve government's strategic direction and priorities, as may be expressed through goals, strategic plans, Ministry Service Plans, sector strategies, business plans and other decisions of government.



Crown land allocation should promote investment and open trade, and provide improved access to markets. Innovation should be encouraged, especially where entrepreneurship and investment opportunities can be leveraged.

Crown land allocation should support healthy communities after identifying and considering community values and interests.

Crown land allocation should maintain or create a high quality natural environment.

### **3.3 The interests of First Nations' communities are recognized.**

In addition to the fulfillment of any legal obligations, Crown land allocation should consider the need to achieve greater reconciliation with First Nations in British Columbia.

### **3.4 Decisions are timely, well-considered, and transparent.**

Decisions are timely when staff are diligent in following due process, within the limits of the resources available, and the priorities indicated by business plans.

Timeliness may be enhanced through plans or processes which identify opportunities on Crown land in an orderly and rational manner.

Decisions are well considered when they are based on information sufficient to evaluate and demonstrate the application of these principles.

This could include, but is not limited to:

- the best information available about the land and its resources;
- the costs and benefits of a proposed use;
- appropriate consultation;
- evaluation of risk; and,
- provincial and other land use plans.

Decisions are transparent when the decision-making process and the reasons for decision are clear to the applicant and the public.

### **3.5 Public accountability is maintained during the allocation of Crown land.**

Accountability is expressed through:

- ensuring that the public receives value for the use of Crown land;
- ensuring compliance with tenure conditions;
- monitoring the results and effectiveness of allocation decisions;
- reporting on the benefits generated; and,
- continual business improvement.

The costs to government associated with the allocation of Crown land should be properly and clearly accounted for. Allocation should be responsive to market supply and demand, as well as to the environmental and social benefits derived.

Governance structures, processes and performance targets should be systematically reviewed to ensure currency and effectiveness.

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## Strategic Policy Crown Land Sales

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**NAME OF LAND POLICY:** Crown Land Sales


**APPLICATION:** Applies to all sales of Crown lands under the authority of the *Land Act* or *Ministry of Lands, Parks and Housing Act*

**ISSUANCE:** Assistant Deputy Minister, Tenures, Competitiveness and Innovation

**IMPLEMENTATION:** Ministry of Forests, Lands and Natural Resource Operations

**REFERENCES:** *Land Act* (Ch. 245, R.S.B.C, 1996)  
*Ministry of Lands, Parks and Housing Act* (Ch. 307, R.S.B.C, 1996)

**RELATIONSHIP TO PREVIOUS LAND POLICY:** This policy replaces Crown Land Sales Policy created June 2, 2008

  
\_\_\_\_\_  
Dave Peterson, ADM  
Tenures, Competitiveness and Innovation  
Ministry of Forests, Lands and Natural  
Resource Operations

MAY 26 2011

Date:

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**EFFECTIVE DATE:** June 1, 2011  
**AMENDMENT:**

**FILE:** 12000-00

2-2

**APPROVED AMENDMENTS:**

Effective Date	Briefing Note /Approval	Summary of Changes:
June 1, 2011	BN 175892	Policy and Procedure update to reflect reorganization of resource ministries April 2011

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## 1. PURPOSE

This policy provides guidance to public officials who are involved in making decisions on the sale of Crown land.

### 1.1 Legislative Authority

The *Land Act*, Section 11, expressly provides for the sale of land.

The *Ministry of Lands, Parks and Housing Act*, Section 9, provides that the Minister may dispose of land on terms and conditions the Minister considers appropriate.

### 1.2 Crown Land Allocation Principles

Government's Crown Land Allocation Principles apply to the sale of Crown land:

- Crown land values are managed for the benefit of the public;
- Economic, environmental and social needs and opportunities are identified and supported;
- The interests of First Nations' communities are recognized;
- Decisions are timely, well-considered, and transparent; and,
- Public accountability is maintained during the allocation of Crown land.

The principles guide the development of strategic and operational policy, provide guidance to public officials who are involved in making decisions about the allocation of Crown land, and are incremental to legal obligations.

## 2. POLICY SCOPE AND APPLICATION

This policy applies to the sale in "fee simple" of Crown land held in right of the Province of British Columbia, pursuant to the *Land Act* and the *Ministry of Lands, Parks and Housing Act*.

This policy does not apply to:

- The disposition of Crown land through forms of tenure, including but not limited to permits, licenses, leases or other instruments, which do not lead to sale;
- The disposition of Crown land through Free Crown Grants (FCGs) and Nominal Rent Tenures (NRTs);
- Transfers of administration and control between the Federal and Provincial governments and the non-sale transfer of Crown land to local governments and First Nations (or corporations acting on behalf of First Nations); and,
- Sales agreements that existed prior to this policy coming into force.

This policy does not supersede zoning decisions of local governments.

## 3. FIRST NATIONS CONSIDERATIONS

First Nations' interests must be considered prior to proceeding with any proposal to sell Crown lands. Crown lands may be considered unavailable for sale based on the nature and extent of interests and impacts identified through consultations with area First Nations.

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The Province must meet its obligations to consult and, where appropriate, accommodate First Nations' interests prior to any decision to sell Crown land.

#### **4. FURTHERING GOVERNMENT GOALS**

Crown lands may be sold in order to further the Province's strategic direction, priorities and plans.

Provincial goals are generally expressed through strategic plans, ministry service plans, sector strategies and other decisions of government.

#### **5. SALES METHODS**

Crown land sales may be the result of a client-initiated application, the identification of opportunities by authorizing agency staff, or the direction of government where it serves a strategic initiative.

A competitive process may be pursued to ensure the Province receives a fair return for the land.

#### **6. IDENTIFICATION OF SALES OPPORTUNITIES**

Collaboration between the Province, First Nations', local governments and industry is encouraged to identify resource values, investment opportunities, development and marketing proposals that support economic, social and environmental initiatives.

#### **7. CONSIDERATION OF SALE OUTCOMES**

Due to the nature of the transfer of rights with a sale, the benefits that will accrue from a sale must be weighed against the loss of public control of the land and the scarcity of the resource.

When evaluating a proposal to sell Crown land, the following factors should be considered:

- Direct and indirect benefits;
- Compatibility of the intended use and the results of provincial and other planning processes;
- Impact of the sale on adjacent land and resources;
- Support for emerging or strategic priorities; and,
- The costs and benefits of potential future opportunities associated with the land.

The reasons for a decision to sell Crown land shall be documented.

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**Village of Port Clements**  
**Council Meeting Action Items List**

<u>Action #</u>	<u>Date</u>	<u>Description</u>	<u>Lead</u>	<u>Follow up</u>
A-4	2022-12-05	Council to investigate and report back to Council on options for the winter sanding going forward	CAO	

A-1