
**MINUTES OF THE DISTRICT OF PORT HARDY
PUBLIC HEARING HELD APRIL 3, 2019
COUNCIL CHAMBERS, MUNICIPAL HALL
7360 COLUMBIA STREET**



We respectfully acknowledge that this hearing is being held on the traditional territory of the Kwakiutl People, Gilakas'la

PRESENT: Councillors Pat Corbett-Labatt, Janet Dorward and John Tidbury (Chair)

ALSO PRESENT: Allison McCarrick, Chief Administrative Officer; Heather Nelson-Smith, Director of Corporate & Development Services

MEDIA: North Island Gazette MEMBERS OF THE PUBLIC: three

Councillor Tidbury called the Public Hearing to order at 1:00 pm and acknowledged that the hearing is being held on the Traditional Territory of the Kwakiutl people.

Councillor Tidbury advised that this public hearing is being held in accordance with the *Local Government Act* to allow the public to make representations to the District of Port Hardy regarding proposed District of Port Hardy Zoning Amendment Bylaw No. 1094-2019. He indicated a copy of the proposed Bylaw is available at the table by the entrance to the Council Chambers.

Councillor Tidbury advised that notice of this public hearing was published in the North Island Gazette on March 20th, 2019 and the North Island Eagle on March 29th, 2019 it was posted on the public notice board at the District of Port Hardy Municipal Hall located at 7360 Columbia Street, Port Hardy, B.C. A notice was mailed to the owners of 5 properties within 50 metres of the subject property and the notice was posted on the District website, facebook and twitter.

Councillor Tidbury indicated that all persons who believe that their interests are affected by proposed bylaw No. 1094-2019 will be given an opportunity to be heard respecting matters contained in the Bylaw.

The Director of Development Services then reviewed the bylaw and explained the intent of the proposed changes to the bylaw.

The purpose of the application is to change the zone for the property legally described as Lot A, Section 23, Township 6, Rupert District Plan VIP63928, PID 023-532-840, 4030 Byng Road from C-2 Service Commercial to C-5 Tourist Commercial which will permit the following uses:

- (a) The following principal uses are permitted:
 - (1) Campground
 - (2) Hotel
 - (3) Tourist Cabin

- (b) The following accessory uses are permitted:
 - (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
 - (3) Licenced Premises
 - (4) Restaurant
 - (5) Retails Sales

The Director of Corporate Services read one written comment received.

Lilian Meerveld, Byng Road

Re: rezoning application by Airport Inn 0729408 BC LTD for 4030 Byng Road

I am writing to you because I am unable to attend the hearing as I work during the day, and in the evenings, I work for the applicant.

I am opposed to the District of Port Hardy Zoning Bylaw Amendment Bylaw No. 1094-2019, as it would strongly affect my interests. I have an agreement with the owner to purchase the property right next door, where I currently reside. My enjoyment and the value of the adjacent property will be adversely affected:

1. Trees have already been cleared prior to approval of this application. Within weeks of the clearing, several trees blew down across my fence, damaging my yard and risking injury to my animals and myself. There was no prior blow down in the 2 years I have lived here, despite much more severe storms. I believe the applicant's clearing left the trees behind my property vulnerable to blow down.

2. At this time of the year, I hear a chorus the frogs put on each night as they wake up after the winter's frost. With RV generators next door, the constant hum will be unpleasant compared to the quiet summer nights that I have experienced in the back yard. In the summer months, the noise is already louder with the hotel guests being outside on hot summer nights, socializing etc. If there is an RV park, this will be twice as loud, and will keep my granddaughter and I awake on summer nights.

3. I walk my dogs daily around the airport and down to the beach. There is already a serious problem with trash, including beer cans littered on the airport beach. Last year I took two garbage cans full of garbage just from one area. If this re-zoning for an RV park is approved then the numbers of beach users will be much increased, and there will be more garbage, beer cans, and fires left burning.

4. My future property's market value will be negatively impacted with an RV park next-door.

I am all for Port Hardy having more tourism, but not at the expense of the one quiet and peaceful area left in Port Hardy. Therefore, I object to the rezoning of the property and would like it left as is.

Councillor Tidbury called for a first time for speakers.

Stan McLennan, Byng Road

Questions regarding the airport flight path and the trees adjacent to the property he owns and the Airport Inn property. He was surprised to learn that the Airport Inn owned as much property as they do. He also commented that the trees referred to in the letter are not originating from the Airport Inn property.

Jeff Munroe, on behalf or the Kwakiutl First Nation

Concerned about an adjacent creek and environmental impacts.

Councillor Tidbury called for a second time for speakers.

Jeff Munroe, on behalf of the Kwakiutl First Nation

Mentioned that the Kwakiutl First Nation is not opposed to the development, just wants to ensure the preservation of the natural environment.

Councillor Tidbury called for a third time for speakers.

No comments.

Councilor Tidbury notified those in attendance that all written submissions should be submitted by 6:00 pm in order to be considered as part of the record of the Public Hearing. Council members cannot discuss matters relating to the public hearing after the public hearing is closed.

Councillor Tidbury called for a final time for speakers and submission to the proposed amendment Bylaw 1094-2019.

No comments.

No written submissions were received at this time.

The Public Hearing was adjourned at 1:14 pm to reconvene at 6:00 pm.

Councillor Tidbury reopened the Public Hearing at 6:00 pm and acknowledged that the hearing is being held on the Traditional Territory of the Kwakiutl people.

Councillor Tidbury advised that this public hearing is being held in accordance with the *Local Government Act* to allow the public to make representations to the District of Port Hardy regarding proposed District of Port Hardy Zoning Amendment Bylaw No. 1094-2019. He indicated a copy of the proposed Bylaw is available at the table by the entrance to the Council Chambers.

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Councillor Tidbury indicated that all persons who believe that their interests are affected by proposed bylaw No. 1094-2019 will be given an opportunity to be heard respecting matters contained in the Bylaw.

The Director of Development Services then reviewed the bylaw and explained the intent of the proposed changes to the bylaw.

The purpose of the application is to change the zone for the property legally described as Lot A, Section 23, Township 6, Rupert District Plan VIP63928, PID 023-532-840, 4030 Byng Road from C-2 Service Commercial to C-5 Tourist Commercial which will permit the following uses:

- (c) The following principal uses are permitted:
 - (1) Campground
 - (2) Hotel
 - (3) Tourist Cabin

- (d) The following accessory uses are permitted:
 - (1) Accessory Buildings and Structures (see section 3.9)
 - (2) Caretaker Dwelling
 - (3) Licenced Premises
 - (4) Restaurant
 - (5) Retails Sales

No further written submissions were received.

Councillor Tidbury called for a first time for speakers.

Stan McLennan, Byng Road

Looking for answers regarding the lot known as 4050 Byng Road and was hoping the owners would be at the hearing to discuss their intentions. The ownership of the property behind 4050 and 4060 Byng Road is owned by the Airport and is preserved for the flight path and wanted to know if they (the Airport) should be responsible for the fallen trees. He indicated that there is a creek that runs along the back of all the Byng Road properties and 20 years ago there was an unemployment program to clean the streams, which was indicated as a fish bearing stream. Hoping the government will step in to clean up the creek.

He indicated that he had no issues with the zone change and if there is an issue with the noise from the hotel, well that's what hotels do.

Councillor Tidbury called for a second time for speakers.

No comments.

Councillor Tidbury called for a third time for speakers.

No comments.

Councillor Tidbury called for a final time for speakers and submission to the proposed amendment Bylaw 1094-2019.

None received.

Councilor Tidbury notified those in attendance that any written submissions received after the close of the public hearing would be reviewed by staff but would not be considered by Council in the process of making their decision regarding bylaw 1094-2019. The Council members cannot discuss matters relating to the Public Hearing after the Public Hearing is closed. At any time after the close of this Public Hearing the Council may make a final decision regarding Bylaw 1094-2019 without any further notice.

Councillor Tidbury closed the public hearing at 6:18 pm.

CERTIFIED CORRECT:
Originally signed by;

DIRECTOR
OF CORPORATE SERVICES

COUNCILLOR