

A G E N D A
for

REGULAR COUNCIL MEETING
November 8, 2021

COUNCIL CHAMBERS 7:00 PM

CALL TO ORDER

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

ADOPTION OF AGENDA

COUNCIL MEETING MINUTES

Minutes of October 25, 2021 Council Meeting

PETITIONS AND DELEGATES

- 1. Ministry of Indigenous Relations and Reconciliation – GayGahlda Changing Tide Framework Agreement**

CORRESPONDENCE

C-1 Ministry of Attorney General

VERBAL REPORTS OF COUNCIL/CAO/CFO

BYLAWS

Bylaw No. 650, 2021 A Bylaw to Amend Zoning Bylaw No. 422

NEW BUSINESS

NB-1 Council Highlights and Public Participation

PUBLIC QUESTION PERIOD

ADJOURNMENT TO CLOSED SESSION

Section 90 (2) (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 the federal government or both and a third party.

Section 90 (1) (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.

Village of Masset Regular Council Meeting of October 25, 2021

Minutes of the Regular Council Meeting held October 25, 2021 in Council Chambers

Present:	Mayor:	B. Pages
	Councillors:	R. Williams, J. Currie, T. Carty (in the Chair)
	CAO:	A. Smith
	CFO:	J. Brown
	AAM:	J. Humphries

Regrets:	Councillor:	B. Johnston
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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 7:00 pm.

ADOPTION OF AGENDA

Moved by Councillor Williams, seconded by Councillor Currie to adopt the agenda as presented.

CARRIED

COUNCIL MEETING MINUTES

Council Meeting Minutes October 12, 2021

Moved by Mayor Pages, seconded by Councillor Currie that the October 12, 2021 Council meeting minutes be adopted as presented.

Minutes of July 19, 2021 Harbour Authority Management Committee

Moved by Mayor Pages, seconded by Councillor Currie that the July 19, 2021 Harbour Authority Management Committee minutes be approved as presented.

CARRIED

PETITIONS AND DELEGATES

Anne Marie Mol of the Gwaii Animal Helpline Society provided an update on activities. The organization is now a society however they are investigating becoming a charitable organization. The Society will be applying to Gwaii Trust for \$10,000. The Village will assist with promoting the work of the Society in order to assist with awareness of their activities and to help with fundraising efforts.

MINUTES AND REPORTS OF OTHER ORGANIZATIONS

1. NCRD Board Highlights

Moved by Councillor Williams, seconded by Mayor Pages that the NCRD Board highlights be filed and received as information.

CARRIED

VERBAL REPORTS OF COUNCIL/CAO/CFO

On October 14th Councillor Williams attended the GMDC meeting. Trevor Jarvis will be retained to conduct the division of properties and lands. Councillor Currie attended the Community Futures meeting; where loan applications were approved. He will have an orientation session on October 28th. Mayor Pages attended the GMDC and Regional District meetings. There will be funding available to implement actions from Community Wildfire studies. The CAO attended the Harbour, GMDC, and RBA meetings. The Main Street Masset Committee will be meeting on October 27th to discuss the results of the public engagement sessions. Activities involving the airport have been time consuming but progress with operations are being made. Deputy Mayor Carty attended the GMDC and Harbour meetings.

Moved by Councillor Currie, seconded by Councillor Williams that the verbal reports be received as presented.

CARRIED

BYLAWS

Moved by Councillor Williams, seconded by Councillor Currie that Bylaw No. 649, 2021 a Bylaw to Amend Masset Health Care Committee Bylaw No. 502, 1998, be reconsidered and adopted on this 25th day of October, 2021.

CARRIED

NEW BUSINESS

NB-1 TRACR - NG GRF (Airfield Runway Condition Reporting System)

Acting Airport Manager, Josh Humphries, via Zoom, provided a demonstration of an airfield runway condition reporting system. The system provided by Tradewinds Scientific is cloud based and is currently in 120 airports across Canada. The proposed system provides detailed condition reports for pilots. With changing weather conditions, the reporting systems enables staff to generate new reports quickly which reduces the liability to the Village. The annual fee is \$4450.00 Mr. Humphries also provided a demonstration of a safety management system by WASCO. This system enables Village

Village of Masset Regular Council Meeting of October 25, 2021

staff to conduct detailed reporting for regulatory agencies. The system is supported by WASCO staff. This system would improve the management of the airport. More research on these types of safety management systems would need to be undertaken in order for Council to decide if such a process should be incorporated by Council.

Moved by: Mayor Pages
Seconded by: Councillor Currie

THAT the TRACR – NG GRF Airfield Runway Condition Reporting System by Tradewinds Scientific be incorporated into Masset Airport operations; and

THAT staff determine the appropriate electronic Safety Management System to increase the efficiency and effectiveness of Masset Airport operations and report these findings back to Council to be considered for implementation in 2022.

CARRIED

NB-2 North Arm Transportation Ltd. Lease Agreement

The original lease agreement which was due for renewal was revised by the CAO to consider future development of the pier as a potential outcome of the current revitalization plan for Main Street.

Moved by Councillor Williams, seconded by Councillor Currie that the Chief Administrative Officer be directed to sign the lease agreement between the Village of Masset and North Arm Transportation.

CARRIED

NB-3 Community and Holiday Events Grant

Council agreed to issue gift cards for the grant. The CFO will provide more details on the costs associated with providing gift cards for Christmas at the next Council meeting.

NB-4 Schedule Strategic Planning Session

Council will hold the strategic planning session on November 10th, 2021.

NB-5 AP Cheque Listing September 1-30, 2021

Moved by Councillor Currie, seconded by Councillor Williams, that the accounts payable cheque listing for December 2021 be approved as presented.

CARRIED

Village of Masset Regular Council Meeting of October 25, 2021

ADJOURNMENT TO CLOSED MEETING

Moved by Councillor Williams that the meeting be adjourned at 9: 05pm.

CARRIED

Recording Secretary

Mayor

Certified Correct, Administrator



Ministry of
Indigenous Relations
and Reconciliation

GayGahlda 'Changing Tide' Framework Agreement

Presentation to Local Governments on Haida Gwaii

Presented by:
Stephen Connolly (MIRR)
Julia Stevens (MIRR)
Risha Rushton (FLNRORD)

11/5/2021

1

Background

- Haida Nation has been on Haida Gwaii for over 10,000 + years and appear to have a strong *prima facie* claim to aboriginal title.
- Since 2009, BC and Haida Nation have negotiated key agreements guided by the *Haida Gwaii Reconciliation Act*.
- Haida Title litigation – Parties interested in proactively negotiating with Haida Nation on title.



Reconciliation Journey

Haida Nation, Canada, and British Columbia



1993 — Haida Nation and Canada sign the *Gwaii Haanas Agreement*, Archipelago Management Board (AMB) established

2009 — BC and Haida Nation sign the *Kunst'aa Guu –Kunst'aayah Reconciliation Protocol*

2011 — BC and Haida Nation form the Haida Gwaii Management Council (HGMC)

2019 — BC enacts the *Declaration on the Rights of Indigenous Peoples Act*

1987 — Haida Nation, BC and Canada sign the *South Moresby Agreement*

2007 — Haida Nation and Canada sign *SGaan Kinghlas Memorandum of Understanding*

2010 — Canada and Haida Nation sign the *Gwaii Haanas Marine Agreement*

2010 — BC enacts the *Haida Gwaii Reconciliation Act*

2016 — Canada endorses the *United Nations Declaration on the Rights of Indigenous Peoples*

2021 — *GayGahlda Changing Tide Framework Agreement Between the Haida Nation, Canada, and British Columbia*

Interim benefits can include:

- *Transfer of forest lands (TFL60)*
- *Acquisition of certain tenures, lands and interests on willing-seller willing-buyer basis*
- *Interim agreement re BC Timber Sales*
- *Interim governance capacity support*
- *Support for social/cultural measures, economic and business opportunities, and to create a socio-economic development plan for Haida Gwaii*

Interim Benefits

Negotiation Priorities

Changing Tide Framework Agreement

Haida Title and Rights

Litigation Plan

Dispute Resolution Process

Negotiation priorities

- *Haida Governance*
- *Responsibilities, jurisdiction, and management of Haida Gwaii*
- *Fisheries and Marine Matter*
- *Haida's Right to Redress and Compensation*
- *Fiscal Framework*
- *Other long-term interests: environmental issues, social community health/wellbeing, economic wellbeing*



Framework Agreement, continued

- Interim benefits and negotiation priorities will be negotiated by the parties and subject to co-development of mandates.
- Principle of Haida inherent title and rights to the terrestrial portion of Haida Gwaii will guide the negotiation of Reconciliation Agreements:
 - Constitutionally protected agreements, similar to Treaties.
 - Legal application of Haida title over crown land.
 - Different topic areas.
- Assurances regarding private lands, key Crown infrastructure, municipal jurisdiction and service delivery.



Opportunities

- Taking an innovative and incremental approach to negotiate title on Haida Gwaii:
 - Timelines estimated to take 10-20 + years
 - Not a 'light-switch' transition
 - Multiple Reconciliation Agreements to be negotiated (eg: Parks and Protected Areas)
- Haida governance experience and relationships with Island communities and Crown.
- Pathway forward regarding Haida Nation's title litigation.
- Aligns with Declaration Act, United Nations Declaration (UNDRIP) and mandates on reconciliation.



Agreement Implications

- Assurances on private property and municipal jurisdiction:
 - No change in private property ownership
 - Acquisition of private lands on willing-seller, willing buyer basis
 - Municipal governance, Crown key interests, and service delivery maintained
- Currently, no change in ownership, designation, or jurisdiction on Crown land:
 - Existing tenures and licenses remain *status quo*
- Future negotiations between parties will determine the details around future processes, roles, and responsibilities, such as:
 - How Haida inherent title and fee-simple estates can function in parallel
 - Third-party interests on Crown lands (i.e new tenures/permits and renewals)
 - Crown land management and adjudication of decisions
 - Public access over Haida title land



Engagement

- **Signing August 2021-Winter 2022: Ongoing information sharing and engagement with local governments, stakeholders, and the public.**
- **Winter 2022 onwards: Specific and targeted engagement and consultation will occur as Reconciliation Agreements are negotiated:**
 - **Explore opportunities to work with Protocol Table**



Ministry of
Indigenous Relations
and Reconciliation



Thank you.



BRITISH COLUMBIA

VIA EMAIL

Ref: 621114

October 26, 2021

His Worship Barry Pages
and Members of Council
Village of Masset
PO Box 68
Masset BC V0T 1M0
Email: ma-director@ncrdbc.com

Dear Mayor Pages and Councillors:

Thank you to your delegation for meeting with ministry representatives during this year's virtual Union of BC Municipalities (UBCM) Annual Convention process. Throughout the COVID-19 pandemic, we have continued to adapt and develop new approaches to how we conduct our work. I am pleased that our governments have had the chance to connect and I want to thank your delegation for its flexibility with provincial appointments this year.

As the Attorney General and Minister responsible for Housing, I write to acknowledge topics raised during our conference call, including the Resource Benefit Alliance, the Masset Heritage Housing Society run apartment complex, and the lack of affordable housing in your community.

Thank you for updating Attorney General and Ministry responsible for Housing representatives on the apartment complex that is run by the Masset Heritage Housing Society. I appreciate the work the society has done to maintain the building, and I agree that Masset cannot lose this valuable asset. I am encouraged that BC Housing will work with you to find a suitable property management company to continue maintaining the building.

Regarding the Village's interest in exploring additional affordable housing projects across the housing continuum and partnerships with organizations in your community, I encourage you to consider the next round of the Building BC: Community Housing Fund (CHF) Request for Proposals. The CHF is focused on developing affordable rental homes for middle and low-income families, independent seniors, and individuals.

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Ministry of
Attorney General

Office of the
Attorney General

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His Worship Barry Pages
and Members of Council
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Regarding future opportunities, you may wish to contact, BC Housing's Regional Director for Development in the Northern region, Amy Wong, she can be reached by email: awong@bchousing.org. While certain funding streams have their intake deadlines, BC Housing welcomes discussions on an ongoing basis with partners interested in developing new housing through the Community Housing Fund and the HousingHub. More information is available online at: bchousing.org/projects-partners/funding-opportunities.

Thank you, again, to your delegation for the meeting.

Yours truly,

A handwritten signature in black ink, appearing to be 'D. Eby', written in a cursive style.

David Eby, QC
Attorney General and
Minister Responsible for Housing

pc: Douglas Scott, Deputy Minister, Crown Agencies Secretariat
Angela Cooke, Associate Deputy Minister Shayne Ramsay, CEO, BC Housing
Shayne Ramsay, CEO, BC Housing
Amy Wong, Regional Director, BC Housing
Raymond Kwong, Director HousingHub, BC Housing
Jennifer Rice, MLA, North Coast



Village of Masset Report to Council

From: Alan Smith, Chief Administrative Officer
Date: November 4th, 2021
Subject: Zoning Amendment Bylaw 650, 2021

Recommendations

THAT Council provides two readings to Zoning Amendment Bylaw 650, 2021; and

THAT a Public Hearing be held at 6:30pm, via Zoom, on December 13th, 2021, for comment on the proposed Zoning Amendment Bylaw 650, 2021; and

THAT the November 8, 2021, report titled Zoning Amendment Bylaw 650, 2021, submitted by the Chief Administrative Officer, be received and filed.

Introduction

Ms. Linda Rowbotham is the owner of a lot in Masset, 2090 Harrison Avenue. Ms. Rowbotham plans on selling this lot for the purpose of residential development. The current zoning for the property is M-2 Heavy Industrial. In order for Ms. Rowbotham to undertake the proposed development would require a zone change to Residential 1 (R1).

Discussion

As the current owner of 2090 Harrison Avenue (Lot 1, Block 19, District Lot 7, Land District 46 Plan PRP2041 PID 012-531-677), Ms. Linda Rowbotham has applied to rezone her property from M-2 Heavy Industrial to Residential R1 (see Appendix One). Ms. Rowbotham indicates in her application the lot would be highly desirable for residential use, given its waterfront location. She also mentions the current shortage of available residential lots in Masset.

A zone change to R1 is required to build a residence on the property. The property is adjacent to the former cannery, Omega, which has not been in operation for many years. Although 2090 Harrison is zoned Heavy Industrial, along with the other properties that form the cannery, the Village of Masset Integrated Official Community Plan (OCP) recognizes this area as "...possible transition of use to mixed use with public access to water." Given that mixed use is usually classified as some combination of residential and commercial development, the proposal by Ms. Rowbotham can be argued is supported by the OCP. Having residential zoning for 2090 Harrison Avenue would be the start of developing the waterfront for mixed use. Changing the zoning for this lot could be the catalyst that promotes development of the waterfront resulting in more assessment and an improved Harrison Avenue and waterfront area.

The procedure for addressing a rezoning application falls under the Local Government Act. According to this legislation, a local government must hold a public hearing on the



Village of Masset Report to Council

From: Alan Smith, Chief Administrative Officer
Date: November 4th, 2021
Subject: Zoning Amendment Bylaw 650, 2021

bylaw for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw. This public hearing under section 464 (1) must be held after first reading of the bylaw and before third reading. If Council is in agreement that this application should proceed, staff are recommending that two readings be provided at the November 8th Council meeting. The Public Hearing, via Zoom, be scheduled for 6:30pm on December 13th with the regular scheduled Council meeting to follow at 7:00pm; where the 3rd reading of the bylaw can be considered. This timing will allow staff to comply with the necessary notice requirements as outlined under the Local Government Act.

Conclusion

In order to develop 2090 Harrison Avenue for residential purposes, will require a zone change from M-2 Heavy Industrial to Residential (R1). Enabling the owner to sell this lot for the building of a residential unit will provide the Village of Masset with increased assessment; and potentially the start of mixed-use development for the waterfront.

All of which is Respectfully Submitted

Alan Smith
Chief Administrative Officer

Appendix One

Linda Rowbotham
Box 306
Masset, BC
V0T1M0
Phone: 250-626-5445 email: lrpmas@gmail.com

OCT 27 2021

October 26, 2021

To: Village of Masset

Re: Rezoning request for Lot 1, Block 19, Folio 463000, PID 012-531-677 2090 Harrison

Please accept this as my request to change the zoning on my lot from Heavy Industrial to Residential.

I believe that Residential zoning more appropriately fits the best use for this property and is consistent with neighbouring properties. There is currently a shortage of serviceable empty lots for development within municipal boundaries. Adding to this, it is a water-front property making it a very desirable lot for residential development. By changing the zoning, it will increase the likelihood that someone will build on the lot, and in the long run this will equate to better tax revenues for the municipality.

I am currently contemplating putting the lot on the market for sale and interested parties have indicated a concern over the Heavy Industrial zoning currently in place.

Thank you for your consideration. Please do not hesitate to call or email me if you have any questions or require any additional information for this application to proceed.

Sincerely,



Linda Rowbotham

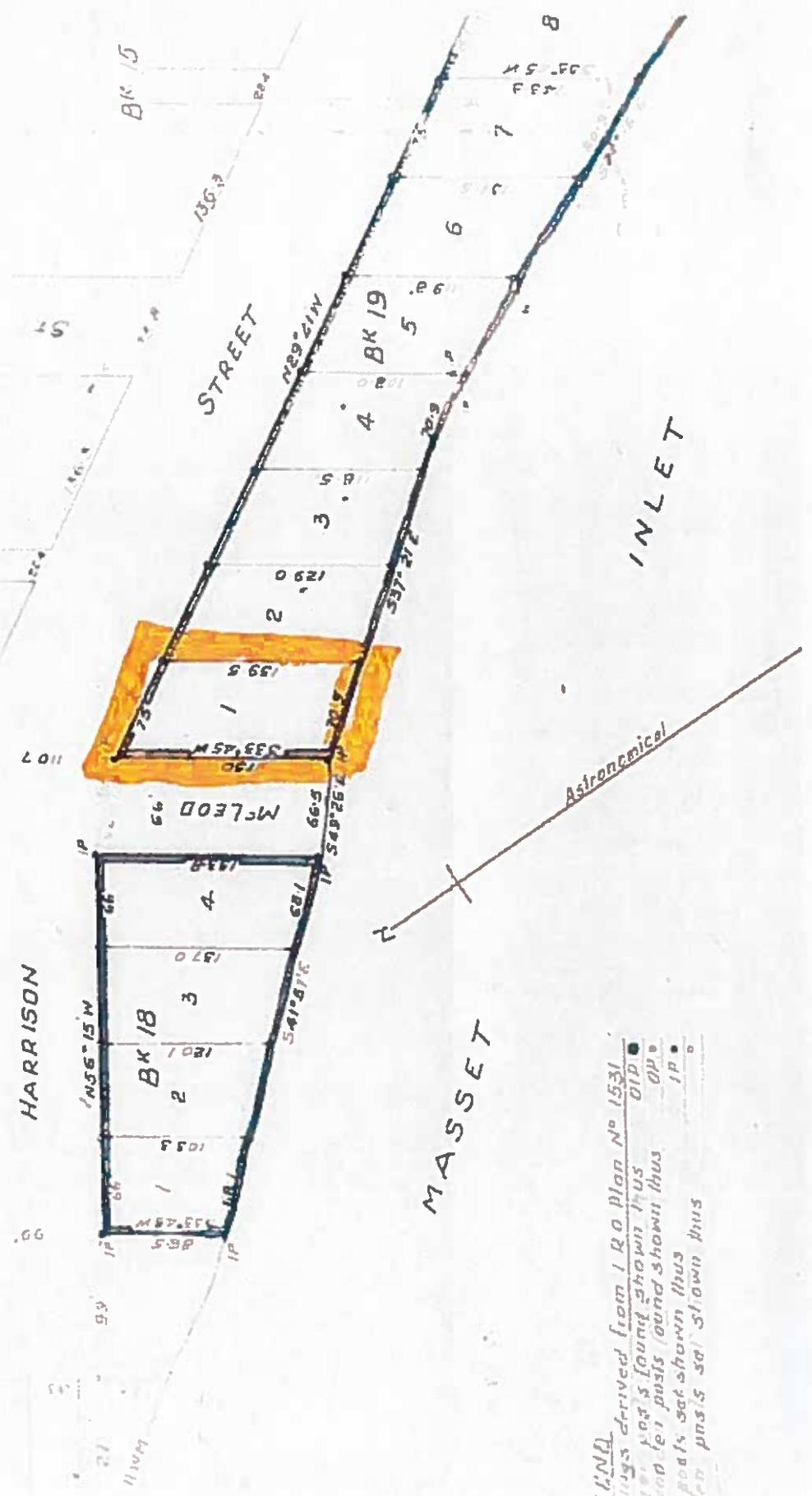
PLAN OF SUBDIVISION OF
LOT 7, QUEEN CHARLOTTE
L.R.O. PLAN NO. 1531

SCALE: 100 FEET

BK 17		BK 18	
49.5	55	102.5	100.0
55	55	100.0	100.0
49.5	55	102.5	100.0

MCDONALD ST

BK 1
24



LEGEND
 Drawings derived from L.R.O. Plan No 1531
 Drawings found shown thus
 and water points found shown thus
 (not) points not shown thus
 (not) points not shown thus

VILLAGE OF MASSET

BYLAW NO. 650, 2021

A bylaw to amend Zoning Bylaw No. 422

WHEREAS the Village of Masset has received an application to rezone Lot 1, Block 19, District Lot 7, Land District 46 Plan PRP2041 PID 012-531-677, 2090 Harrison Avenue; and

WHEREAS the Council for the Village of Masset has deemed it expedient to amend the zoning of Lot 1, Block 19, District Lot 7, Land District 46 Plan PRP2041 PID 012-531-677, 2090 Harrison Avenue, from M-2 Heavy Industrial to Residential 1 (R-1) of Zoning Bylaw No. 422;

NOW THEREFORE the Council for the Village of Masset, in open meeting assembled, enacts as follows;

1. That Lot 1, Block 19, District Lot 7, Land District 46 Plan PRP2041 PID 012-531-677, 2090 Harrison Avenue, be rezoned from M-1 Heavy Industrial to Residential 1 (R-1)
2. This bylaw may be cited as "Zoning Amendment Bylaw No. 650, 2021".

PUBLIC HEARING HELD THIS 13th DAY OF DECEMBER, 2021

READ A FIRST TIME THIS 8th DAY OF NOVEMBER, 2021

READ A SECOND TIME THIS 8th DAY OF NOVEMBER, 2021

READ A THIRD TIME THIS 13th DAY OF DECEMBER, 2021

RECONSIDERED AND ADOPTED THIS DAY OF JANUARY, 2022

Administrator

Mayor

Certified a true copy of the "Zoning Amendment Bylaw No. 650, 2021"

Administrator