

Village of Masset Regular Council Meeting of March 27, 2023

Minutes of the Regular Council Meeting held March 27, 2023 in the Council Chambers.

Present:	Mayor:	S. Disney
	Councillors:	J. Currie, T. Carty, B. Johnston, B. Pages
	CAO:	J. Humphries
Not Present	CFO:	J. Brown

CALL TO ORDER

The Village of Masset acknowledges the un-ceded traditional territory of the Haida Nation on which this meeting is held.

The meeting was called to order at 7:12 pm.

ADOPTION OF AGENDA

Moved by Councillor Johnston, seconded by Councillor Currie to adopt the agenda as amended with the addition of NB-11.

CARRIED

COUNCIL MEETING MINUTES

Council Meeting Minutes March 13, 2023

Tabled until next Council meeting as Councillor Carty's verbal report was not recorded.

Public Hearing Minutes Development Variance Permit Application 1836, 1838 Balsam

Moved by Councillor Johnston, seconded by Councillor Currie that the Development Variance Permit Application 1836, 1838 Balsam Public Hearing minutes be adopted as presented.

CARRIED

CORRESPONDENCE

C-1 Ministry of Environment and Climate Strategy

Moved by Councillor Johnston, seconded by Councillor Currie that the new energy action framework to cap emissions, and electrify the clean economy report be received and filed.

CARRIED

C-2 Ministry of Municipal Affairs Growing Communities Fund Grant

Moved by Councillor Currie, seconded by Councillor Johnston that the Growing Communities Fund Grant information from the Ministry of Municipal Affairs is received and filed.

CARRIED

VERBAL REPORTS OF COUNCIL/CAO/CFO

Councillor Johnston attended the Gwaii Trust audit meeting led by Humanity Financials. Over the years Gwaii Trust has been getting help from Humanity Financials and Gordon Bell to better understand market recovery. As of last meeting Gwaii Trust dashboard has only 3 items in the red which is a complete reversal from two years ago. More checks and balances are in place.

CAO

Attended the following meetings:

Visit from Dave Nieuwkerk of Aebi Schmidt regarding the new plow truck for the airport
Meeting with Assistant Deputy Minister Tara Faganello to talk about the approval of the Cedar LNG project and also the new energy action framework to cap emissions

Met with MacCallum Law (Matt) GMDC

Meeting with Niisla Naay Healing House Society (Amanda Shibley) regarding childcare

Meeting with Emergency Services Department/GIK Manager Climate Adaptation
Coordination (Teri Kish)

Staffing:

Hired Co-op Student from Georgian College (Hyoone Lee) starts work at the airport May 1st until August 25th

Hired two local aircraft fuelers

Northern Development Internship Interviews and successful hire of Andalib Olee who starts May 8th and in our office May 15th

Projects:

Waiting on Transport Canada to approve POC (Solar Project)

Nav Canada sensor upgrade to happen in May 2023 - Ceilometer and Precipitation

Looking at heat pump quotes for old fire hall and village office

Water plant to upgrade a number of trades April 11th

Built a gate for the gravel pit

Discussion with Small Craft Harbours regarding funding to repair the remaining portion of the railing

There is a Delkatla Slough Harbour Authority public meeting scheduled for March 28th at 7:00 pm

Suggested April 12th for a Council-to-Council meeting

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Councillor Currie did not attend any meetings.

Councillor Carty attended the Walk to Bring Shaylanna Home.

Councillor Pages attended the North Coast Hospital District meeting—highlights where the 2023 budget increase of 9% was approved to support new hospital development. The procedure bylaws were reviewed and updated. The board developed a policy around acknowledging the local First Nations.

Attended the North Coast Regional District meeting. A North Coast Mountain Bike Association presentation discussed a new pump track in Prince Rupert.

They also scheduled a meeting with BC Ferries to discuss service on Haida Gwaii.

The committee also wrote a letter to the Province to approve the master plan for the new Bulkley Valley Hospital in Smithers.

There was discussion about Tlell around veterinarian needs and if they could be sustainable for the future.

Attended the Village of Masset Health Care Committee meeting, where a new member was appointed.

Mayor Disney attended the VIRL meeting, where she gave a tour on zoom of the library and its current condition. Delegates voted to pass the new budget. There should be some announcements in the future. The committee advised that they would like to attend a Council meeting and potentially request community funding for the new library.

The Mayor was invited by School District 50 to tour the high school with school trustees and school staff to view the upgrades and discuss the amalgamation of the elementary and high schools and plans to go on the subsequent tour in April as well as a School Board meeting to get further information. An update should be coming soon on timelines.

Moved by Councillor Johnston, seconded by Councillor Currie, that the verbal reports be accepted as presented.

CARRIED

BYLAWS

Bylaw No. 657 2023 A bylaw to Amend Masset Healthcare Committee Bylaw No 502 1998

Moved by Councillor Johnston, seconded by Councillor Currie, that Bylaw No. 657 be read a first time.

CARRIED

Moved by Councillor Currie, seconded by Councillor Johnston that Bylaw No. 657 be read a second time.

CARRIED

Moved by Councillor Johnston, seconded by Councillor Currie, that Bylaw No. 657 be read a third time.

CARRIED

NEW BUSINESS

NB-1 Development Variance Permit Application (Revised)

Mayor Disney invited the public to comment before the vote.

Stu Crawford 1872 Balsam, Masset, BC, V0T 1M0 discussed the following points from the email sent on March 26th, 2023.

The submitted Variance Application is for a much larger building than what was originally approved by Village of Masset in July 2022

The Village of Masset gave approval for construction to begin at 1836/1838 Balsam in July 2022. This was an error, as the proposed construction contravened the bylaws. It could be interpreted that the VoM misled the proponent into thinking that the building that they had applied for was allowed. However, the building that was actually built, and the new variance application, is much larger than what the VoM approved in July 2022.

1. The original VoM approval in July 2022, prior to construction starting, was to reduce the front setback from the required 6 m to 3.53 m. The new variance being requested is to further reduce front setback to only 0.99 m.
2. Similarly, the original approval was to reduce the side setback to 0.90 m, and the new variance being requested further reduces it to 0.30 m.
3. The original VoM approval did not allow for any reduction of the rear setback from the 9 m that is required in the bylaws. This is likely because the plans submitted with the application were incorrect, and implied that the building would be 9.1 m from the rear lot line. The new variance being requested reduces the rear setback to 3.53 m.

The building at 1836/1838 Balsam is significantly over the maximum allowed lot coverage, and is incorrectly reported in the Variance Application

The lot coverage on 1838 Balsam is significantly over 50%.

There is nothing in the bylaws that allows for a lot to be over the maximum lot coverage just because the neighbouring lot is under. Although it is not stated in the variance application, it appears although the proponent is assuming that the uncovered area on 1836 Balsam can be used to offset the extra development on 1838 Balsam. There are two reasons why this is not possible with the current variance application:

1. If the uncovered area on 1836 Balsam is going to be used to offset the extra development on 1838 Balsam, then a restrictive covenant would need to be placed on 1836 Balsam to prevent any further development on that property. Otherwise 1836 Balsam could be further developed up to 33% lot coverage, and the combined lot coverage would be significantly over the maximum.
2. The bylaws for maximum lot coverage are for each individual lot. It is not the intent of the bylaws that a vacant lot in one location can allow for extra development in another location. If this is going to be done for 1836 and 1838 Balsam, it would be a bylaw variance that would need to be specifically considered by Council, weighing the need of such a variance against the possible negative impacts.

The Variance Application provides insufficient details to approve a Bylaw Variance.

Any Bylaw Variance approved by Council is creating a new set of bylaws that the building on this lot will be required to meet. The proposed building is much larger than what would normally be approved for this location, so it is important to be clear on exactly what is being approved. The Variance needs to be specific enough that it is clear what is being approved, and whether or not any future construction meets this Variance. There are numerous details that the Variance Application is missing, but two major concerns are:

- No building height is given in the Variance Application. The impact of making the building much larger than what is allowed in the bylaws is very dependant on the height of the building. The height of the building must be specified, it must be considered when determining whether or not the Bylaw Variance should be approved, and if the Variance is approved the building must stay below that height.
- The plans provided with the Variance Application are incorrect. These plans have numerous, very significant errors, which all serve to drastically under report the actual size of the building. A Bylaw Variance cannot be based on plans that are this internally inconsistent and filled with so many errors.

The setback distances and percent lot coverage submitted by the proponent should be confirmed

The distances of the various setbacks and the total lot coverage were incorrect in the proponent's application in July 2022 and in their subsequent letter in January 2023. These numbers were all off by a significant amount, and all the errors were in the direction that benefited the proponent.

The plans submitted with the Variance Application are still full of significant errors, making it impossible to calculate the actual distances and lot coverage, but generally implying that the building is significantly smaller than it actually is.

The numbers in the current Variance Application have been adjusted significantly from what was previously submitted. Hopefully this adjustment has corrected these numbers, and they are now correct. However, these numbers are still significantly more in favour of the proponent compared to what I get based on my best estimates. The proponent also has a clear history of submitting incorrect numbers that are in their own favour.

I think that it is important to check these numbers to ensure that they are correct.

Martin Lewis, 1660 Old Beach Road, Masset, BC, V0T 1M0 also talked about the measures we adopt as a community setting a precedent and that a building inspector would be something to work towards.

Moved by Councillor Johnston, seconded by Councillor Pages, that the revised Development Variance Permit Application be approved.

CARRIED

NB-2 Logo

Tabled until it is determined who created the proposed logo and if more examples can be considered.

NB-3 Public Works Shop – Heating Upgrade

Moved by Councillor Johnston, seconded by Councillor Currie, to award Haida Gwaii Heat Pumps the heating upgrade contract for the public works building.

CARRIED

NB-4 Delkatla Wildlife Sanctuary – Hazardous Debris Removal Quote

Moved by Councillor Carty, seconded by Councillor Currie that the discussion be tabled and any decision be deferred until it can be determined whether DFO and/or Small Craft Harbours can provide funding opportunities for the project. If funding is not available more quotes will be required.

CARRIED

NB-5 Roller Rink

Moved by Councillor Currie, seconded by Councillor Carty that staff organize a meeting with the user groups to discuss issues and possibly set up a committee to look at how to operate the building.

CARRIED

NB-6 UBCM – 2023 Emergency Operation Centers & Training Grant

Moved by Councillor Currie, seconded by Councillor Carty, that the Village of Masset submit an application to UBCM Emergency Preparedness Fund to support the grant and to cover the extra expenses that exceed the \$30,000.00 cap in the amount of \$4,000.00.

CARRIED

NB-7 Electrical Service Upgrade – Old Fire Hall

Moved by Councillor Carty, seconded by Councillor Johnston, to award Rushworth Electrical Services the electrical service upgrade contract for the old fire hall.

CARRIED

NB-8 GMDC - AGM

Moved by Councillor Pages, seconded by Councillor Carty to approve the committee appointments as designated, Sheri Disney, Barry Pages, Terry Carty and Jim Currie.

CARRIED

NB-9 School District 50 – Discussion on School Progress

Moved by Councillor Pages, seconded by Councillor Johnston, that a request be sent to SD50 to attend a Council meeting and present an update on all the projects they are working on.

CARRIED

NB-10 Masset Healthcare Committee Members

Moved by Councillor Johnston, seconded by Councillor Carty that the following new members be added to the Healthcare Committee from the surrounding communities:

Port Clements – Maureen Bailey
Old Massett – Nicole MacGillivray
North Coast Regional District – Daniel Fish

CARRIED

NB-11 Gravel Request

Moved by Councillor Pages, seconded by Councillor Carty that the request by Masset Services for 25 truckloads needed for the demolition site at 1914 Harrison Avenue be approved but the request for an additional 100 load stockpile be denied. The gate will be

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controlled by public works, and access will be between Monday and Friday 8:30 am - 4:00 pm. Payment will be required in advance.

CARRIED

PUBLIC COMMENT

Stu Crawford brought up the email points along with wanting to know where all this information would be published. CAO confirmed that all minutes for the meeting could be found on the village website.

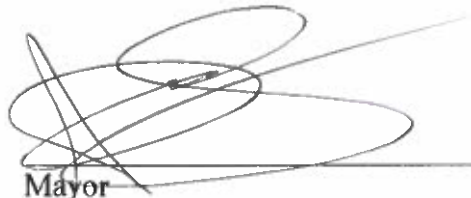
ADJOURNMENT/TO CLOSED MEETING

Moved by Councillor Johnston the meeting be adjourned at 8:47 pm to a closed session.

CARRIED



Recording Secretary



Mayor



Certified Correct, Administrator